

CANADA'S PRIMARY CONSTITUTIONAL DOCUMENTS

THE
CONFEDERATION
DEBATES
IN THE PROVINCE OF CANADA

INCLUDING

THE DEBATES IN THE LEGISLATIVE COUNCIL &
LEGISLATIVE ASSEMBLY OF THE PROVINCE OF
CANADA

ON A MOTION TO ADOPT
THE QUEBEC RESOLUTIONS

VOL. II

MARCH 1 - MARCH 18, 1865



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VOL. II

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CANADIAN
CONSTITUTION
FOUNDATION

The Confederation Debates in the Province of Canada

Including The Debates in the Legislative Council & Legislative Assembly of the Province of Canada on a
Motion to Adopt the Quebec Resolutions

VOL. II

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THE CONFEDERATION DEBATES



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certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.²

Joseph Rymal [Wentworth South] said he did not see why the hon. member for Montmorency (Mr. Cauchon) should decline to go on with his speech this evening.

Joseph Cauchon [Montmorency] was understood to say going on at this hour, inasmuch as he would be unable to conclude to-night. He had not yet had any refreshment. Moreover, his notes and authorities were not here, and he (Mr. Cauchon) would be compelled to send for them.

In answer to some remark made across the House by an hon. member, which was inaudible in the gallery—

Joseph Cauchon [Montmorency] said—I think my speech will be the shortest of the long speeches.

Some Hon. Members—Hear, hear.

William Powell [Carleton] *moved*

The adjournment.

Some Hon. Members—*Cries of no, no, yes, and adjourn.*

After some conversation, the motion for the adjournment was understood to be withdrawn.

Joseph Cauchon [Montmorency]—*I move*

The adjournment of the debate.

George-Étienne Cartier [Montreal East, Attorney-General East]—*I move, in amendment,*

That the debate be adjourned until to-morrow at half-past

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



WEDNESDAY,
MARCH 1, 1865¹

The Order of the Day being read, for resuming the adjourned Debate upon the Question which was, on Friday the 3rd instant proposed,

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on

¹ [Source: "Provincial Parliament," \[Quebec\] Morning Chronicle \(Mar. 2, 1865\).](#)

² [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 164.](#) Inserted for completeness. The *Morning Chronicle* version begins with Rymal's speech.

three.³

Some Hon. Members—*Cries of* hear, hear and oh, oh.

Luther Holton [Chateauguay] raised the question of order. In the first place, he was of opinion that an amendment to a motion for adjournment of the debate could not be moved; and, in the next place, even if it could, as it would have the effect of suspending a rule of the House about the order of the debate, there must be notice.

George Brown [Oxford South, President Executive Council] spoke on the question of order, arguing that the objection raised by the hon. member for Chateauguay [Luther Holton] was groundless.

John Sandfield Macdonald [Cornwall] proceeded to contend that under cover of a motion to adjourn, the orders of the House could not be attacked, and that the present motion would supersede the standing orders for to-morrow. It could not, therefore, he put without previous notice.

Antoine-Aimé Dorion [Hochelaga] contended that, without giving notice, the Government could not change the standing orders of the House. It could not do so by a side-wind of this kind. Otherwise there could be no protection for the minority.

The Speaker decided he had not the slightest doubt the motion was in order.

Luther Holton [Chateauguay] would protest against the conduct of the Government, as regards the minority, in this matter. The Government themselves, settled the manner in which the debate was to be conducted, and the arrangement made by them was assented to by the Opposition. But scarcely had it been in operation 10 days, the major part of which was taken up by the members of the Cabinet in speaking upon the scheme before us, when a supporter of theirs proceeded to feel the House and obtain the consent of members to a "round robin" with a

view to abandoning the agreement existing, and carrying on the debate in the forenoon also. The Government, spite of their own management, and the wishes of many hon. members, endorsed the action of their supporter in this matter, and now pressed the motion originally proposed by him.

Now that the member for Montmorency, (Hon. Mr. Cauchon), one of their supporters, had asked to be excused from speaking to-night, the attempt of the Government, at this hour, to cut short the debate involved, in the first place, a breach of faith with the minority, and an attempt to press a vote upon Confederation, lest, perchance, any accident should betide to retard the adoption of the scheme.

The object of the Attorney-General East [George-Étienne Cartier] and colleagues was to avoid the performance of their pledge that, in case Confederation should not be carried, they would endeavor by a federal union of the two Canadas, or some other measure to settle the present constitutional difficulties.

Now, he (Mr. Dorion) wished to know what the Government proposed doing, with this object, if the Lower Provinces rejected Confederation, as it was not unlikely the majority would do? The House was entitled to some information on the point.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—The Parliament of Nova Scotia could not meet for a month, and why this haste on the part of our Government to carry the measure without the fullest discussion? Why not wait a month to see what the Lower Provinces were going to do in the matter? Our Government had been asked by a motion to submit to the House some despatches on Confederation, to which the Governor of Nova Scotia had referred in his speech, and which they had had in their possession for some time. We would, probably, not have known of those documents had it not been for the reference in question.

³ The amendment reads in full, "*That the debate be adjourned and be taken up as the First Order of the Day to-morrow, after Routine Business.*" [Journals, p. 164.](#)

When was the Hon. Attorney-General East [George-Étienne Cartier] going to submit them to the House?

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—As soon as the despatches, which are in the Provincial Secretary's [William McDougall] charge, have been copied, they will be brought down.

Luther Holton [Chateauguay] said the despatches ought to have been in the possession of the House weeks ago, or at any rate before we were forced into this debate.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Did the Government think that the minority were going to allow this amendment to be forced upon them, spite of the arrangement originally come to? We could speak every afternoon till six, and so confine the discussion on Confederation to the evening sittings. The Government would be responsible for delaying the business and the discussion in their attempts to stifle it. He proceeded to condemn the Cabinet for attempting to hurry through the measure without full and fair debate. They would gain the condemnation of the country from one end to the other. The adoption of the amendment before us would be a breach of faith and an outrage upon the rules of the House.

Some Hon. Members—*Opposition cheers.*

Christopher Dunkin [Brome] felt that the Government, by this course of proceeding, was not keeping good faith with those in the Opposition. He would like to know if the member for Montmorency, in case the amendment was carried, would take the floor of the House to-morrow afternoon at half-past three instead of at half-past seven in the evening.

Alexander Galt [Sherbrooke, Minister of Finance]—He is not there. I suppose he will take the floor at half-past three.

Christopher Dunkin [Brome] thought it would be hardly fair to fix the opening of the debate, in his absence, at half-past three, not knowing but that he might—as he desired to

speak first—prefer commencing at half-past seven.

Thomas Parker [Wellington North] said that if anything was calculated to shake his confidence in the gentlemen on the Treasury benches, it would be persisting in their present course.

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—If anything was calculated to excite suspicion in the country it was the means taken by the Government to rush this matter through the House with such haste. They would not allow the matter to go to the country, or to be fully discussed according to the rule they themselves laid down. They had given no explanations why they wished to rush this scheme through the Legislature at the cost of setting aside the ordinary business of the House.

Archibald McKellar [Kent] said the Government's intention, far from being to cut short the debate, was to extend its duration by giving us the afternoon as well as the evening. The question of Confederation discussed in the same way as in Committee of the whole, every member could speak as long and as often as he pleased. As to the feeling of the country relative to the scheme, there had been no spontaneous petitions yet presented against it. The petitions sent in were, doubtless, concocted at the desks of the leaders of the Opposition, and afterwards signed by some parties out of doors, through the influence of those gentlemen.

Some Hon. Members—Hear *and laughter.*

Archibald McKellar [Kent]—There was a very strong reason why we should go on with this measure, without delay.

Several Opposition Members—What is the reason? Why more reason to press it here than in the Lower Provinces?

Archibald McKellar [Kent]—In those Provinces they had no Constitutional difficulties, and the propose changes had not then been previously discussed as they had in Canadas. The people here were quite prepared for any measure that would relieve us from the

dissensions and heartburnings which existed between both sections of Canada. The people of Canada East and West said—let us have the Constitutional change proposed. The Government were acting in the interest of the country in urging the measure, for which the people were quite prepared. The Opposition, who pretended to be watching over the interests of the country were, wasting its time and preventing the scheme from being proceeded with promptly and carried.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska] protested against the course proposed to be adopted by the Government in this matter.

Matthew Cameron [Ontario North] followed on the same side, condemning strongly the conduct of the Government in reference to the management of this debate.

In answer to **Christopher Dunkin [Brome]**—

George-Étienne Cartier [Montreal East, Attorney-General East] was understood to state that, supposing the hon. member for Montmorency [Joseph Cauchon] was unable to take the floor at half-past three to-morrow, no advantage would be taken of the Opposition.

The motion in amendment was then put,—

That the words “and be taken up as the First Order of the Day to-morrow, after Routine Business,” be added at the end thereof.⁴

—and carried on a division: yeas, 63; nays, 26.

The main motion, as amended,—

That the debate be adjourned and be taken up as the First Order of the Day to-morrow, after Routine Businesses.⁵

—was also carried.

The House then, at quarter to 11 p.m., adjourned.

⁴ Cartier’s amendment was on Cauchon’s motion to adjourn the debate. [Journals, p. 164.](#)

⁵ This motion (as amended) has been reconstructed by the editors (2022) with use of the [Journals, p. 164.](#)

of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.¹

Louis Archambeault [L'Assomption]—In rising on this occasion, sir, my intention is not to occupy the attention of the House for a long time, nor to discuss the merits of the measure which is now before us. I intend merely to explain my own motives for the vote which I shall give, and this I shall do as briefly as possible. I am bound to acknowledge at once that when I arrived in Quebec, at the commencement of the session, I was opposed to the plan of Confederation, and so strongly opposed to it, that I was fully determined to vote against it.

But after a more serious consideration of the question, and after hearing the explanations which have been afforded to us of the scheme of the Government, I have arrived at the conviction that I had decided, if not wrongly, at least hastily, and that I ought not to aid in the rejection of the measure, merely because it did not quite coincide with all my opinions. After listening to the discussion, and the explanations of the members of the Administration, I perceived that the plan was one of compromise and could not, therefore, be adapted to suit all views, nor shaped even to meet those of the men who framed it.

I can understand that those persons who are opposed to any degree of Confederation, and who would rather have representation based on population or the annexation of Canada to the United States, may be opposed to the project of the Government, and reject it accordingly; but those who, like myself, are not opposed to it under any circumstances, and are capable of appreciating the necessity of it at the present conjuncture, together with the advantages it may produce to the country, ought not, cannot, I think, reject it, only because some of its details are not exactly to their mind.

It is our business first to enquire whether

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



**THURSDAY,
MARCH 2, 1865**

The Order of the Day being read, for resuming the adjourned Debate upon the Question which was, on Friday the 3rd February last, proposed—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference

¹ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 168.](#) Inserted for completeness. The Hunter & Rose version begins with Archambeault's speech.

some constitutional changes are not necessary, and none I think will deny that they are. The political leaders of the two parties into which this House is divided, have acknowledged this as a necessity. It remains, therefore, only to consider what changes should be made. The members of the Government have decided this question, and proposed a Confederation of all the Provinces

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of British North America. They have come to an understanding with the sister provinces, and now lay before you their scheme of a Confederation. We are not now to inquire whether all the details of the scheme perfectly agree in every point with our particular ideas, but whether the change is necessary, whether the proposed scheme is good and fit to be accepted as a whole; for, as the scheme is a compromise between different parties, whose interests are at variance with each other, the Government who now move its adoption must be held to be responsible for all its details.

Any amendment of the plan passed by this House would really be a vote of want of confidence in the Government, and you must therefore either adopt the plan as laid before you, or pass a vote of want of confidence in the present Administration. Now, I for my part am not prepared to vote a want of confidence in the men now in power. To induce me to do that, I must see in their opponents a better security for good government, and its advantages to the country, than they are able to show; I must hope to find in the latter something better than what I find in those whose measures they withstand.

So far, I do not find that they have offered, nor do I find that they now offer, such security or such hope. Far from it; if we are to judge them by their former acts, we must confess that we cannot give them our confidence, that they have displayed great want of capacity for the government and management of the affairs of the country. When they were in power, they had no decided policy, they were

incapable of dealing with any important question: they lived from hand to mouth. Their acts in the Administration were stamped with a spirit of resentment and injustice towards their adversaries. They instituted commissions of inquiry, for instance, against public officers, in order to get a pretext for dismissing them and making room for their hungry partisans. Again, have they any better plan to propose to us than that of the Government? No! They might offer us, perhaps, representation based on population, or annexation to the United States; but I do not think such remedies would suit our taste.

In these circumstances, I have no hesitation in declaring that I shall vote for the scheme of Confederation, as presented to us by the Government, although it does not meet all my views, and does not promise all the guarantees which I should be glad to and in it, and although I do not consider it as likely, in its present form, to afford a sufficient safeguard for the interests of the different provinces, and to secure stability in the working of the proposed union. As I am not in a position to influence public opinion, so as to oblige the Government to modify their plan to suit my views, I take sides with the men who have always had my confidence, and with whom I have always acted, because I have confidence in their honesty and their patriotism. I cherish a belief that in this all-important question, which affects our best interests and our national existence and social welfare, they have been actuated by the same love for their country which has ever guided them in times past.

Some Hon. Members—Cheers.

Joseph-Goderic Blanchet [Levis] said—Mr. Speaker, as no one is disposed to take the floor just now, and it would seem as if all who intend to discuss this question are bent on having a large audience in the galleries, I shall take upon me to say a few words. Those who moved to have the speeches of this House printed in official form certainly did no good service to the country; for all are trying which shall make the longest speech, and I do not

think it is altogether just to the public purse. Each one would speak at a particular hour, and to the ears of a certain audience; but the history of the Parliament of England shews that her great statesmen and orators did not concern themselves about that. The greatest and most important speeches were delivered in the House of Commons at a very late hour of the night; thus [Fox delivered his great speech on the East India Bill](#)² at two o'clock in the morning; [Pitt his on the abolition of the slave trade](#)³ at four o'clock in the morning; and we should lose nothing by speaking before half-past seven in the evening. But as the honorable member for Montmorency (Hon. Mr. Cauchon) is to speak this evening, and I wish to explain my way of thinking on the question, I rise to do so.

This question of Confederation is not a new one. It has already agitated men's minds and been a subject of debate for a great many years. Now public opinion is completely made up concerning it. I have no occasion to enter into details respecting the scheme which we have before us. It has been discussed with much more of knowledge and precision than I bring to the consideration of the subject, by the members of the Government and the honorable members on the opposite side of the House.

I need not say

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that the territory intended to be included in the Confederacy is nearly as large as all Europe, that it will contain four millions of souls, and that having confederation, we shall become the fourth power in the world in respect of merchant shipping. We have only to compare the statement of our present imports and exports with that of the United States a few years ago, and we shall find that our position is as good as theirs was.

I hold in my hand a work lately written by Mr. Bigelow, at present *chargé d'affaires* from the American Government to the Tuileries, containing valuable statistics of the commerce, manufactures and resources of the United States, as well as of the war at present raging in that country. In the chapter devoted to commerce, he writes as follows:—

After the reorganization of the constitutional government in 1798, commerce speedily grew to vast proportions. The tonnage, which, in 1792, was 561,437 tons, had reached 1,032,019 in 1801; the imports valued in 1792 at 31,000,000 dollars (157,500,000 francs), were in 1801, 111,363,511 dollars (556,817,555 francs); the exports had in the same period risen from 20,753,098 dollars (193,765,490 francs) to 94,115,925 dollars (470, 579,625 francs). In 1817 the tonnage was 1,268,548; the imports 138,500,000 dollars (692,500,000 francs); and the exports 108,343,150 dollars (541,715,700 francs). At that period, American commerce received a blow from which it did not recover for several years.

The measures of the English Parliament, followed by Napoleon's decrees, issued from Berlin and Milan, and by the embargo of 1807, produced a deep stagnation in the commercial affairs of the Union, and although the amount of tonnage did not very perceptibly diminish during the fifteen following years, the imports fell in 1808 to 56,990,000 dollars (284,950,000 francs), and exports 22,430,960 dollars (112,154,000 francs). The war of 1812-16 gave employment to the shipping which would otherwise have rotted in the docks, and occasioned some clipper privateers to be built; but the trade of the country continued to decline, so that in 1814 the imports rose only to 12,965,000 dollars (64,825,000 francs), and the exports 6,927,441 dollars (34,672,205 francs.)

The ending of the war gave activity to commercial pursuits. In 1815 the imports reached 113,041,274 dollars (565,206,370 francs) and in 1816, 147, 103,000 dollars (735,515,000 francs); the exports of these same years were 52,557,753 dollars (262,788,765 francs; and 81,905,452 dollars (409,602,250 francs). This amount of imports, which was in excess of the requirements of the country at that time, fell the following year to 99,250,000 dollars (496,250,000 francs), and from that period to 1830, except the year 1818, the average amount of the imports did not exceed 78 millions of dollars (390 millions of francs), and the exports reached about the same amount.⁴

² Charles Fox, UK, House of Commons (Dec. 1, 1783 & Dec. 17, 1783). [The Speeches of the Right Honourable Charles James Fox in the House of Commons \(1853\), pp. 111-149.](#)

³ Prime Minister William Pitt, UK, House of Commons (Apr. 2, 1792). [The Speech of the Right Honourable William Pitt, on a Motion for the Abolition of the Slave Trade \(1792\).](#)

⁴ John Bigelow, chapter on commerce in unknown work. Unconfirmed reference.

Thus we find that the average amount of the imports and exports did not exceed \$78,000,000 at that time. We are only a few years behind the United States in that respect. I said a moment ago that the question of a Confederation of all the Provinces of British North America was not a new one, and in fact we find that it was mooted at a somewhat remote period of the history of the country. In 1821, the leader of the Upper Canada Radicals, Mr. W. L. Mackenzie, declared that he wished with his whole heart that there could be a Confederation of the British Provinces. Ten years later the scheme became a special question of debate, and the discussion established it as a positive fact, as it will soon be an historical one.

Some Hon. Members—Hear, hear.

Joseph-Goderic Blanchet [Levis]—Others besides the members on this side of the House are in favor of a Federal union; some incline to a Confederation of all the Provinces, others to a Federal union of the two Canadas only—all are well disposed to a Federal union of one kind or other. At the time of the crisis of 1858⁵, the Brown-Dorion Government⁶ were to settle the difficulties then besetting us, and if I understood the meaning of one of the members of that Government, who went to meet his constituents in order that they might ratify his acceptance of a portfolio in that Administration, the remedy intended to be applied to the existing evils by that Cabinet was a Federal union of the two Canadas; but he said also that, although the policy of the Government to which he belonged was not yet clearly defined, he thought they would take

up, at some future day, the question of a Confederation of all the Provinces of British North America.

That hon. member was the Hon. F. Lemieux, and he was returned by the county of Lévis immediately after making these declarations. Nearly about the same time Mr. J.C. Taché, at present Secretary of the Board of Agriculture, wrote a work which was almost prophetic of the question of a Confederation of the British North American Provinces. It is unnecessary to remark that that gentleman had acquired much experience in his travels, and much information by hard study and preserving labor, and was therefore perfectly qualified to form a judgment on the question. [Mr. Taché has written a work of some length](#), in which he roughly sketches the scheme of a Confederation of the Provinces,

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of which I trust the House will permit me to cite [a few lines](#). These will show that his predictions are speedily to be realized:—

What hopes may we not be allowed to indulge respecting the material future of the immense country which includes the two Canadas, New Brunswick, Nova Scotia, Newfoundland, Prince Edward Island, the Hudson's Bay Territory and Vancouver's Island, when we reflect on the wealth of a soil which is almost everywhere remarkably fertile, (except the extreme North,) on the resources which the forests have treasured up for the settler in the lapse of ages, on the immense fisheries in the Gulf, sufficient of themselves to feed the whole world with fish of the finest quality; when we consider that the whole of this vast continent offers to us, in its various geological formations mineral wealth of the most precious kinds, and that nature has arranged for us channels of intercommunication of incredible grandeur.

⁵ For this member, the crisis of the 1858 legislative session refers to the parliamentary sectarian conflict that grinded parliamentary work that session and effectively brought down the Cartier-Macdonald Ministry, which was quickly returned after it defeated the Brown-Dorion Ministry after two days in office. The crisis was the cumulative result of deepening sectarian differences that were making almost every piece of legislation a matter of deep division. For the Brown Reformers, successive conservative ministries failed to resolve the issue of inequities in representation, and required parliamentary reform of representation by population. See "Policy of the Brown-Dorion Administration" in [Alexander Mackenzie's The Life and Speeches of Hon. George Brown \(1882\)](#). For the Cartier-Macdonald Ministry, the flames of sectarian conflict were fanned by reform rhetoric. In their second incarnation in 1858, the solution for the Cartier-Macdonald Ministry, along with A.T. Galt as new Finance Minister, was the formation of a broader federal union of British North America. See also [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & Oct. 25, 1858\) in Colonial Office, "Confidential: Question of Federation of the British Provinces of America," \(Nov. 1858\)](#).

⁶ Led by George Brown & Antoine-Aimé Dorion (Aug. 2-Aug. 6, 1858).

The fertile soil of these provinces intersected throughout their entire length by the rivers St. Lawrence and St. John, bathed by the waters of the Gulf and those of the Great Lakes, the superb forests through which flow the immense Ottawa, the St. Maurice and the Saguenay, the mines of copper bordering on lakes Superior and Huron, the iron mines of Canada, the coal measures of Nova Scotia and New Brunswick, the seaports of Quebec, Halifax and St. John, the ores of all kinds dispersed throughout the provinces—all those form an aggregate of means which, if we suppose them to be turned to account by a competent population, governed by a political system based on true principles of order and liberty, justifies the most extravagant calculations of profit, the most extraordinary predictions of growth, as compared with the present state of things.⁷

Thus spoke Mr. Taché at that period. Not satisfied, moreover, with sketching with a rapid pencil the general working of this mighty organization, he entered, in a subsequent part of his work, into details which, astonishing to say—although I have no doubt that the members of the Conference had read his work—exactly coincide with the plan now submitted to us. Accordingly, in the partition of powers between the General Government and the local governments, the scheme of the Conference is nearly word for word Mr. Taché's work.

Antoine-Aimé Dorion [Hochelaga]—The hon. member is mistaken, for Mr. Taché assigns the ascendancy and the highest powers to the local governments, whereas the Government plan assigns them to the Central Government.

Joseph-Goderic Blanchet [Levis]—This is what [Mr. Taché says](#):—

These powers of the Federal Government are not, as we understand the matter, to be exercised, except as regards the following subjects, viz., Commerce, comprising purely commercial laws, such as laws respecting banks and other institutions of a general financial character, coinage, and weights and measures; Customs, including the establishment of a uniform tariff, and the collection of the revenue resulting therefrom; great Public Works and

Navigation, such as canals, railways, telegraph lines, great seaport works and the lighting of the coast; Post Office arrangements, both in their entirety and in their internal and external details; the Militia in the entirety of its organization; Criminal justice, comprising all offences which do not come under the jurisdiction of the police courts and justices of the peace. Everything else connected with civil law, education, public charities, the settlement of public lands, agriculture, city and rural police, road works, in fact, with all matters relating to the family life, so to speak, of each province, will remain under the exclusive control of the respective Local Government of each one of them, as by inherent right; the powers of the Federal Government being looked upon as merely a concession of rights, which are specially designated.⁸

I consider that under the present plan of Confederation the local legislatures are supreme in respect of the powers which are attributed to them, that is to say, in respect of local matters. In this respect it goes even further than the honorable member for Hochelaga [Antoine-Aimé Dorion] himself was prepared to go [in 1859](#)⁹, for he proposed to leave to the Federal Government the right of legislating upon the French civil laws, etc, of Lower Canada; but, as his Government was not very long-lived, I know that the honorable member for Hochelaga [Antoine-Aimé Dorion] can deny all this.

Very nearly at the same time another Government addressed to the Imperial Government [a memorial](#), in which it asked for the Confederation of the British North American Provinces¹⁰; but [the Imperial Government replied that it was not prepared to give a decided reply](#)¹¹; and as there had been no agreement between the provinces, the matter remained in abeyance for the time.

Thence forward no steps were taken in the matter until last year—until the crisis, with the circumstances connected with which every one is perfectly well acquainted. Different governments had been defeated, and the country was already weary of that state of

⁷ [Joseph Charles Taché, *Des Provinces de l'Amérique du Nord, et d'une Union Fédérale* \(1858\), pp. 10-11.](#)

⁸ [Joseph Charles Taché, *Des Provinces de l'Amérique du Nord, et d'une Union Fédérale* \(1858\), p. 148.](#)

⁹ See the [Legislative Assembly Debates from 1858-1859](#).

¹⁰ [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & Oct. 25, 1858\) in Colonial Office, "Confidential: Question of Federation of the British Provinces of America," \(Nov. 1858\).](#)

¹¹ [Sir Edward Lytton to Governor General Edmund Head \(Nov. 26, 1858\). *ibid.*](#)

affairs, when the honorable member for Hochelaga [Antoine-Aimé Dorion] moved his vote of censure upon the Government in relation to the \$100,000 affair, and the Government then finding itself in a minority, was compelled to seek a remedy for the existing state of affairs, and the result was the Coalition, the Quebec Conference,

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and finally the plan of Confederation, although he does not now choose to acknowledge his offspring.

Some Hon. Members—Hear, hear.

Joseph-Goderic Blanchet [Levis]—That conduct releases the latter from any debt of gratitude.

Some Hon. Members—Hear.

Joseph-Goderic Blanchet [Levis]—It is not my intention to discuss the question of Confederation in a commercial point of view, nor in a financial point of view, nor in a political point of view, for in these several aspects it has been ably discussed by those who have preceded me. I shall confine myself to making a few remarks upon the question in respect of defence. Every one acknowledges that in order to defend a country effectually there must be unity of action, uniformity of system, and a combination of the means of defence. Without uniformity, without unity, it is impossible to make any serious attempt at defence in case of attack, and the divided country falls an easy prey to the enemy.

So general is this rule that history shows us that weak nations have always united together, have always coalesced when they were attacked or were in fear of being attacked by a powerful enemy. The North American colonies did so in 1775, when they wished to offer resistance to the Mother Country. They organized themselves into a Confederation, and it was in consequence of their so doing that they were able to resist what they considered as an act of oppression on the part of England. Had those colonies, instead of organizing themselves as they did, had each of them a different system of defence, and had

there been no uniformity in their tactics, England would have had an easy bargain of them.

And is it to be supposed, if they had not banded themselves together, so as to possess a certain amount of strength, that they would have obtained the alliance and the assistance of France? When a feeble power is attacked by a powerful enemy, it should seek to ally itself with other states which have interests in common with it, in order that they may defend themselves in common. So far as we are concerned, if we are desirous of assisting the Mother Country in offering an effectual resistance to invasions by the American people, we ought to have unity of command, in order that we might be able to send the militia from the centre and cause them to extend towards the circumference.

In case of war with our neighbors, we should, of necessity, be compelled, by the very force of circumstances, to unite with the other provinces. That being the case, why not do so at once, in time of peace, while we have time to devote to it that calm and deliberate consideration which the importance of the subject demands. Confederation is the sole means of offering resistance to attempts at invasion by our enemies. The Federal system is the normal condition of American populations; for there are very few American nations which have not a political system of that nature. The Federal system is a state of transition which allows the different races inhabiting the same part of the globe to unite, with the view of attaining national unity and homogeneity. Spain, Belgium, France, and several other European countries were formerly peopled by different races, who constituted so many different communities; but they became united, they entered into confederations, and in the course of ages all the communities were consolidated into those which we now see—into everything that is held to be beautiful, noble and great throughout the whole world.

When the Federal system has been put in practice in an enlightened manner, it has

always sufficed for the requirements of those who adopted it. The case of Greece has been cited by an hon. member of this House, to show the fatal nature of this system to the nations who adopted it; but he ought to know that the decadence of Greece only began from the moment when she abandoned the Federal system. The hon. member for Lotbinière [Henri Joly] sought to prove that confederations were the source of all sorts of disturbances; and in support of what he said, [he read out to us](#) the table of contents of the history of South America, in which he found a long list of *échauffourées*¹², movements, agitations, risings, civil wars and revolutions¹³.

It is not my wish to deny the facts quoted by the honorable member, but I must say that his conclusions are not correct, and that it is not right to draw conclusions adverse to a system from merely perusing the table of contents of any work whatsoever. The history of all nations will afford tables of contents, which, if they were taken as indicating the normal and habitual condition of a people, would cause us to make strange mistakes and to draw strange historical conclusions. Even the present history of England, the history of the reign of Her Majesty Queen Victoria, might afford to a person, who was desirous of forming a judgment respecting it from the table of contents alone, some facts which might induce him to believe in the complete disorganization of

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the British Empire; for in it he would find allusion made to the Chinese war, the several insurrections in India, the insurrectional movement in Ireland, the Russian war, the Sepoy rebellion, and a large number of other matters; but all tins would prove nothing against the prosperity of the empire under the rule of Her Majesty.

Some Hon. Members—Hear, hear.

Joseph-Goderic Blanchet [Levis]—But, without losing time over the reply which may be made to this style of reasoning, I say that it does not follow that the Federal system is impracticable, because it has not succeeded among certain people who were not in a sufficiently advanced condition for the application of the system. No constitution suits every people equally well; constitutions are made for the people, and not the people for the constitution. When a people is sufficiently enlightened and sufficiently educated and civilized, a constitution ensuring their liberty may be given them; but it is necessary to wait until they are able to appreciate and enjoy it, before giving it to them.

A free constitution entrusted to an unenlightened people is like an edged tool placed in the hands of a child; it is a dangerous instrument, with which it may chance to wound itself. Besides, certain forms of government are better suited to certain people than others. Thus, to endeavor to give the English Constitution to the French people would be to commit a great mistake, for the French people are not adapted to the working of the political institutions of England. Again, try to give the English people the French Constitution, and the English people will revolt. Before giving a constitution to a people, that people must be taught how to use it. It cannot be said that a table of contents is not history, but certainly one would not seek in that part of the volume for the philosophy of history.

Let us suppose that some one is desirous of reading the history of the Celestial Kingdom, and that on taking up the book he finds, in the table of contents, that at a certain period there was a terrible battle between the good and the wicked angels; if he shared the ideas of the hon. member for Lotbinière [Henri Joly], he would say to himself: "This country cannot have a good government, and it is not advisable to live in it."

¹² i.e. "clashes."

¹³ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 346-349.](#)

When a person draws historical conclusions from a table of contents, it shows that he has not derived much benefit from his [?studies?]. [?Those?] who are now opposing Confederation are not agreed as to their mode of attack, any more than they are upon the means to be adopted to meet the difficulties of the position in which we are now placed. The hon. member for Hochelaga (Hon. Mr. Dorion) is in favor of Confederation of the two Canadas, and the hon. member for Lotbinière (Mr. Joly) is against any Confederation at all. They do not even agree as to their reasons for opposition.

Some are opposed to Confederation because it grants too much to Lower Canada, and others because it grants too much to Upper Canada. Yet Confederation cannot be disadvantageous to everybody, and, for my part, I am of opinion that everyone may find something good in it, if he is only reasonable in his expectations. If the hon. member for Hochelaga [Antoine-Aimé Dorion] were called upon to arrange the difficulties in which the country is at present situated, I am satisfied that he would not bring forward any other plan than some scheme of Confederation or other; and if he did not succeed with the scheme for the Confederation of the Canadas, he would try the more extended plan of a great Confederation of all the provinces.

There is indeed, it is true, another remedy which would be more likely to meet the views of certain members—annexation to the United States; but I, for my part, am resolutely opposed to it, and am prepared to fight against it by every possible means, and to take up arms, if necessary, to resist it. If we are ever invaded by the United States, I shall ever be ready to take up arms to drive the invaders out of the country.

Some Hon. Members—Hear, hear.

Joseph-Goderic Blanchet [Levis]—A great

outcry which is raised against Confederation is that about direct taxation. For my part, I consider that the honorable Minister of Finance (Hon. Mr. Galt) has proved clearly that we shall not require to have recourse to it. But even supposing that such should turn out to be the case, we should not be any worse off than we should be with the gentlemen on the other side of the House in power; for it is perfectly well known that the hon. member for Chateauguay's [Luther Holton] plan is to establish direct taxation. With them, therefore, we should not have to wait for Confederation before we got it.

The honorable members on the other side of the House have also taken occasion to find fault with [the Speech from the Throne](#) having contained an allusion to the peace and general prosperity of the country¹⁴. "Why," they say, "the Speech from the Throne states that trade is prospering, that the people are happy and contented, that the harvests have been magnificent, and that great contentment and great prosperity everywhere prevail;

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and yet constitutional changes are proposed in order to soothe the discontent of the people and the agitation of the country." Well! Let us suppose that the gentlemen are right—for it is true that the year has not been a good one in respect of business, and it is natural that such should be the case, in view of the position of the crisis through which America is now passing, and but little else can be expected; the harvest has not been a very good one—however, allowing that these gentlemen are right, it is not the less true that we are relatively in a state of quietude and great prosperity, and it is just at the present time, when we are in a state of tranquillity and can do it in perfect liberty, that we should adopt means to settle our internal difficulties. It is not during a time of trouble or a civil war that we

¹⁴ [Lord Monck, Legislative Council, Speech from the Throne \(Jan. 19, 1865\), p. A:1](#). The relevant part of the speech is as follows, "In calling you together to resume the performance of your constitutional duties, I desire to express my thankfulness to a beneficent Providence that I am enabled to congratulate you on the general prosperity and contentment of the people of this Province, and the continuance to us of the inestimable blessing of peace."

can do it, and therefore we ought to profit by the opportunity which is now offered us.

A Constitution will not last unless it is elaborated with the care, the deliberation and the calm consideration which can be devoted to it only in time of peace. We are now at peace with our neighbors, our friends are in a large majority, the question is known to the country and has been considered for several months past, and our duty is to do now in time of peace, what it is impossible to do in time of trouble. We ought also to labor to enlighten public opinion on the subject of this plan of Confederation, not by appeals to its prejudices, but by free and open discussion, and by wise counsel based on that truth which should always be our guiding star.

I am, therefore, disposed to vote in favor of the resolutions which are submitted to us. When I became aware that the Government were bringing forward this scheme of Confederation, I said to myself that we were about to be liberated from colonial leading-strings, and that we were about to become a people, and I expected the House would approach the question with due regard to its greatness; some hon. members have undoubtedly done so, but I regret that many others have not been able to raise themselves above the narrow considerations of party. The question has been discussed by statesmen on this side of the House at least; but on the other side it has been made a miserable question of party and of taxation. With these few remarks, I shall conclude by stating that it is my determination to vote in favor of the scheme submitted to us.—

Some Hon. Members—*Applause.*

Joseph-Octave Beaubien [Montmagny]—Mr. Speaker, I do not rise to make a long speech, for I freely acknowledge that it is not in my power to do so; and besides, the question which is submitted to us has been so well discussed by those who have preceded me, and who are in a better position than myself to judge of the condition and requirements of the country, that the subject is almost exhausted. I only wish, by rising on this

occasion, to record my presence at the debates which are in progress on this question, and to state in a few words what the reasons are which induce me to support this measure.

The peculiar position of the British North American colonies and their proximity to the United States, call upon them to unite together in order to form a stronger nation, and one more able to withstand the onslaught of an enemy, should it be necessary so to do, and to increase their prosperity in a material point of view. There is one fact which must not be forgotten, and which I must mention—it is that when France abandoned this country, and England took possession of it, from that moment French immigration entirely ceased and gave way to immigration of persons of foreign origin—of British origin.

From that period the English population increased from day to day in this country, and at the present time the French-Canadians are in a minority in United Canada. Under these circumstances, I am of opinion that it would be at once an act of imprudence and one characterized by a lack of generosity on our parts to wish to prevent the majority of the population of the country from displaying greater aspirations for our common country, and from desiring its advancement and more rapid progress in an onward direction, at the same time drawing closer the bonds which unite us to the Mother Country.

I have reflected on these matters, and although I am not disposed to submit to injustice to my country or my countrymen, yet I am ready to enter into a compromise with persons of other origins. I consider, moreover, that since we are satisfied with our position as English subjects, and with the Constitution which we are allowed freely to exercise, we should do all in our power to increase England's interest in her colonies; and for my part, I consider that the means of so doing is to accept the Confederation which is proposed to us. Not long since discontent was manifested in England among a part of the commercial

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class, in consequence of the liberty which we took of imposing high duties on English merchandize imported into this country; but the English Government did not share that discontent, I am happy to say, and did not choose to interfere. This fact, however, was of a nature to cast a chill upon the interest with which we were regarded in England; but when the news of Confederation reached England, that interest was revived, and has ever since continued to increase.

If we desire to interest England in our fate, we must draw closer the bonds that unite us to her, and we must do it by means of the Confederation now proposed to us, because that measure once carried out, she will undoubtedly put forth her whole strength for our defence if we should be attacked. Moreover, in view of the events which have recently occurred in the southern portion of this continent, if we reflect that it seems to be the policy of France and of England to establish a balance of power similar to what exists in Europe, if we consider that it is for this end that France has established an empire in Mexico, it is clear that England cannot but view with a favorable eye the movement now in progress here for the Confederation of all the British North American Provinces.

It is not at such a time as this, therefore, that England would be disposed to abandon her colonies, as it has been pretended by some. I stated, a moment ago, that we should not resist the just demands of the British population of this country, provided they do not ask anything involving injustice towards French-Canadians. If we were guilty of injustice towards them, they would complain, and propose a plan of constitution humiliating to the French-Canadians, and they would no longer entertain sentiments of esteem and consideration for us. I do not refer to this matter for the purpose of discouraging my own fellow countrymen, but because I believe it is necessary that they should take this view of the matter into account in the position in which we now find ourselves placed.

Today our position is an excellent one; we

are strong as a party, we have statesmen at the head of the affairs of our country who are devoted to its interest—they have proved it again and again—and united together by the ties of interest and friendship; and above all, we have ever had confidence in those who prepared the project of a Constitution now submitted for our consideration; it is evident, then, that a more favorable opportunity could not possibly be found for effecting constitutional changes than the present circumstances afford.

These men, who are surely possessed of as much diplomatic skill as the representatives of the other provinces can exhibit, will undoubtedly look after the interests of Lower Canada; and their opinion, based upon justice, will prevail with those to whom the preparation of our new Constitution is to be entrusted. Moreover, what I have just stated is perfectly understood by every influential class in the country, by all men who help to form public opinion, who are the guides of the people, and who have hitherto managed to lead them aright, and to bring them into a safe harbor at the last.

To-day these men and these influences are in favor of the present plan, and all are convinced of its necessity. But, on the other hand, what are the influences opposed to Confederation in Lower Canada? They are confined to a party which has existed for the past fifteen years in Lower Canada, and which has always been remarkable for its opposition to all measures demanded and supported by the party representing in this House the vast majority of the people of Lower Canada.

This persistent opposition to the measures of the Lower Canadian party savoured of revolution—for your revolutionist is by nature incapable of submitting to the majority; it is the same party which in other countries forms secret societies, by means of which society is thrown into disorder—and it is admitted that everywhere, in Europe as well as in America, these secret societies are composed of men who are invariably opposed to everything calculated to secure the peace and happiness

of the people.

Is it not true that in 1856 or 1857 a place in the Administration was offered to one of the leaders of that party by the present Attorney General [George-Étienne Cartier], and that an opening was repeatedly made for them, because it was thought that they were acting in good faith? Now, did they not invariably refuse the alliance offered them? And did they not even refuse to give a cordial support to the Macdonald-Sicotte Administration¹⁵, which was composed of Liberal-Conservatives? And the reason was, that Administration was not exclusively composed of the democratic element.

Antoine-Aimé Dorion [Hochelaga]—Who voted against that Administration, and who defeated it?

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Joseph-Octave Beaubien [Montmagny]—It is true that the actual vote by which that government was upset was given by us, because there was in that Government an excess of the element I have just referred to, and for other reasons; but it was that party that betrayed and spurned those who had enabled them to carry their elections.

Some Hon. Members—Hear, hear.

Joseph-Octave Beaubien [Montmagny]—Is that not the truth? Then, that persistent and constant opposition to everything, shows that the members of that party were inspired by passions, not to be found in the generality of men. The Conservative party has always opposed representation by population under the present union, because under this union we are face to face with the population of a country of which the products are different from ours, and of which the interests are not always identical with ours. This question was strongly agitated. The whole people of Lower Canada resisted that demand, and the whole Conservative party firmly refused to consent to it, while the other party—the Opposition party—held out hopes to those who

demanded that measure, and allied themselves with them. This is a statement, the truth of which cannot be denied, for documents proving the facts exist, and have been laid before this House and the country.

This cause of dissension has always existed, and will always exist in Upper Canada, not because it is necessary to the support of such or such a party, but because it is the result of a provision of the Constitution, and because the interests of Upper Canada are not the same as ours. And if we do not affect a settlement of this question now, these dissensions will, ere long, be renewed and the difficulties increased. Here is an opportunity of removing these difficulties by uniting ourselves with the Lower Provinces; and I think Lower Canada would do well not to lose the opportunity. Under Confederation, the political parties into which the provinces will be divided will find it necessary to form alliances, and our alliance will be courted by all, so that we shall in reality hold the balance of power.

Moreover, I am quite convinced that we have no grounds for fear in that respect. I have always remarked that material interests are of great weight in the formation of parties, and the conduct of the French-Canadians, with reference to their religious institutions, never inspired any uneasiness or distrust in our fellow-countryman of a different origin from ours, when they found it their interest to form an alliance with us; and I am certain that we shall find, under like circumstances, the same disposition among the inhabitants of the Lower Provinces.

The plan proposed to us being based upon the principle of justice and equity to all, it is deserving of the support of all parties. It presents a remedy for the evils of which Upper Canada complains, at the same time that it affords guarantees for the protection of the interests of the other provinces; and inasmuch as it is founded on just bases, it will be found—more especially among a people such as that of this country, who are peaceable and well-

¹⁵ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

disposed, who are, for the most part, owners of land, and have many interests to protect—it will be found, I say, that a sentiment of justice will prevail, and that everyone will do his best to promote the working of the new Constitution in such a manner as to give full satisfaction to all the parties interested.

Notwithstanding what [the hon. member for Lotbinière \[Henri Joly\] has said in the course of a speech](#)¹⁶, with which he himself seemed to be so intensely amused, the sound sense and judgment of the people of Lower Canada will satisfy them that they will find in the project which has been submitted to us, guarantees for all their interests and for everything they hold dear, and that the measure will meet all their wants; and on the other hand, the sound sense and judgment of the people of the other provinces will prevent them from committing any excess or any act of injustice towards Lower Canada, if the latter should happen to be in a minority, or if the alliance I have referred to should not be made.

And, moreover, as regards our being in a minority, are we not exposed to it under the present system? And I prefer facing the larger majority, since it will be less hostile to Lower Canada. As matters now stand, we should find ourselves at the mercy of the Upper Canada majority, if they wished to commit any injustice towards us; but, under the Confederation, I believe we shall have better guarantees than we now possess against any attempt at injustice on the part of the Federal Government, for the policy of England is to afford her colonies every possible reason for contentment.

The hon. member for Richelieu [Joseph Perrault] has spoken of the events which occurred prior to [1837](#)¹⁷, to convince us that we have every reason to distrust the sentiments of the British population. Why refer to matters so

long forgotten? The hon. member ought to know that the policy which circumstances have induced England to adopt, is no longer

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the policy which then prevailed. Does any one believe that England would now encourage any section of the British population in doing an injustice to the inhabitants of Lower Canada?

It will be said that the national life of Lower Canada is so deeply rooted, that it is impossible to destroy it; but, if we desire to secure its safety, we must accept the present scheme of Confederation, under which all the religious interests of Lower Canada, her educational institutions, her public lands, in fact everything that constitutes a people's nationality, will find protection and safety. With the control of our public lands in our own hands, we can attract the tide of emigration, retain our own people in the country, and advance in prosperity as rapidly as the other provinces. And all this is secured to us under the plan of Confederation.

Every impartial man will admit that great care has been taken, in the drawing up of this project of Confederation, to protect all our interests. It may be true that it is not quite free from defect, but every one must acknowledge that it is the most perfect system that could possibly be obtained, and the system best calculated to afford us security. All the hon. gentlemen who have spoken on the Opposition side say that the expenses will be extraordinary, and that the revenue will not be sufficient to support the governments of the Confederation. But they base their calculations upon the revenue as it now stands, and they do not reflect that the present debt of the province has been contracted in carrying out the vast public works we now possess, and

¹⁶ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 346-362.](#)

¹⁷ [Violent insurrections broke out in 1837-1838](#) in both Lower Canada and Upper Canada that later led to Lord Durham's proposed substantive constitutional reforms in 1839 and the development of the constitutional convention full responsible government in 1848. The conflicts in Lower Canada killed more than 300 people, and in Upper Canada, over 500 armed rebels claimed parts of Toronto. While their goals weren't fully aligned, they both were symptomatic expressions of deeper failures of the constitution.

that these public works have not as yet produced a revenue, but will hereafter do so. These public works were essentially necessary for the development of our resources; and if at this moment the Minister of Finance [Alexander Galt] is able to present a budget showing a surplus of revenue over expenditure, we are justified in hoping that within a few years our revenue will be more than sufficient to enable us to meet all the expenses of the different governments, and to extinguish our present debt.

For my own part, I do not think that our expenses will be greater under Confederation than they are at present. If the Federal Government works well, our expenses will be less than they are at present, for we shall be rid of factious sectional jealousies, and the system of equivalents, which, have done so much injury to the country, and which have so greatly impeded the working of the Government in times past. It is ridiculous to fancy that the Government of Canada can continue to work and maintain itself with a majority of one or two votes in this House, as we have witnessed for some years past; for a government so placed is at the mercy of every member who has a local interest to serve, or a particular favor to obtain; and it is thus forced to grant favors which it would refuse if it were stronger. This was the cause of all the useless expenditure; and almost every one of our governments has been in that position.

Some Hon. Members—Hear, hear.

Joseph-Octave Beaubien [Montmagny]—But under Confederation we may hope that the Federal Government will generally have the support of a large majority, and will consequently not be compelled to yield to the demands of a small number of members. The resources at the disposal of the local governments being limited, they will practise a degree of economy which will serve as an example to the Federal Government itself. Lower Canada, when left to herself, will become highly prosperous in a few years—and perhaps Upper Canada also—provided her expenses be kept within bounds; and I am

convinced that her Local Government will be a model for the Federal Government; for men formed in the school of the Local Government, and who will be habituated to the practice of economy, will exert a salutary influence on the members of the Federal Legislature, to whom they will impart, and on whom they will impress, their ideas of economy and good government.

Some Hon. Members—Hear, hear.

Joseph-Octave Beaubien [Montmagny]—It is well that the moans at the disposal of the local governments should be limited, but at the same time amply sufficient, for they must then feel that they cannot enter into too large expenditure, and they will adopt a perfect system of economy.

Some Hon. Members—Hear, hear.

Joseph-Octave Beaubien [Montmagny]—Before concluding I must pay a tribute of justice to the British population of Lower Canada. We have always gone along hand in hand like good friends, acknowledging each other's rights, and each party invariably making it a rule to accede to the just claims of the other. This will be our safety also under the Federal Government.

For my part I should be sorry to see the present plan of Confederation, fail, at all events through any action of ours, for that would justly dissatisfy the British population of this country, who desire to see it carried out, and to whom we should not refuse it. We know that the British have always done everything in their power to promote the material prosperity of the country, and it is our duty to respect them and to accede to their just demands. With these few

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remarks, Mr. Speaker, I shall conclude by stating that I am in favor of the present plan of Confederation, not because I trust solely to the evidence of my own judgment, but because I see at the head of the movement the most enlightened men in the country, and because all the men of influence, all the men of property in the country, are in favor of the

project.

Some Hon. Members—Hear, hear.

Joseph-Octave Beaubien [Montmagny]—And I am convinced, notwithstanding all that may have been said, that the country is sufficiently familiar with the project, and that the people now know all they will ever know about it. In every parish there are men who are the leaders of public opinion, and we know that these men are in favor of this plan. We have all these influences with us, and for my part I attach but little importance to the opinion expressed at certain public meetings held to oppose Confederation, or to the petitions presented against the project, for it is always easy to obtain signatures to petitions. And, moreover, let anyone compare the signatures to these petitions with the poll-books kept at elections, and it will be found that they are the names of those who have always been opposed to everything proposed by the great national party, which has ever represented the interests of Lower Canada.

Some Hon. Members—*Applause.*

Joseph Dufresne [Montcalm]—Mr. Speaker, I do not rise to speak on the question now before the House, but simply to express my surprise that after six weeks of discussion the Opposition pretend that we refuse them time to discuss the measure, and that nevertheless they refuse to discuss it during the afternoon sittings, and will only take it up in the evening. For my part, I am prepared to vote at once upon this matter, and I believe that the question is perfectly mastered and well understood by every member of this House. Why are the Opposition unwilling to speak during the afternoon sittings? Their object in speaking is to kill time, rather than to discuss the merits of the question. And why is this? Is it because they are waiting for a few more petitions, a few more names, in order to protest against Confederation?

But we know the value of these petitions—we know what the *Rouges* are, and that they will sign any and every petition, provided it be against the Government and its policy. The Opposition is like a sulky child; if you refuse

him a plaything he cries for it, and then if you offer it to him he refuses to take it. The Confederation is in reality the plan of these gentlemen themselves, and yet today they will not hear of it; they reject it as something horrible. The country is watching them, and I hold the Opposition responsible for the loss of time we are now undergoing. If they have any reasons to advance, let them do so, but let us come to a vote. Their conduct will receive its due reward at the hands of the people.

Some Hon. Members—Hear, hear.

The Legislative Assembly adjourned for dinner recess.

After the recess,—

Joseph Cauchon [Montmorency] said—Mr. Speaker, when so many eloquent voices have spoken on the great question which occupies us so seriously, which stands preeminent over all others in the present situation, which preoccupies all minds, which agitates to its farthest limits all British North America, which includes within its immense scope two oceans and nearly half a continent, and which is pregnant with the destinies of a great people and a great country—when the whole of the motives which can be advanced for and against the project have been so luminously discussed, when I myself have, elsewhere, at such considerable length and so completely developed, with the feeble abilities which Providence has conferred upon me, the considerations which militate for or against the entirety and the details of the work of the Quebec Conference, I might—perhaps I should—have remained a simple spectator of these solemn debates, while awaiting the hour at which I should be permitted to record my vote in accordance with my convictions.

I considered, however, that as one of the oldest representatives of the people, after having spoken elsewhere, I should speak again within the parliamentary precinct, in order to accomplish to the letter my trust, and in order to obey that voice which has a right to

command me. I have therefore come this evening in order to bring my feeble tribute of ideas to the decisive ordeal which is being accomplished.

For my part I should have wished for the bringing forward of fewer personal questions, fewer criminations and recriminations, fewer allusions to the past; in a word, I should have wished to see the debate rising at its very outset to the dignity of the question itself, so as to place us in a position to judge of it on its own merits, without considering the names or the antecedents of those who may defend or may oppose it; I should have wished to see the conscience of our public men in harmony with the public conscience, and that under such grave circumstances, men had forgotten that they were party men, in order to remember only their national character.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But several

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of the speakers have not appreciated the situation in this manner; they have not believed that was of such importance as to exact the development of great virtues and great sacrifices. One honorable gentleman amused himself by making *jeux de mots*¹⁸ of doubtful merit on the complexion of two pamphlets¹⁹; another devoted a third of his long speech to the task of endeavoring to make his present position agree with his antecedents, and the other two-thirds almost

entirely to an effort to make his opponents contradict themselves, without any regard to the question under discussion, imitating the Trojan hero of whom Virgil sings, and of whom Rousseau says:

“Pouvait-elle mieux attendre
De ce pieux voyageur,
Qui, fuyant sa ville en cendre,
Et le fer du Grec vengeur,
Quitta les murs de Pergame
Tenant son fils par la main,
Sans prendre garde à sa femme,
Qui se peidit en chemin?”²⁰²¹

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Cauchon [Montmorency]—I scorn to defend here my past opinions on Confederation. I wrote from conviction [in 1858](#)²², just as I have written from conviction [in 1865](#)²³. My two works are there—provoking discussion, and throwing down the gauntlet to those who may desire to take up. It will soon be a third of a century since I commenced to write, and if I had no other recommendation to public attention than that of being the oldest journalist in the country, appears to me that people ought, if they could, not to have allowed me to pass without asking me the reason of my present doctrines. How is it, then, that from the midst of the democratic and opposition press not a single voice has been heard against the long commentary of

¹⁸ i.e. “word games.”

¹⁹ Cauchon’s two pamphlets from [1858](#) and [1865](#). See footnotes 23 and 24 below.

²⁰ Original edition footnote:

*“What conduct could she hope less flagrant
From this good, holy, pious vagrant,
Who, flying from his city’s sack,
The avenging Greek upon his track,
And leading by his hand his boy,
Fled from the walls of burning Troy?
To help his wife he would not stay:
So she was lost upon the way.”*

²¹ *Oeuvres choisies de Jean-Baptiste Rousseau* by J.B. Rousseau (Paris: 1820), p. 77.

²² [Joseph Cauchon, Étude sur l’Union Projetée des Provinces Britanniques de l’Amérique du Nord \(1858\).](#)

²³ [Joseph Cauchon, l’Union des Provinces de l’Amérique Britannique du Nord \(1865\).](#)

the *Journal*²⁴ on the scheme of the Quebec Conference?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Is it inability? Is that talent is wanting among this phalanx which believes itself to have been specially ushered into existence in order to enlighten and govern the country? Even if I had not written under a strong sense of duty, I should feel sufficiently strengthened by the high and disinterested approbation which greeted my humble work, to bear undisturbed the scratches and pin pricks of the honorable member for Lotbinière [Henri Joly], and, all unworthy though maybe, I should not hesitate to place in the balance against, I will not say the episode, but the speech by which he seems to hope to arrive at the position of a statesman, to which he aspires. It is to be regretted also that the honorable member for Hochelaga [Antoine-Aimé Dorion] kept himself almost constantly, during three hours and a half, in the lowest level of personal recriminations. Was he unable to raise himself to a more dignified ground, or is it the natural level of his talents and his habits?

It seems to me that the occasion required more serious debate, larger views, wiser appreciation drawn from more profound thoughts, a truer idea of the situation, greater truth in the statement of facts, greater exactness, more sequence, and more logic in the reasoning. But, instead of this, we have had a jumble of ideas and assertions, dates which give each other the lie, and a history sadly made and sadly told. The honorable gentleman challenged me, and I must accept this challenge before entering upon the consideration of the question which is now before us. [The honorable gentleman \(Hon. Mr. Dorion\) said the other evening:](#)—

This speech has been tortured and twisted in every possible sense. I have seen it quoted in order to prove that I was in favor of representation by population pure and simple; I have seen it quoted in order to prove that I was in favor of the Confederation of the provinces, and, in fact, to prove many other things, according to the necessities of the moment or of those who quoted it. (Hear, hear, and laughter.)

The first time the question was put to a practical test was in 1858. On the occasion of the resignation of the Macdonald-Cartier Government the Brown-Dorion Government was formed, and it was agreed between the members that the constitutional question should be met and settled, either by means of a Confederation of Upper and Lower Canada, or by means of representation by population, with checks and guarantees ensuring the religious faith, the laws, the language and the local institutions of each section of the country against any attack from the other.

Pretended extracts from this document as of my speech have been given and falsified, in the press and elsewhere, to prove every kind of doctrine as being my views; but I can show clearly that the proposition which it contains is exactly the same as that which was made in 1858, that is to say, Confederation of the two provinces, with some joint authority for the management of affairs common to both. My speeches have been lately paraded in the ministerial journals; they have been distorted, ill translated, and even falsified, in order to induce the public to believe that I

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formerly held opinions different from those which I now hold. A French journal has said "that I loudly called for a Confederation of the provinces." But I shall say now, as I stated in 1856, and as I stated in 1861, that I have always been and am still opposed to Confederation. I find by the *Mirror of Parliament*, which contains a report of my speech, although an exceedingly bad report, that I stated in 1861—"A time may come when it will be necessary to have a Confederation of all the provinces; but the time has not yet come for such a scheme."

This was the speech which was misrepresented as meaning that I was calling loudly for Confederation, and that nothing would give me greater pleasure. And yet I explicitly stated on that occasion that although a time might come when Confederation would become necessary, it was not desirable under actual circumstances.²⁵

²⁴ Cauchon being the editor-in-chief and co-founder of the *Journal de Québec*.

²⁵ [A.A. Dorion, Legislative Assembly \(Feb. 16, 1865\), pp. 246-248](#). The wording doesn't match because Cauchon quoted Dorion in French and was translated to English. The original version (1865) translates Dorion's original words and Cauchon quoting Dorion's words differently despite them being the same. In the French version of the debates the quotes match. *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), pp. 250-252 (Dorion); 560 (Cauchon).

The honorable gentleman already admits two things with which he has been charged—representation on the basis of population, with checks, guarantees and assurances, and the Confederation of Upper and Lower Canada. We shall now see if, in extending the field of my investigations, I shall not find that the honorable member for Hochelaga [Antoine-Aimé Dorion] has—to use a felicitous expression of the honorable member for Lotbinière [Henri Joly]—occasionally enlarged the circle of his constitutional operations. Here is what the honorable gentleman stated on the 6th July, 1858; the extract is from the *Globe*, of which, at that period at least, he did not question the veracity:—

The honorable member for Brockville, the Honorable Postmaster General, the Speaker, and other members representing Lower Canadian counties in the present Parliament, have voted for representation by population. Before long, it will be impossible to resist the demands of Upper Canada in this respect. If representation by population is not granted now, it will infallibly obtain it at a later period, but then without any guarantees for the protection of the French-Canadians. The repeal of the union, a Federal union, representation based on population, or some other great change must in all necessity take place, and for my part I am disposed to consider the question of representation by population, in order to see if it may not be conceded with guarantees for the protection of the religion, the language, and the laws of Lower Canadians.

I am equally ready to take into consideration the project of a Confederation of the provinces, leaving to each section the administration of its local affairs, as for example the power of regulating its own civil, municipal and educational laws; and to the General Government the administration of the public works, the public lands, the post-office department, and commerce.²⁶

I now quote the *Mirror*, the orthodoxy and

veracity of which are denied by the honorable member for Hochelaga [Antoine-Aimé Dorion] and his organs. The date of [the report in the *Mirror* is the 3rd May, 1860](#):—

I hope, nevertheless, that a day will come when it will be desirable for Canada to unite federally with the Lower Provinces; but the time is not yet ripe for such a project. And even if Canada should be favorable, the Maritime Provinces would not like to enter into it on account of our great debt. As to the joint authority, it ought to have the least authority. But those who are in favor of the Federal union of the provinces ought to see this Federation of Upper and Lower Canada is the best mode of creating a nucleus around which, at a later period, the Confederation of all the provinces might be formed.²⁷

Thus the honorable member for Hochelaga [Antoine-Aimé Dorion] had all sorts of wares, just as the keeper of a “general store” possesses all sorts of merchandise, great and small, on his shelves. To some he sells lace and to others cutlery.

Some Hon. Members—*Laughter*.

George-Étienne Cartier [Montreal East, Attorney-General East]—It is a *pot pourri*.

Some Hon. Members—*Laughter*.

Joseph Cauchon [Montmorency]—The honorable gentleman calls it a *pot pourri*. I think my comparison of it as a general store is much more accurate and characteristic.

A Member—Music is sold there.

Some Hon. Members—*Laughter*.

Joseph Cauchon [Montmorency]—Yes, on his shelves loaded with all sorts of goods, even old music is to be found.

Some Hon. Members—*Laughter*.

Joseph Cauchon [Montmorency]—Here there is a conflict of authorities as there is in relation to dogmatic questions between Protestant and Catholic writers; and the *Pays* expressed itself as follows with respect to

²⁶ A.A. Dorion, LA (Jul. 6, 1858). Cauchon says the speech is from Jul. 6, 1858 and the extract was from the *Globe*. However, rather than the *Globe*, Cauchon’s words (in the French edition) align exactly from his own newspaper, the *Journal de Québec*. “Canada. Québec, 12 Aout 1864”, *Journal de Québec* (Aug. 13, 1864). His newspaper may be translating “[The Constitutional Crisis: A Federal Union vs. Representation by Population](#),” *The Globe* (Jul. 8, 1858). See the French version of the debates [Débats parlementaires sur la question de la confédération des provinces de l’Amérique du Nord \(1865\)](#), p. 560. See also A.A. Dorion’s paper *Le Pays* for the whole speech. “Assemblée Législative,” *Le Pays* (Jul. 14, 1858). The words don’t align with Cauchon’s quote, but the content does.

²⁷ [A.A. Dorion, Legislative Assembly \(May 3, 1860\). Thompson’s *Mirror of Parliament*, Issue No. 39](#). The quote doesn’t match because Cauchon spoke in French and was translated back into English.

the *Mirror of Parliament*:—

But here is the crowning of the edifice. The editor of the *Journal* finds strange things in the *Mirror of Parliament*, a publication which was never controlled by any committee of the House, and the authority of which is worth less than that of a solidly founded newspaper such as the *Globe*, the *Herald*, the *Chronicle*, or the *Journal de Québec* itself. It is notorious that the reporters for this *Mirror* were not over particular as to their correctness, and that but little importance was attached to their reports; so much so that the sheet in question had only an ephemeral existence.²⁸

Without admitting the truth of the pretensions of this organ of the honorable member for Hochelaga [Antoine-Aimé Dorion], I did not hesitate to follow the honorable gentleman on the ground which he himself has chosen, and I found the following in the *Morning Chronicle* of the 4th

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May, 1860, to which he referred me for a more exact and veracious report—it being the same speech of the third May, a report of which I have read from the *Mirror of Parliament*.

[Here the honorable gentleman read a French translation of the *Chronicle's* report.]

And in order that there may be no doubt as to the exactness of the translation, with the exception of a word which I shall explain after reading the extract, I shall now quote [the English text as reported in the Chronicle](#), viz.:—

Mr. Dorion argued that when Lower Canada had the preponderance of population, complaints were of the inequality of the representation of that section. The union of Belgium and Holland, which was somewhat similar to that at present existing between Upper and Lower Canada was dissolved when it was found it did not work advantageously to both countries. He instanced a number of questions on which it was impossible for Upper and Lower Canada to agree; public feeling being quite

dissimilar—subjects popular in one section being the reverse in the other.

He warned Lower Canada members, that when the time came that the whole of the representatives from the western portion of the province would be banded together on the question, they would obtain representation by population, and secure the assistance of the Eastern Township members in so doing. He regarded a Federal union of Upper and Lower Canada as a nucleus of the great Confederation of the North American Provinces to which all looked forward. He concluded by saying he would vote for the resolution, as the only mode by which the two sections of the province could get out of the difficulties in which they now are. He thought the union ought to be dissolved, and a Federal union of the provinces would in due time follow.²⁹

The translation into French says, “*que j'appelle de mes vœux*,” and the original text is “to which all looked forward.” Thus, instead of rendering the desire for a Confederation of the provinces, as his own he made it general. Instead of speaking for himself, he spoke for all, and as the whole comprises the part, in expressing the general thought he had most naturally expressed his own thought.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I take this opportunity of correcting this involuntary error of translation, and of saying that the honorable gentleman affirmed then that not only himself, but that all turned their eyes from the mountain top towards the promised land of Confederation of all the British North American Provinces. Did not the honorable member for Hochelaga [Antoine-Aimé Dorion] say in [his famous manifesto of the 7th November, 1864](#):—

The union which is proposed appears to me premature, and if it is not altogether incompatible with our colonial state, it is at least without precedent in the history of the colonies.³⁰

And the other day, [in this House he stated](#):—

²⁸ *Le Pays* (May 1860). Unconfirmed reference. The quote was found by the editors in “VII,” *Le Journal de Québec* (Aug. 24, 1864).

²⁹ [A.A. Dorion, Legislative Assembly \(May 3, 1860\). “Provincial Parliament”](#), [Quebec] *Morning Chronicle* (May 4, 1860).

³⁰ [Dorion's letter to the voters of Hochelaga \(Nov. 7, 1864\)](#), A.A. Dorion, “Aux Electeurs du Comté d'Hochelaga”, *La Minerve* (Nov. 11, 1864).

Necessarily, I do not mean to say that I shall always be opposed to Confederation. The population may extend itself, and cover the virgin forests which exist between Canada and the Maritime Provinces, and commercial relations may increase in such a manner as to render Confederation necessary.³¹

It is, therefore, in every respect merely a question of time, and of expediency as between the majority of the House and the honorable member for Hochelaga [Antoine-Aimé Dorion]. But he has not thought proper to tell us why Confederation of all the provinces of British North America is today a crime, an anti-national act, yet would have at one period, been good and acceptable to Lower Canada. In the same manner he has also preserved silence on the character which Confederation should possess, in order to merit the sanction of his word and his vote. Always to condemn, always to destroy, never to build up—this appears to be the motto of the honorable member for Hochelaga [Antoine-Aimé Dorion], and those who follow his lead on the floor of this House.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—They always keep to themselves the easiest share of sacrifice and patriotism—the task of casting blame and censure upon others.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The honorable gentleman thinks that the union proposed to us, that is to say Confederation, is without precedent in Colonial history. He has, therefore, not read the Federal history, scarcely accomplished, of the colonies of Australia. But if it be true that the Confederation of the six colonies is without precedent in Colonial history, will the honorable gentleman at least tell us where he found his precedent for the Confederation of the two provinces?

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Cauchon [Montmorency]—In order to get out of the difficulty again this time, the honorable gentleman will hardly deny that which he affirmed so categorically only the other evening. It is evident that logic and a recollection of facts are not among the most prominent features of the honorable member's eloquence. Since he desires so much to establish that he was at all times in favor of a Confederation of the two Canadas as an alternative for representation by population, it appears to me, and it ought to be evident to the House and to the country which we represent, that he should have stated the motives of such a deep and constant

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conviction. Why conceal from us the fruits of so many and such serious meditations? Why, setting aside the facile and convenient task of censor, does he not come forward as the architect of a political edifice capable of sheltering and protecting against tempest from without, our nationality and the institutions of which it is composed. It is because "[if criticism is easy, art is difficult.](#)"³² This truth enunciated by a poet, nearly two thousand years ago, evidently belongs to all ages, and it finds, to-day more particularly, its application in the person of the honorable member for Hochelaga [Antoine-Aimé Dorion].

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—*Tempora mutantur et nos mutamur in illis*³³—and behold, [the honorable gentleman told us on the 16th February, 1865:](#)—

| Representation based upon population was one of the

³¹ [A.A. Dorion, Legislative Assembly \(Feb. 16, 1865\), p. 248.](#) The wording doesn't match because Cauchon quoted Dorion in French and was translated to English. The original version (1865) translates Dorion's original words and Cauchon quoting Dorion's words differently despite them being the same. In the French version of the debates the quotes match. *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), pp. 251 (Dorion); 562 (Cauchon).

³² [Philippe Néricault Destouches, Kate Roberts, Hoyts New Cyclopaedia of Practical Quotation \(1922\), p. 150.](#)

³³ i.e. "Times are changed, we are also changed with them."

least causes of this project.³⁴

Joseph Cauchon [Montmorency]—[And further on:](#)

But, as soon as the Government found itself, after its defeat, obliged either to resign or to appeal to the people, gentlemen on the other side of the House, without there being the slightest agitation on this question, prepared to embrace their most violent adversaries, and said to themselves: “We are going to forget our past differences, provided we can preserve our portfolios.”³⁵

Joseph Cauchon [Montmorency]—Had the honorable gentleman, therefore, forgotten that which he stated with so much emphasis and apparently with so much conviction in 1858:—

The honorable member for Brockville, the Postmaster General, the Speaker, and other members representing Lower Canadian counties, in the present Parliament, have already voted for representation by population. Before long, it will become impossible to resist the demand of Upper Canada in this respect. If representation by population be not granted now, it will infallibly obtain it later, but then without any guarantee for the protection of the French Canadians.³⁶

Joseph Cauchon [Montmorency]—Had he changed his opinion in 1859 when [he wrote conjointly with Hon. Messrs. Drummond, Dessaulles and McGee:](#)—

It is with the settled conviction that an inevitable constitutional crisis imposed upon the Liberal party of Lower Canada duties proportionate with the gravity of the circumstances in which the affairs of the country were, that your Committee has undertaken the task with which it is charged. It has become evident to all those who, for several years back, have given their attention to daily events; and above all to those who have had to mingle actively with public affairs, that we are rapidly reaching a state of things which will necessitate modifications in the relations existing between Upper and Lower Canada; and a search for the means most likely to meet the difficulty, when it presents itself, has not failed to be the subject of the most serious consideration and frequent discussion in and out of Parliament....

The proposition for the formation of a Confederation of

the two Canadas is not a new one. It has frequently been agitated in Parliament and in the press for several years past. The example of the neighboring states, in which the application of the Federal system has shown us how fitting it was to the government of an immense territory, inhabited by people of different origins, creeds, laws and customs, has no doubt suggested the idea; but it was only in 1856 that this proposition was enunciated before the Legislature by the Lower Canadian Opposition, as offering, in its opinion, the only effective remedy for the abuses produced by the present system....

Lower Canada wishes to maintain intact the present union of the provinces. If she will not consent to a dissolution nor to Confederation, it is difficult to conceive what plausible reasons she can advance for refusing representation by population. Up to the present time she has opposed it by alleging the danger which might result to some of the institutions which are most dear to her; but this reason would be no longer sustainable if it resisted a proposition the effect of which would be to leave to the inhabitants of Lower Canada the absolute control of those same institutions and to surround them with the most efficient protection which it is possible to imagine—that which would procure for them the formal dispositions of a written constitution, which could not be changed without their consent....

It appears therefore that the only alternative which now offers itself to the inhabitants of Lower Canada is a choice between dissolution pure and simple, or Confederation on one side, and representation by population on the other. And however opposed Lower Canada may be to representation by population, is there not imminent danger that it may be finally imposed upon it, if it resist all measures of reform, the object of which is to leave to the local authorities of each section the control of its own interests and institutions.

We should not forget that the same authority which imposed on us the Act of Union, or which altered it without our consent, by repealing the clause which required the concurrence of two thirds of the members of both Houses in order to change the representation respecting the two sections, may again intervene to impose upon us this new change....

The customs, postal matters, laws regulating currency, patents, copyrights, public lands, and those public works which are of common interest to all parts of the country, should be the principal if not the only subjects of which

[A.A. Dorion, Legislative Assembly \(Feb. 16, 1865\), p. 251.](#) The wording doesn't match because Cauchon quoted Dorion in French and was translated to English. The original version (1865) translates Dorion's original words and Cauchon quoting Dorion's words differently despite them being the same. In the French version of the debates the quotes match. *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), [pp. 255 \(Dorion\); 562 \(Cauchon\).](#)

³⁵ [ibid.](#)

³⁶ A.A. Dorion, Legislative Assembly (Jul. 6, 1858). *Supra* footnote 26.

the Federal Government would have the control, while all that related to purely local improvements, to education,

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to the administration of justice, to militia, to laws of property and internal policy, should be left to the local governments, the powers of which, in a word, should extend to all those subjects which do not come within the domain of the General Government.

Your Committee believes that it is easy to prove that the expenses absolutely necessary for the support of the Federal Government and the several local governments ought not to exceed those of the present system, while the enormous indirect expenses occasioned by the latter system would be avoided by the new—both on account of the additional restrictions which the Constitution would place upon all public expenditure, and of the more immediate responsibility of the several officers of the Government towards the people who are interested in restraining them.

The Federal Legislature having only to occupy itself with a limited number of affairs, might, in a short time every year, perform all necessary legislation; and, as the number of members would not be very great, the expenses of the Federal Government would not, therefore, be a fraction of the present expenses, which, added to the cost of the local governments, if they were on the plan of those of the United States, which are the best and the most economically administered, could not exceed the figure of the present budget.

The system proposed could not in any way diminish the importance of this colony, nor damage its credit, inasmuch as it offers the great advantage of being able to suit itself to any territorial extension which circumstances might, in future, render desirable, without troubling the general economy of the Confederation.

A. A. Dorion,
L. T. Drummond,
L. A. Dessaulles,
T. D. McGee.³⁷

Joseph Perrault [Richelieu]—I rise to a question of order. We have listened with much pleasure to the excellent pamphlet which the honorable member has been reading out to us for half an hour past. I can understand that the honorable member having written [a pamphlet in 1858 against Confederation](#)³⁸, and [another in 1865 in favor of Confederation](#)³⁹, now feels

the necessity of writing a third pamphlet to make the two others agree. But, as the honorable member for Montmorency [Joseph Cauchon] possesses great powers of improvisation, the House, I think, ought not to be more indulgent to him than to other members, who are compelled to speak under all the disadvantages of improvisation, which is always difficult. I have, therefore, to ask whether the honorable member for Montmorency [Joseph Cauchon] is in order in reading his magnificent speech from beginning to end?

George-Étienne Cartier [Montreal East, Attorney-General East]—I see nothing extraordinary in this particular case. I see that my honorable friend the member for Montmorency [Joseph Cauchon] has notes before him to which he refers, but I do not see any speech. The honorable member for Richelieu [Joseph Perrault], with his eccentric genius, requires no notes when he makes those splendid speeches with which he regales us from time to time. I can easily understand that for such lucubrations no very lengthy preparation is necessary.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—Every one has not the genius of the honorable member for Richelieu [Joseph Perrault]. I know also that he is one of those who can talk a long time, because they do not always know what they are saying.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—The honorable member may talk as long as he likes, without being afraid of my interrupting him, for his speeches can do no harm except to the person who utters them.

Some Hon. Members—*Laughter.*

The Speaker said it was not exactly in order for an honorable member to read a speech quite through, but he might make use of notes.

Joseph Cauchon [Montmorency]—From all

³⁷ The manifesto was signed in Montreal on Oct. 25, 1859. "*Quebec, Jeudi 3 Novembre 1859*". *Journal de Québec* (Nov. 3, 1859).

³⁸ *Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord* (1858).

³⁹ *Joseph Cauchon, l'Union des Provinces de l'Amérique Britannique du Nord* (1865), p. 65.

these extracts one must conclude that either the honorable member for Hochelaga [Antoine-Aimé Dorion] was ready to sacrifice everything in order to attain power in 1858, or else that in 1858, as in 1859, he was deeply convinced that nothing but representation by population or a Federal union of the two Canadas could prevent the storm then lowering on the horizon.

We find therein, firstly, that we were rapidly reaching a state of things which would necessitate modifications in the relations between Upper and Lower Canada; secondly, that the proposal to form a Federation of the Canadas was not new; thirdly, that the example of the neighboring States, where the application of the Federal system showed how suitable it was to the government of an immense territory, inhabited by people of different origin, belief, laws and customs, had suggested the idea; fourthly, that Lower Canada would not have any legitimate motive to resist representation based upon population if refused a written Constitution, under which it would have protection for and control of its institutions; fifthly, that would be in imminent danger of seeing imposed upon it representation based upon population, if the Confederation of the two Canadas were obstinately resisted, and that those who imposed the [Union Act](#)⁴⁰ upon us, and afterwards altered it to our detriment, could oblige us to accept the former; sixthly, that customs, currency, patents, copyrights, public lands, public works and things of common

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interest should be among the attributes of the Federal Parliament; seventhly, that the expenses of the Federal and local governments should not exceed those of the present system. The following extract, taken from [the same document](#), must be added to those already cited:—

Your committee has therefore become convinced, that whether we consider the present wants with regard to the future of this country, the substitution of a purely Federal Government for the present legislative union, presents the true solution of our difficulties, and that such substitution would free us from the inconveniences, while at the same time securing to us all the advantages which the present union may possess.⁴¹

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Cauchon [Montmorency]—At the same period the *Pays*, with a conviction as profound as that of the honorable gentleman whose organ it is⁴², thought that if we did not make some constitutional concessions we should not be able to resist the torrent of public opinion of Upper Canada, which threatened to break through the feeble barrier opposed to it by the [Union Act of 1840](#)⁴³. The honorable member for Hochelaga [Antoine-Aimé Dorion] went on with his fears and his convictions to the time when, by an accident unfortunate for the country, he again came into power.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—It is not then merely the holding of a ministerial portfolio which is cast up to us to-day. The time has then arrived when constitutional changes become necessary—the question of Confederation under any form is, therefore, not new.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—To take the United States, as the honorable member for Hochelaga [Antoine-Aimé Dorion] has done, for example, I will say that the Federal system is suitable for the government of an immense territory, inhabited by people of different races, laws and customs, and consequently more suitable to the Confederation of the British North American Provinces than to the smaller one of Upper and Lower Canada.

⁴⁰ [The Union Act, 1840 \(U.K.\)](#).

⁴¹ [Montreal Manifesto \(Oct. 25, 1859\)](#).

⁴² That being Antoine-Aimé Dorion.

⁴³ [The Union Act, 1840 \(U.K.\)](#).

Lower Canada, “unless she wish representation based upon population, should not reject a written Constitution under which she has protection for and control of her peculiar institutions.”⁴⁴

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Finally, the expenses of the federal and local governments and legislatures will not exceed those of the present system. According to the Montreal manifesto of 1859, the Federal Government and Parliament, having very little to do, ought to cost but little, so as to leave more to be done by the local legislatures⁴⁵. According to the scheme of the Conference held at Quebec, the tables are turned, and it will be the local legislatures that, having but local affairs to attend to, will have to practise economy for the benefit of the General Government. It is therefore evident that the honorable member for Hochelaga [Antoine-Aimé Dorion] is not more of a conjuror than others.

It is again still more evident that the honorable member would be less hostile to this project, had he been the author of it, or if he had been sitting on the right instead of on the left side of the House; for after all it is but a question of expediency, at least as regards principle. [The honorable member for Hochelaga \[Antoine-Aimé Dorion\] also told us:—](#)

I would never have attempted to make a change in the Constitution of the country without being convinced that the population of that section of province which I represented was favorable to such a scheme.⁴⁶

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—I do not

wish to doubt his sincerity, but [has he not also said](#). “I know that the possession of power leads to despotism?”⁴⁷ Did he not say, before the events of 1858, that were he in power, never, no never, would he consent to govern Lower Canada with the help of an Upper Canada majority, and yet how did he act in 1862? How did he act on coming into power in 1863, after having ejected in such a loyal and sympathising manner his illustrious predecessor and chief, Hon. Mr. Sicotte⁴⁸?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—It was not despotism, but thirst for power, which made him adopt means to attain that end, which I shall not designate by their proper name in this solemn debate.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—How did he act? Forgetting his declarations of 1858, he governed Lower Canada with a weak minority of its representatives, and as, according to his ideas, “power led to despotism,” he ruled it with that rod of iron which the radicals alone know how to wield. But happily those days of painful memories are passed, and the level of the political soil, which had sunk down, from some of those secret causes known to Providence alone, again suddenly rose up to escape from the overflowing torrents of demagogue principles which threatened society at large.

What the Opposition detest the most in the project of the Quebec Conference, is its monarchical character, as also those [words found at the commencement of that remarkable work:—](#)

The best interests and present and future prosperity of British North America will be promoted by a Federal

⁴⁴ Cauchon seems to be summarizing from [the Montreal Manifesto \(Oct. 25, 1859\)](#). *Supra* footnote 37.

⁴⁵ [ibid.](#)

⁴⁶ [A.A. Dorion, Legislative Assembly \(Feb. 16, 1865\), p. 247](#). The wording doesn’t match because Cauchon quoted Dorion in French and was translated to English. The original version (1865) translates Dorion’s original words and Cauchon quoting Dorion’s words differently despite them being the same. In the French version of the debates the quotes match. *Débats parlementaires sur la question de la confédération des provinces de l’Amérique du Nord* (1865), [pp. 250 \(Dorion\); 565 \(Cauchon\)](#).

⁴⁷ [A.A. Dorion, LA \(Feb. 16, 1865\), p. 250](#).

⁴⁸ The Macdonald-Sicotte administration (1862-1863) was led by John Sandfield Macdonald and Louis-Victor Sicotte and was followed by the Dorion-Macdonald administration, led by J.S. Macdonald again, alongside A.A. Dorion.

union under the Crown of Great Britain, provided such union can be effected on principles just to the several provinces.

In the Federation of the British North American Provinces, the system of government best adapted, under existing circumstances, to protect the diversified interests of the several provinces,

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and secure efficiency, harmony and permanency in the working of the union, would be a General Government, charged with matters of common interest to the whole country; and Local Governments for each of the Canadas, and for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, charged with the control of local matters in their respective sections. Provision being made for the admission into the union, on equitable terms, of Newfoundland, the Northwest Territory, British Columbia, and Vancouver.⁴⁹

We move in a different circle of ideas from that in which the Opposition moves. We wish in America, as elsewhere, for a monarchy tempered by parliamentary system and ministerial responsibility, because, without interfering with liberty, it renders institutions more solid and secure. We have all seen British democracy holding its existence under the protection of the immutable ægis of Royal Majesty, and exercising over the destinies of the country that salutary control which has made Great Britain so rich, so powerful and so free.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We have also seen, not far from our own homes, that same democracy wrapped in the mantle of republicanism, moving at a rapid pace towards demagoguery, and from demagoguery to an intolerable despotism.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We have seen military rule extending over the entire face of the great neighboring republic, lately so proud of its popular institutions. And we have also seen that people, so proud of their liberty, humbly bend their necks to the sword of the soldier, allow their press to be muzzled, after having condemned the system of censorship

legalized in France, and suffer their writers to be imprisoned without a protest.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—M. De Tocqueville has lived too long; his admirable work on democracy in America produces upon our minds, at the present day, only the effect of an heroic poem; it is the *Isle of Calypso*, so admirably sung by Fenelon, but which fades away when you have closed *Telemachus*.

Some Hon. Members—*Laughter*.

Joseph Cauchon [Montmorency]—Instead of those institutions, framed with such mathematical precision, and that mechanism so finished and so regular in its course, there is to be seen but violent and jerking motions, overturnings, and the collision and smashing of the component parts of the disconnected machinery of state; instead of peace and harmony we find civil war on a gigantic scale, universal desolation, formidable battles, and the blood of brothers mingling in streams on the soil of their common country.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—What has become of that race of giants who, after seven years of a glorious struggle, laid the foundation, in 1783, of the American republic? Disdaining to use the means employed by the smaller spirits of the age to grasp at the helm of the state, they have retired from the public arena, so as to live in an honorable and dignified manner in private retirement—for the genius of the American people is not dead, and the country which still produces great judges and learned jurists could also, under another order of things, and in a different moral condition, give birth to new Washingtons, Franklins, Hamiltons, Adams, and Madisons.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—They did not act wrongly then, those forty chosen men of British North America who came to Quebec to erect a new nation on the

⁴⁹ [Quebec Resolutions 1-2. Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

monarchical basis, and as much as possible on the principles of the Parliament of Great Britain. It seems to us that that authority was imposing enough to merit the respect of men of much less experience, and much less versed in the science of government.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—And yet when [the honorable member for Joliette \[Hippolite Cornellier dit Grandchamp\]](#) asked with much reason of the honorable member for Lotbinière [\[Henri Joly\]](#) why he did not speak of Confederation based upon monarchical principles, [the latter gentleman answered](#) that he could not speak of what did not exist, and of what was absurd⁵⁰. He was like the French *savant* who, in 1836, proved by arguments not to be refuted, that it was impossible to cross the ocean with steam as the motive power. But while he was thus floundering through his powerful and learned arguments, the *Sirius* was steaming majestically across the Atlantic as if to mock the wisdom of science. Facts are stubborn and positive things.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We are not here, like Columbus, looking for an unknown world; yet the honorable member who went as far back as the heroic times of Greece to find arguments against all Confederations, who unfolded pompously to our gaze Roman history to prove to us that what was strong and durable was formed piece by piece, and that even what is actually strong must also perish, as the Roman Empire had ended by succumbing under the weight of its own power; who, bent on finding out Confederations in confusion, and in the midst of *pronunciamentos*, *of movimentos* and of *échauffourées*, travelled through without seeing them, those non-federative Spanish-American republics, so irritable and so

agitated; who, to be faithful to this system, attributed the five hundred years' existence of the Swiss Confederation to every other cause than to the stability of its principle, and to the conservative and national character of its

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inhabitants⁵¹; and who, in his enthusiasm for his doctrines, did not see that the European equilibrium would have been secure just as well by the existence of one or more distinct states as with a Confederation in the Helvetic Mountains—he failed to see not far from the native land of his ancestors, the noble Helvetia which conquered and maintained for five centuries its independence in the midst of the most terrible conflicts which shook the soil of Europe, which overturned thrones and transformed nations—he has not seen, in flesh and blood, a Confederation resting almost entirely on the monarchical principle—the Germanic Confederation—of which Austria is the head, and for which this latter power and Prussia alone can decide questions of peace and war.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—This was preceded by the Confederation of the Rhine, which had found like it its elements and its mode of being in the ancient empire founded by Charlemagne, "the strongest hand that ever existed,"⁵² to use [the splendid expression of Ozanam](#); the Germanic Empire, a true confederation of princes, becoming really independent in the course of centuries, and kings in their respective states under the Imperial suzerainty. [The Golden Bull](#) promulgated by the Emperor Charles IV, in 1356⁵³, gives us some useful information on this subject. I would refer the honorable member for Lotbinière [\[Henri Joly\]](#) to it.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But why should we ransack history to establish a fact

⁵⁰ [Hippolite Cornellier dit Grandchamp & Henri Joly, Legislative Assembly \(Feb. 20, 1865\), p. 349.](#)

⁵¹ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 346-350.](#)

⁵² [Frédéric Ozanam, Oeuvres complètes de A.-F. Ozanam, Études Germaniques \(1872\), p. 456.](#)

⁵³ [Decree](#) organizing the constitutional system of the Holy Roman Empire, including the process of elections.

which is as clear as day? Is it not sufficient to open the first dictionary at hand to know that the word “confederation” means simply “league,” union of states or sovereigns, of nations, or even of armies for a common object.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The honorable member has therefore ill-chosen his time to be witty at the expense of a man of sense. [He declared himself](#) by turns against the Federal principle and against legislative unity. Appealing alternately to every prejudice to attain his object, he said to the French-Canadian Catholics:—“Resist Confederation, because it will leave you without protection in the Federal Government and Parliament.”⁵⁴ Then, turning towards English Protestants, and reading complacently to them an extract from [Lord Durham’s report](#)⁵⁵, [he said](#):—“Do not vote for Confederation; you would be at the mercy of a French and Catholic majority in the Local Government and Parliament.”⁵⁶

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Although the direct reverse in every other respect of [the honorable member for Hochelaga \[Antoine-Aimé Dorion\]](#), his conduct proves that he believes with that honorable gentleman “that power engenders despotism.”⁵⁷ But, in his place, at the outset of my public career, full of youth and of the generous sentiments which it inspires, instead of setting the torch to such inflammable elements as national and religious prejudices, I should have imitated the example of the honorable member for Montreal Centre [John Rose]; and in order to calm mutual distrust, I should have endeavored to fulfil my duty by recalling the eminently honorable, christian and civilising history of the last quarter of a century.

Some Hon. Members—*Cheers.*

Joseph Cauchon [Montmorency]—But the honorable gentleman was evidently incapable of so doing. [He had just emerged](#) terrified from amidst the *pronunciamentos*, the *echauffourées* and the *movimentos*⁵⁸ of the very civilized Spanish Confederations of Central America, and full of feverish agitation, he launched himself on spreading opinions towards the rainbow and the *aurora borealis*.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—We know what the rainbow is physically. It is composed of drops of water, which, placed at a certain angle facing the sun, refract and reflect its light with all the colors of which it is composed

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—As to the *aurora borealis*, some attribute it to the reverberations of solar light on the snows of the North Pole, whither the honorable gentleman proceeded in order to find the vast territory with which he wishes us to form the Confederation domain. But the opinion most generally accepted is that it is, in a manner, something imponderable and unsubstantial.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—Our people, seeing them moving in all directions with the most prodigious rapidity, rising, falling, doubling backward and forward on each other with such inconceivable rapidity, have given them the true and picturesque name of dancing puppets (*marionettes*).

Some Hon. Members—Hear! *And laughter.*

Joseph Cauchon [Montmorency]—It is, therefore, easily seen that if they hold in horror the prejudices which are productive of so much evil, their mind is at least not so torpid as the hon. member for Lotbinière [Henri Joly] believes, and it is at least not necessary to arouse them in this manner.

Some Hon. Members—Hear, hear.

⁵⁴ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), p. 361.](#) Cauchon is giving his own summary/interpretation of his words.

⁵⁵ [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\).](#)

⁵⁶ [Henri Joly, LA \(Feb. 20, 1865\), pp. 350-351.](#) Cauchon is giving his own summary/interpretation of his words.

⁵⁷ [A.A. Dorion, LA \(Feb. 16, 1865\), p. 250.](#)

⁵⁸ [Henri Joly, LA \(Feb. 20, 1865\), pp. 346-350.](#)

Joseph Cauchon [Montmorency]—We know what invariably happens to all these luminous meteors. Jack o' the Lanterns and Will o' the Wisps having complacently expanded themselves on the confines of the infinite horizon, after having gambolled at their ease, become serious and solemn, they are seized with the ambition of ascending to the zenith. But as they have, "with the stature of a giant, but the strength of a

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child," they soon diminish and disappear, to be, in [the words of Bossuet](#), "*qu'un je ne sais quoi qui n'a plus de nom dans aucune langue* (a thing which has no name in any tongue)."⁵⁹

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—On close examination, however, it would be seen that the hon. member was not so sarcastic as might have been at first supposed, when he suggested the iris as the emblem of the new Confederation. The rainbow, from a figurative point of view, is the emblem of alliance, and consequently of strength and durability—it is the symbol of peace and calm after a long day of storm and tempest—it is the pledge of promise that, in future, the floodgates of demagoguery will no longer be opened on the country, to leave upon its surface that morbid sediment, the fetid odors of which still offend the moral sense of the people after their unwholesome waters have retired.

Some Hon. Members—*Cheers.*

Joseph Cauchon [Montmorency]—It is the unity of many-colored rays which, combined, produces light and heat and fecundity. I should, therefore, advise those who will be charged at a future day with our new destinies to adopt the rainbow as our national emblem, and to give credit to the hon. member for Lotbinière [Henri Joly], who will doubtless be astonished to find that he has been so wonderfully inspired.

Some Hon. Members—Hear, hear, *and*

laughter.

Joseph Cauchon [Montmorency]—If there were never to be any mutual confidence among men; if we were forever destined to fear and suspect each other reciprocally, we would be obliged to renounce all idea of government as well as all the relations of social life. The very laws which protect persons and property would be without value, because they are expounded by men.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Fortunately such is not the case, as our own history sufficiently proves. Before the union, the parliamentary majority in Lower Canada was Catholic, and although it was long involved in a struggle with power, was it ever guilty of an injustice towards the Protestant minority?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—On the contrary, did it not emancipate the latter, civilly and religiously, and did it not give that minority privileges which it had not hitherto possessed? If our people are inflexibly attached to our faith, it is also full of toleration, of good-will towards those who are not of the same belief. Since the union the parts have changed. Protestantism dominates in the government and in the legislature, and yet has not Catholicity been better treated, and has it not been better developed, with more liberty and more prosperity than under the regime of the [Constitution of 1791](#)⁶⁰.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Living and laboring together we have learned to know, to respect, to esteem each other, and to make mutual concessions for the common weal. We Catholics have therefore no fear of the ill-will of a Protestant majority in the Federal Government and Legislature, and we are certain that the Protestants of Lower Canada need not fear for themselves in the local legislature.

⁵⁹ [Jacques Bossuet, Oeuvres de Bossuet, Vol. II \(1841\), p. 495.](#)

⁶⁰ [The Constitutional Act, 1791 \(U.K.\).](#)

Some Hon. Members—Hear, hear, *and cheers*.

Joseph Cauchon [Montmorency]—The hon. member for Hochelaga [Antoine-Aimé Dorion] has declared that he was willing to accord to the Protestants the guarantees of protection which they sought for the education of their children; but in this he has been forestalled by the Quebec Conference and by the unanimous sentiment of the Catholic population of Lower Canada. If the present law be insufficient, let it be changed. Justice demands that the Protestant minority of Lower Canada shall be protected in the same manner as the Catholic minority of Upper Canada, and that the rights acquired by the one and the other shall not be assailed either by the Federal Parliament or the local legislatures.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—This is all I feel called upon to say, on this occasion, respecting a question which will again arise in the course of the debate. The hon. member for Lotbinière [Henri Joly] has attacked the scheme as being too federal, and the hon. member for Hochelaga [Antoine-Aimé Dorion] has condemned it as not being sufficiently federal, and as tending too much towards unity. Neither one nor the other is strictly accurate—it is not absolute unity, nor the federal principle in the American sense.

In the American Confederation, supreme authority proceeded at the outset from the delegation of the states, which nevertheless divested themselves of it forever—at least according to the opinion of the Northern juriconsults, who hold that no state is free to break the compact of 1788. In the scheme of the Quebec Conference there was no delegation of the supreme authority, either from above or below, inasmuch as the provinces, not being independent states, received, their political organizations from the Parliament of the Empire. There are only distinct attributes for the one and the others.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Unity

does not obtain in an absolute sense, because local interests and institutions required in the local constitutions, guarantees and protections which they feared they would not find in the united Parliament and Government. But it is as complete as possible, inasmuch as unity gives to institutions chances of duration, and an initiatory force which is not given, which

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cannot be given, by confederacies in which authority is scattered, and where it is consequently without value and without real existence. Every constitutional mode of existence has its advantages; but assuredly that state of existence which gives permanence and stability to institutions should be preferred to others. Let us bear in mind that the Constitution of the United States has been but a compromise between state sovereignty and the need of a supreme authority to ensure the working of the state machinery, and that it was not perfect even in the opinion of its authors. In order to prove this statement, I shall call to my assistance words of greater weight than my own—[those of Joseph Storey](#), probably the greatest constitutional authority of the United States:—

Any survey, however slight, of the Confederation will impress the mind with the intrinsic difficulties which attended the formation of its principal features. It is well known that upon three important points touching the common rights and interests of the several states, much diversity of opinion prevailed, and many animated discussions took place.

The first was as to the mode of voting in Congress, whether it should be by states or according to wealth or population. The second, as to the rule by which the expenses of the Union should be apportioned among the states. And the third, as has been already seen, relative to the disposal of the vacant and unappropriated lands in the western territory.

But that which strikes us with most force is the increasing jealousy and watchfulness everywhere betrayed in respect to the powers to be confided to the General Government. For this several causes may be assigned. The colonies had been long engaged in struggles against the superintending authority of the Crown, and had practically felt the inconveniences of the restrictive legislation of the parent country. These struggles had naturally led to a general

feeling of resistance of all external authority, and these inconveniences to extreme doubts, if not to dread of any legislation, not exclusively originating in their domestic assemblies. They had, as yet, not felt the importance or necessity of union among themselves, having been hitherto connected with the British sovereignty in all their foreign relations.

What would be their fate, as separate and independent communities, how far their interests would coincide or vary from each other as such; what would be the effects of the union upon their domestic peace, their territorial interests, their external commerce, their political security, or their civil liberty, were points to them wholly of a speculative character, in regard to which various opinions might be entertained, and various and even opposite conjectures formed, upon grounds apparently of equal plausibility.

Notwithstanding the declaration of the articles, that the union of the states was to be perpetual, an examination of the powers confided to the General Government would easily satisfy us that they looked principally to the existing revolutionary state of things. The principal powers respected the operations of war, and would be dormant in times of peace. In short, Congress in peace was possessed of but a delusive and shadowy sovereignty, with little more than the empty pageantry of office.

They were indeed clothed with the authority of sending and receiving ambassadors; of entering into treaties and alliances; of appointing courts for the trial of piracies and felonies on the high seas; of regulating the public coin; of fixing the standard of weights and measures; of regulating trade with Indians, of establishing post offices; of borrowing money and emitting bills on the credit of the United States; of ascertaining and appropriating the sums necessary for defraying the public expenses, and of disposing of the western territory.

And most of these powers required for their exercise the assent of nine states. But they possessed not the power to raise any revenue, to levy any tax, to enforce any law, to secure any right, to regulate any trade, or even the poor prerogative of commanding means to pay its own ministers at a foreign court. They could contract debts, but they were without means to discharge them. They could pledge the public faith, but they were incapable of redeeming it.

They could enter into treaties, but every state in the union might disobey them with impunity. They could contract alliances, but could not command men or money to give them vigor. They could institute courts for piracies and

felonies on the high seas, but they had no means to pay either the judges or the jurors. In short, all powers which did not execute themselves were at the mercy of the states, and might be trampled upon at will with impunity.⁶¹

[One of our leading writers addressed the following strong language to the public:—](#)

By this political compact the United States in Congress have exclusive power for the following purposes, without being able to execute one of them: they may make and conclude treaties, but can only recommend the observance of them. They may appoint ambassadors, but cannot defray even the expenses of their tables. They may borrow money in their own name on the faith of the union, but cannot pay a dollar. They may coin money, but they cannot purchase an ounce of bullion. They may make war, and determine what number of troops are necessary, but cannot raise a single soldier. In short, they may declare everything, but do nothing.⁶²

Strong as this language may seem, it has no coloring beyond what the naked truth would justify. [Washington himself, that patriot without stain or reproach, speaks, in 1785,](#)

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with unusual significance on the same subject. “In a word,” says he, “the Confederation appears to me to be little more than a shadow without the substance, and Congress a nugatory body, their ordinances being little attended to.”⁶³ The same sentiments may be found in many public documents.

One of the most humiliating proofs of the utter inability of Congress to enforce even the exclusive powers vested in it, is to be found in the argumentative circular addressed by to the several states, in April, 1787, entreating them in the most supplicating manner to repeal such of their laws as interfered with the treaties with foreign nations. “If in theory,” [says the biographer of Washington,](#) “the treaties formed by Congress were obligatory, yet it had been demonstrated that in practice that body was absolutely unable to carry them into execution.”⁶⁴—

⁶¹ [Joseph Story, Commentaries on the Constitution of the United States \(1858\), pp. 166-168.](#)

⁶² [ibid., p. 168.](#)

⁶³ [George Washington letter to James Warren \(Oct. 7, 1785\).](#)

⁶⁴ [ibid., p. 169.](#)

In this state of things, the embarrassments of the country in its financial concerns, the general pecuniary distress among the people from the exhausting operations of the war, the total prostration of commerce and the languishing unthriftiness of agriculture, gave new impulses to the already marked political divisions in the Legislative Councils.

Efforts were made on our side to relieve the pressure of the public calamities by a resort to the issue of paper money, to tender laws, and instalment and other laws, having for their object the postponement of the payment of private debt, and a diminution of the public taxes.

On the other side, public as well as private creditors became alarmed from the increased dangers to property, and the increased facility of perpetrating frauds, to the destruction of all private faith, and credit. And they insisted strenuously upon the establishment of a government and system of laws which should preserve the public faith and redeem the country from that ruin which always follows upon the violation of the principles of justice and the moral obligation of contracts.

“At length,” we are told, “two great parties were formed in every state, which were distinctly marked and which pursued distinct objects with systematic arrangement.” The wonder indeed is, not under such circumstances, that the constitution should have encountered the most ardent opposition, but that it should ever have been adopted at all by the majority of the states.

In the convention itself which framed it, there was a great diversity of judgment, and upon some vital subjects an intense and irreconcilable hostility of opinion. It is understood that, at several periods the convention were upon the point of breaking up without accomplishing anything. On the other hand, if the votaries of the national government are fewer in number, they are likely to enlist in its favor men of ardent ambition, comprehensive views and powerful genius.

A love of the union, a sense of its importance—nay, of its necessity to secure permanence and safety to our political liberty; a consciousness that the powers of the national constitution are eminently calculated to preserve peace at home and dignity abroad, and to give value to property, and system and harmony to the great interests of agriculture, commerce and manufactures; a consciousness, too, that the restraints which it imposes upon the states are the only efficient means to preserve public and private justice, and to ensure tranquillity amidst the conflicting interests and rivalries of the states—these will doubtless combine many sober and reflecting

minds in its support. If to this number we are to add those whom the larger rewards of fame or emolument or influence connected with a wider sphere of action may allure to the national councils, there is much reason to presume that the union will not be without resolute friends.⁶⁵

The events now occurring in the United States sufficiently prove, I think, that the fears of the illustrious founders of the Union were not without some foundation. The scheme of Constitution which is submitted to us is also a compromise, but a compromise in the best conditions of existence, and in those least dangerous to the stability and the strength of the nation to which is to give being. Unity moves more at ease, and the checks placed therein for the benefit of the sections are placed in such a manner as not to obstruct the general action. It is not so much against the Federal principle that the greater number of the arguments of the hon. member for Hochelaga [Antoine-Aimé Dorion] are directed.

For him it is a party question which [he puts to himself in this manner](#):—“How shall we find ourselves, my friends and myself, in this Confederation? Shall we be strong or weak? May we hope to regain power, or shall we be lost like so many drops of water in the ocean?”⁶⁶ In order to convince the House that I have correctly appreciated the motive of the hon. gentleman’s (Hon. Mr. Dorion’s) opposition, I shall quote [from his speech of the 16th](#):—

Hon. Mr. Dorion—But, sir, I may be asked, admitting all that—admitting that the scheme now submitted to us is not that which has been promised us, what difference will the immediate admission of the Provinces into the Confederation make? I will try to explain it.

When the ministers consented to the votes in the Conference being taken by provinces, they gave a great advantage to the Maritime Provinces. This mode of procedure had for its result the most conservative measure that was ever submitted to the House. The members of the Upper House are no longer to be elected,

⁶⁵ [Joseph Story, Commentaries on the Constitution of the United States \(1858\), pp. 193-196.](#)

⁶⁶ [A.A. Dorion, Legislative Assembly \(Feb. 16, 1865\), pp. 253-254.](#) Cauchon is summarizing Dorion’s speech just prior to reading Dorion’s speech verbatim.

but nominated—and by whom? By a Tory or Conservative Government for Canada, by a Conservative Government in Nova Scotia, by a Conservative Government in Prince Edward Island, and by a Conservative

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Government in Newfoundland, the only Liberal Government concerned in the nomination of the Upper House being that of New Brunswick, where there is a Liberal Administration, whose fate depends on the result of the elections now taking place in that province.

A similar scheme would never have been adopted by the Liberal members from Upper Canada, the people of which section, to the number of 1,400,000, with those in the Lower Province, making in all 2,500,000, have been controlled by the 900,000 people of the Maritime Provinces. Have we not been told in set terms that it was the Lower Provinces which did not want an elective Legislative Council?

If, instead of inviting to a Conference the delegates of the Lower Provinces, our Government had done what it engaged to do, namely—had itself prepared a Constitution, it would never have dared to draw up a proposal like this now laid before us; it would never have proposed a Legislative Council nominated for life, with a limited membership, and which has to be named by four Tory Governments.

Reckoning 15 to 20 years, as the average of the time each Legislative Councillor will hold his seat, a century would elapse before its composition could be entirely changed! We will have, thus, a Legislative Council lasting for ever—at least as regards this, and the next generation—controlled by the influence which to-day preponderates in our Government and in those of the Maritime Provinces; and are we going to believe, as the present document promises us, that a government like that which we possess now, will employ itself in getting the Opposition represented in the Legislative Council? (Hear, hear, and laughter.)

I thank the delegates for their solicitude as regards the Opposition, but I rely but little on their promises. Did we not hear the Honorable Attorney General West say the other day, turning towards his supporters: “If I had the recommending of the nominations, I would advise the choice of the most qualified—but of course, of my own party. (Hear, hear.)

It would be done in this way, sir; and, if this precious scheme is put into operation, we shall have a Legislative Council divided in the following manner: for Upper Canada, we shall probably have Liberals in the proportion of 3 to 9, for I suppose that the honorable member for South Oxford (Honorable Mr. Brown) has made enough sacrifices to deserve at least this concession, and as his friends constitute a fourth of the Executive Council, I

suppose we shall have also one-fourth of the Executive Councillors for Upper Canada, Liberals.

Hon. Attorney General Macdonald—Hear, hear.

Hon. Mr. Holton—Exactly 25 per cent.

Hon. Mr. Dorion—Yes; precisely 25 percent. Besides, we shall have for Nova Scotia ten Conservatives, from Prince Edward Island four more, and four from Newfoundland. Thus we are to have eighteen Conservatives from the Lower Provinces, who, added to the thirty-six from Canada, will make fifty-four Conservatives, against twenty-two Liberals, supposing that the ten Legislative Councillors from New Brunswick will all be Liberals.

Now, supposing that the average of deaths amounted to three per cent, in a year, it would need a term of thirty years to bring about a change in the character of the majority of the Council, taking it for granted that the additions which might be made to it would be taken from the ranks of the Liberal party.

Yet that would be scarcely possible. In some of the Lower Provinces there would be from time to time Conservative Governments, and there might be also a Conservative Government in Canada. (Hear, hear, and laughter.)

And the present generation will have passed away before the opinions of the Liberal party will have any influence in the divisions of the Legislative Council.

Mr. Mackenzie—That makes no difference.

Hon. Mr. Dorion—The hon. member for Lambton says that makes no difference! The honorable member is ready to accept everything, but for those who are not so well disposed, the difference would be that we would be bound by this constitution which will permit the Legislative Council to throw obstacles in the way of all measures of reform wished for by the Liberal party.

If the hon. member for Lambton thinks that that makes no difference, I will take the liberty of differing from him, and I think that the Liberal party generally will differ from him also. The Government told us that they were obliged to consent to the introduction of certain measures in the project of Confederation which did not altogether please them, so as to come to an understanding with the Lower Province delegates, and that they bound themselves to cause the scheme to be adopted by this House without amendment.

Does the hon. gentleman not see a difference now? If the two Canadas were the only interested parties, the majority would act as they pleased, would examine minutely the Constitution, and erase all measures which did not suit them, and a proposition such as that relative to the Legislative Council would have no chance of being adopted—it is too short a time ago since this House voted,

by a crushing majority, the substitution of an elective Council for a Council nominated by the Crown.

In fact, the Council named by the Crown had so fallen in public estimation—I do not say so on account of the men who composed it, but still such was the fact, that it exercised no influence; it was even difficult to assemble a quorum of members—a change had become absolutely necessary, and up to the present time the elective system has worked well—the elected members are equal in every respect to those nominated by the Crown.

Well, it is just as public attention commences to be bestowed upon the proceedings of the Upper House, that we are to change its constitution to give it the place of the same one we so short a time ago condemned. I said same Constitution—I mistake, Mr. Speaker, we want to substitute for the present Constitution one much worse than the old one, and one for which it is impossible to find a precedent.⁶⁷

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Here, then, is the solution of the enigma; here, then, is the reason why Federal union is worthless—without us there is no country—it is no longer the doctrine: “*Let the country perish rather than a principle be abandoned,*” but “*let the country perish rather than a political party should succumb.*” It is less absurd, but at the same time less noble, and if it be not cynical in words, it is so undoubtedly in conception.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—What! Must we resist in future all progress, all strength and national greatness, solely because a party, which exhausted itself almost at its birth, thinks it cannot discern in the new order of things the stepping stones to power? But is it our fault that the doctrines and the acts of that party are not in accordance with the feelings of the country, and that the country persists in discountenancing them?

The hon. member for Hochelaga [Antoine-Aimé Dorion] would hope more for his party in a Confederation of the two Canadas only; he has said to himself, no doubt, “In this last order of things the increase of the Upper

Canadian representation would augment the Radical majority of Upper Canada, and that majority, added to the small minority I command, would have placed me in a position to rule Lower Canada as I have already done, against its will, and in spite of my former declarations.” Either he must think us very blind, or else he must expect that placing the question in a party point of view, he would rally around him only those who, leaving aside all national sentiments, follow him nevertheless.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But the extract which I have just now read brings us naturally to the question of an elective Legislative Council, to which system the honorable member for Hochelaga [Antoine-Aimé Dorion] grants a great degree of superiority over the nominative one. Just now he told us that the Council nominated by the Crown had fallen into imbecility, and had lost public respect.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Now, to prove how logical he is, [he tells us](#):

It is true that the House of Lords, Conservative though it be, finds itself removed from all popular influence; but its numbers may be increased upon the recommendation of the responsible advisers of the Crown, if such a measure were to become necessary to obtain the concurrence of both Houses, or to prevent a collision between them. The position which its members occupy in it establishes a sort of compromise between the Crown and the popular element.

But this new House, after Confederation, will be a perfectly independent body; its members will be nominated for life, and their number cannot be increased. How long will this system work without bringing about a collision between the two branches of the Legislature? Let us suppose the Lower House composed in a great part of Liberals, for how long a time would it submit to an Upper

⁶⁷ [A.A. Dorion et al., Legislative Assembly \(Feb. 16, 1865\), pp. 253-254](#). The wording doesn't match because Cauchon quoted Dorion (*et. al*) in French and was translated to English. The original version (1865) translates Dorion's (*et al.*) original words and Cauchon quoting their words differently despite them being the same. In the French version of the debates the quotes match. *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), [pp. 257-258 \(Dorion\); 571-572 \(Cauchon\)](#).

House named by Government?⁶⁸

Be kind enough to observe, Mr. Speaker, that under the old system, the Legislative Council possessed the same elements of existence as the House of Lords, and that the Crown could increase its numbers at need; it augmented it in 1849, as it threatened to augment the House of Lords in 1832. Observe, again, that it is precisely this control exercised by the Crown over the Upper House that the hon. gentleman found so fatal to legislation previous to 1856⁶⁹.

But there is a more rational manner of appreciating the part sustained by the House of Lords in the British Constitution. No one denies to the Sovereign the abstract right of increasing at will the House of Lords; but such right has never been exercised but for the purpose of rewarding men distinguished for great national services and when, in 1832, William IV granted Earl Grey the tremendous power to swamp the representative body of the great landed nobility⁷⁰, it was because the country was moving with rapid strides towards revolution, and because there remained to the Sovereign but two alternatives, either to lessen the moral weight of the House of Lords, or to see his own throne knocked to pieces from under his feet.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—To convince the House that I do not exaggerate, I will read an extract from [Lingard's History of England](#):—

It is known that justice and common sense were wounded by the electoral system of England, when such a rock, such a building, such a hamlet belonging to noble families sent representatives to Parliament, where cities of 100,000 inhabitants were not represented, where corporations of twenty or thirty individuals had a right to elect members for large cities, and so forth. All this was the consequence of a social order, founded on privilege, and in which property was the mistress of all power.

To reform the electoral system was then to make an attempt not only on the Constitution, but society. And the Tories offered a desperate resistance. Such was their attitude, that the Ministry proclaimed Parliament dissolved on the 11th May, 1831, a course which was joyfully welcomed by the people. New elections were had, and resulted in a ministerial majority. The Reform Bill was adopted by the Commons, but the House of Lords threw it out by a majority of forty-one votes. The intelligence of this result was received throughout the three kingdoms with the most lively agitation.

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Petitions were sent in from all parts, praying for the upholding of the Ministry, and for a new creation of peers; reform associations were formed, and serious disturbances took place at London, Bristol, Nottingham &c. Parliament was prorogued, and at its re-assembling the Reform Bill was again presented with some alterations. The Commons accepted it; it passed a first and a second reading in the House of Lords, but the third reading was adjourned, and Wellington and seventy-four peers protested. Agitation became almost universal; societies met, petitions took a threatening character; everything was tending towards armed insurrection. England never before presented such a spectacle.

Meantime the Ministry had demanded of the king a new creation of peers to change the majority of the Upper Chamber. It was refused; they immediately resigned on the 9th May, 1832. The Duke of Wellington and his friends were then called in to form a Ministry; he tried it several days in vain. The nation was astir; whole armies were being created; riots broke out everywhere; the lives of the principal Tories were threatened, and the House of Commons seemed disposed to support a measure which would have overturned both the Government and the aristocracy.

The King called back the Grey Ministry, and the Bill was presented to the House of Lords for a third reading, on which the Tories, knowing that the Cabinet had decided to create an unlimited number of peers, so as to obtain a majority, abstained from attending the discussion, and the Bill passed by 106 votes against 22. The Parliament was immediately dissolved, and new elections took place according to the new electoral law, and on the 5th of February, 1833, the first Reformed Parliament was opened.⁷¹

It must then have been a real revolution, this

⁶⁸ Same issue here. [Dorion, LA \(Feb. 16, 1865\), pp. 254-255](#). *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), pp. 254-255 (Dorion); 572 (Cauchon).

⁶⁹ 1856 being the year the Legislative Council was made elective. [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#).

⁷⁰ See the Lingard passage below for the full history of it.

⁷¹ Cauchon quotes the French version of *History of England*: [John Lingard, Histoire d'Angleterre, Tome VI \(1844\), pp. 686-687](#).

nomination of one hundred new peers, a revolution as real as that which menaced the Throne; and do we not feel persuaded that if one day our Federal Legislative Council were to place itself obstinately and systematically in opposition to popular will, matured and strengthened by ordeals, it would not be swept away by a revolutionary torrent such as threatened to sweep away the House of Lords in 1832? This Council, limited as to numbers, because the provinces insist on maintaining in it an equilibrium without which they would never have consented to a union, this Council, sprung from the people—having the same wants, hopes and even passions, would resist less the popular will in America, where it is so prompt and active, than could the House of Lords in England, where the masses are inert because they have not political rights; reason tells us thus because they would be a less powerful body socially or politically.

The honorable member for Hochelaga [Antoine-Aimé Dorion] has spoken to us of the elected senate of Belgium, which he says works admirably. But let us examine the manner of its construction and the reasons of its organization. We find in a note under the 53rd article of the Belgian Constitution, section 2 of the Senate in [Havard's Public and Administrative Law, vol. I:—](#)

89. *Elected by the People.*—Three principal opinions divided the Congress on the question of the senate. One wanted no kind of senate. Another wished the senate named with or without conditions, by the head of the state; and another wished for the senate but elected by the people. These two last opinions carried the existence of the Chamber to be admitted, but it was difficult to fix the majority on the mode of nominating the senators. Among the members who desire a senate, the greater number sustained nomination by the king, as being more in harmony with the nature of the institution; but those who wished only one Chamber directly elected being in despair, and in order to popularize an institution which they accused of not being sufficiently so, joined with those favoring senators elect, named without the intervention of the royal power, so that this opinion prevailed.

The senate and its mode of existence was not, therefore,

the result either of the same opinion or of the same majority. The central section proposed, with a majority of sixteen against four, nomination by the king without presentation and in unlimited number. The question was discussed at the sitting of the 15th, 16th and 17th December. Nomination by the king was rejected by 96 against 77. Two leading opinions still divided the partisans of election. One would confide it to the ordinary electoral colleges, and others to the Provincial Councilor States. "We desire," said M. Blagenies in proposing the last mode of election "a neutral power which can resist the dangers which might result from the preponderance of the head of the state or from an elective Chamber.

It is, therefore, necessary that this power should emanate neither from the same elements as the elective Chamber, nor from the chief of the state." To confide election to a particular class, was said on the other side, is to create privileged electors with a double vote, and to introduce into our country all the inconveniences of the division of electors which has just been abolished in France. Provincial Councils should, moreover, be administrative bodies. The system of article 53 was adopted by 136 votes against 10. The opinion which was in favor of only one Chamber, and consequently only one mode of election, determined the majority.⁷²

Thus we find that the constitution of this senate is a compromise similar to that of the Federal Government of the United States. But [let us go on a little further:—](#)

In order to be elected and to continue to be a senator, one qualification, among others, is to

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pay, in Belgium, at least one thousand florins of direct imposts, patents included.⁷³

Is not this last provision of the Belgian Constitution a hundred times more conservative than all the provisions of this scheme, which the honorable member condemns? What! No one can be a senator in Belgium without paying \$500 direct taxes, over and above indirect taxes, municipal and local impositions of all sorts. And the honorable member for Hochelaga [Antoine-Aimé Dorion] calls that a popular House! Who but men powerful and rich in titles and fortune can enter it?

Some Hon. Members—Hear, hear.

⁷² [M. Havard, *Éléments du droit public et du droit administratif en Belgique*, Tome I \(1851\), p. 51.](#)

⁷³ [ibid., p. 52.](#)

Antoine-Aimé Dorion [Hochelaga]—What is the qualification of the electors of the Belgian House of Representatives? Is it not much higher than elsewhere?

Joseph Cauchon [Montmorency]—It is the same for both Houses. And this is an argument against the honorable member; for if, in a country like Belgium, in which every fourth person you meet is a beggar, it has been found requisite to make the elective franchise and the electoral qualification of the senators so high, it is a proof that he has made a bad selection of examples; it is a proof that the tendencies of Belgium are conservative. Why, then, should we adopt another course in Canada, where there is not one beggar in a thousand inhabitants?

François Evanturel [Quebec County]—Will the honorable member for Montmorency [Joseph Cauchon] allow me to interrupt him in his argument in relation to the qualifications and appointment of the legislative councillors. Like him, I am quite of opinion that the conservative element ought, of necessity, to be the basis of the Legislative Council, to counterbalance the popular element. This principle governed the constitution of the House of Lords in England, that of the Legislative Council in Belgium, and that of every well organized representative government. It is that element of conservatism which I desire to see introduced into the Constitution of the Confederation now before us; but the honorable member for Montmorency [Joseph Cauchon] will allow me to remark that the whole of his argument applies only to the antagonism which might arise between the two branches of the legislature, in a monarchical government like that of Belgium, which is not based on a Federative system like that now submitted to us by the Government.

But we have not only to avoid the differences which might arise between the conservative and the popular elements; we have also to protect the rights of the several provinces which are to form part of the proposed Confederation. That is the all

important question we have to consider. We have accorded the principle of representation based upon population in the House of Commons of the Federal Government, and that is without doubt a great sacrifice; but we ought only to make so important a concession on the condition that we shall have equality of representation in the Legislative Council, and the right reserved to ourselves to appoint our twenty-four legislative councillors, in order that they may be responsible to the public opinion of the province and independent of the Federal Government.—Without this essential guarantee I affirm that the rights of Lower Canada are in danger.

For my part I am ready, on behalf of Lower Canada, to give up her right to elect directly her twenty-four legislative councillors, although the retention of the elective principle might perhaps be the surest means of preserving our institutions; but I am anxious that the new Constitution now proposed should give us adequate guarantees that the legislative councillors to be appointed for life should, at all events, be selected by the Local Government of Lower Canada, which would be responsible to the people. These not ill-grounded sources of anxiety I should like to see removed. I would bespeak the earnest attention of the honorable member for Montmorency [Joseph Cauchon] to this point, which is of the very highest importance to us Lower Canadians; and I hope that he will pardon me for having interrupted him, and that he will be in a position to give me such an answer as will dissipate the anxiety which I am aware has been evinced on this subject.

Joseph Cauchon [Montmorency]—The honorable gentleman has not understood me; my object has not been to attack the representative system of Belgium as being too conservative; on the contrary I use it as an argument in my favor, because the qualification there is so high, that hardly one in six thousand can be found who can aspire to the post of senator. Parties having been unable to come to any understanding at the

time of [the revolution of 1830](#)⁷⁴, and neither the hereditary peerage or the life peerage having been able to prevail, the most conservative principle next to these was adopted, viz., that of a large property qualification. All those who have drawn up constitutions, either theoretical or for practical purposes, have never omitted to provide counterpoises to prevent, on the one hand, too

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precipitate and hasty legislation, and on the other hand the encroachment of the power of the executive.

In our Constitution it is the duty of the Legislative Council to exercise the conservative influence, and to modify the legislation too energetic and too full of outside effervescence, which is sent for their consideration from the House of Commons. But when public opinion gains vigor from the obstacles which it encounters, and the reforms demanded are rational and come before them in due course, there is no danger that the legislation which embodies them will be obstructed in its progress; for the people will rise in their majesty and in their sense of justice, as did the people of England [in 1832](#)⁷⁵, and the obstacles they might meet with on their way would be swept away as by a torrent.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—That is exactly where the danger lies.

Joseph Cauchon [Montmorency]—That is the danger which assailed the House of Lords in 1832, but no one would venture to confront to the last extremity a danger such as this. But the honorable member for Quebec [François Evanturel] tells us, if I understand him rightly, that we have not sufficient guarantees for Lower Canada in the appointment of the legislative councillors. The selection of legislative councillors has no bearing whatever on the question we are now considering, viz., whether the appointment by the Crown is or is not preferable to the elective principle. But in answer to him I will say, that the scheme before us seems to be quite clear. According to this plan the candidates for the Legislative Council will be recommended by the local governments and appointed by the General Government, and it is by this very division of powers that the selections are sure to be good, and made in conformity with the desire and sentiments of the provinces.

Antoine-Aimé Dorion [Hochelaga]—Only the first nominations are to be made in this manner, not those which may be made afterwards.

Joseph Cauchon [Montmorency]—The first nominations will be made by the present Governments, and the federal councillors will be taken from the present legislative councillors to the number prescribed, 24, provided so many can be found who will accept the post, and who possess the requisite property qualification. The Conference has

⁷⁴ [The July 1830 revolution in France](#), inspired revolutionary upheaval in a number of surrounding countries, including Belgium.

⁷⁵ [Reform Act \(U.K., 1832\)](#). The House of Lords successfully blocked the bill twice over the span of 1831-1832. The Bill sought to incorporate into the Constitution the electoral enfranchisement of the working and middle classes. Led by Charles [Earl] Grey, Whig reformers in the Commons believed this reform was necessary to preserve the existing social and political order—and believed it may have even become necessary to prevent violent revolution, while Tory opposition in both the Commons and Lords fervently argued for safer and more practical reform. The first Bill passed the Commons on Mar. 22, 1831, by a single vote of 302-301, but a dissolution of the House followed when adverse amendments were carried in committee. A large majority of Whig Reformers returned, and a second Reform Bill was carried in the Commons in Jul. 1831 but thrown out by the House of Lords in Sep. 1831. Violent riots ensued the month after across England. A third Reform Bill passed the Commons in Dec. 1831 by a majority of 162, but adverse amendments successfully passed by the House of Lords in May 1832. While talk of creating new peers was threatened by this time, the measure was actually acted upon by Earl Grey and refused by King William IV in May 1832. Earl Grey's resignation in May led to what is known as the crisis of the "Days of May". The failure of Lord Wellington to form a Tory government, along with significant extra-parliamentary conflict and public dissatisfaction, led to the abstention of Tory Lords from the vote and the enactment of the third Reform Bill in July 1832.

engaged, by the terms of the scheme, to respect the rights of the Opposition, and any government who should fail to carry out so solemn an engagement would well deserve to lose the public confidence.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I repeat that the mode of appointing the councillors in no wise affects the conservative principle of nomination on which the constitution of the Legislative Council ought to be based.

Antoine-Aimé Dorion [Hochelaga]—In the course of my observations the other night, I did not examine the question from the point of view from which the honorable member from Quebec [François Evanturel] is now looking at it. That honorable member, if I have understood him rightly, affirms that in the proposed constitution of the Federal Legislative Council there is no conservative principle to guarantee that the provinces will be represented in that Council, and he does so with justice. If the honorable member for Montmorenci [Joseph Cauchon] will examine it attentively, he will see that the first nominations are to be made by the existing governments. Thus the Government of Canada, that of New Brunswick and that of Nova Scotia will appoint legislative councillors, but afterwards the Federal Government will make the appointments.

The honorable member for Quebec [François Evanturel] can, with reason, draw the conclusion that there is no guarantee that the views of the provinces will be respected. I for my part have investigated the matter, more in connection with the power that will be vested in the legislative councillors. I asserted that by appointing them for life and limiting their number, an absolute authority would be created, which would be quite beyond the control of the people and even of the Executive; that the power of this body will be so great, that they will always be in a position to prevent every reform if they thought proper, and that a collision between the two branches would be inevitable and irremediable. The danger arising from the

creating of such a power is exactly that of being obliged to destroy it if they resist too obstinately the popular demands.

In England there is no necessity for breaking down the obstructions sometimes presented by the House of Lords, because the Crown having it in its power to appoint new peers, can overcome the difficulty. Here there will be no means of doing it, when the number of councillors is fixed. Accordingly, I have looked at the question through the medium of the powers assigned to the councillors, whereas the honorable member for the county of Quebec [François Evanturel] fears lest the Government should make choice of men who would not represent public opinion in the provinces; that they might appoint members all of French origin or all of English origin to represent Lower Canada, or take them all from among

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a class of men who would not represent the province for which they are appointed, and who could give no pledge that they would maintain its institutions.

George-Étienne Cartier [Montreal East, Attorney-General East]—It is evident that the honorable member for Hochelaga [Antoine-Aimé Dorion] has not read the resolutions; but I have read them. Lower Canada is in a peculiar position. We have two races of people whose interests are distinct from each other in respect to origin, language and religion. In preparing the business of the Confederation at Quebec, we had to conciliate these two interests, and to give the country a Constitution which might reconcile the conservative with the democratic element; for the weak point in democratic institutions is the leaving of all power in the hands of the popular element. The history of the past proves that this is an evil.

In order that institutions may be stable and work harmoniously, there must be a power of resistance to oppose the democratic element. In the United States the power of resistance does not reside in the Senate, nor even in the

President. The honorable member for Hochelaga [Antoine-Aimé Dorion] says that the objection of the honorable member for the county of Quebec [François Evanturel] is well founded, because the Federal Government may appoint all English or all French-Canadians as legislative councillors for Lower Canada. If the honorable member had read the resolutions, he would have found that the appointments of legislative councillors are to be made so as to accord with the electoral divisions now existing in the province. Well, I ask whether it is probable that the Executive of the Federal Government, which will have a chief or leader as it is now I ask whether it is very probable that he will recommend the appointment of a French-Canadian to represent divisions like Bedford or Wellington for instance?

John Sandfield Macdonald [Cornwall]—You will be in a minority in the Federal Government.

George-Étienne Cartier [Montreal East, Attorney-General East]—Am I not in a minority at present in appointing judges? And yet when I propose the appointment of a judge for Lower Canada, is he not appointed? Did the honorable member for Cornwall (Hon. J.S. Macdonald), when he was in the Government, ever attempt to interfere with the appointments recommended by the honorable member for Hochelaga [Antoine-Aimé Dorion]? And now, when a chief justice or a puisne judge is to be appointed for Lower Canada, I find myself surrounded by colleagues, a majority of whom are English and Protestants; but do they presume to interfere with my recommendations? No, no more than we Lower Canadians interfere with the recommendations of my honorable friend the Attorney General for Upper Canada [John A. Macdonald] in making appointments to office in Upper Canada. There will be in the Federal Government a leader for Lower Canada, and do you think that the other Ministers will presume to interfere and intermeddle with his recommendations? But I am told that I am in a minority. So I am now,

so I have been for eight years—

Félix Geoffrion [Verchères]—You have equality between the two provinces.

George-Étienne Cartier [Montreal East, Attorney-General East]—Yes, we have equality, but not as a race, nor in respect of religion. When the leader for Lower Canada shall have sixty-five members belonging to his section to support him, and command a majority of the French-Canadians and of the British from Lower Canada, will he not be able to upset the Government if his colleagues interfere with his recommendations to office? That is our security. At present, if I found unreasonable opposition to my views, my remedy would be to break up the Government by retiring, and the same thing will happen in the Federal Government.

Antoine-Aimé Dorion [Hochelaga]—The honorable member will be allowed to retire from the Government; as there will then be a sufficient number of English members to be able to do without him, he will be allowed to retire, and nobody will care.

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] put a question to me relative to the constitution of the Legislative Council, and said that he had not looked at the question, while speaking the other evening, in the same light as the honorable member for the county of Quebec [François Evanturel]. He spoke of the conservatives as a party, and his fear was, not that the Upper House would not be conservative enough, but that it would be too much so.

Antoine-Aimé Dorion [Hochelaga]—I looked at it both ways, both as it involved the interests of parties, and in regard to the power which that House would exercise from the nature of its constitution.

Joseph Cauchon [Montmorency]—I did not see the two ways of looking at it. I saw but one. It is the same idea in a different form. He said that even if the Lower House were altogether liberal, the Upper House would remain composed of conservatives; this was his fear. He has been a long while trying to gain

predominance for his democratic notions, but it is evident he will not succeed. I recur to the real medium through which the honorable member looks at the question, namely, his fears

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that his party will sink out of sight. In the present day, parties disappear and become fused with others, while others arise from passing events. In New Brunswick, conservatives join the liberal government to carry Confederation, and we see no parties there but the partisans and the opponents of the union, as in 1788, in the United States, there were no parties but the adherents of royalty and those of Federal Government. We see the same thing in Nova Scotia. This is true patriotism and the real dignity of public men. It is unfortunate for us that we do not follow their example here.

Félix Geoffrion [Verchères]—Hear!

Joseph Cauchon [Montmorency]—The honorable member from Verchères [Félix Geoffrion] says “Hear!” Is it not a fact that the Opposition vote as a party on the present question? If it is not so, will he name a single member of the Opposition who does not vote against Confederation?

John Sandfield Macdonald [Cornwall]—Hear! hear!

Joseph Cauchon [Montmorency]—The honorable member for Cornwall [John Sandfield Macdonald] says “Hear! Hear!” He may well say so, he who never had a party. He came into power, nobody expected he would. He will never get it again, everybody expects that.

Some Hon. Members—*Continued laughter.*

Joseph Cauchon [Montmorency]—I am bound to show him respect because he is my senior in this House, my senior by three years. It is true he has not always represented the same county, his brother having fraternally driven him out of Glengarry, and obliged him to take refuge in the rotten borough of Cornwall [John Sandfield Macdonald].

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—But although we have almost always been unlucky enough to do duty in different camps, we have not on that account ceased to be good friends.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—I will not look at this question in a party light, because parties expire, and we do not know whether in thirty years the present parties will exist. We ought to look at the question apart from party considerations, and on its own merits: that is to say, we ought to place in the Constitution a counterpoise to prevent any party legislation, and to moderate the precipitancy of any government which might be disposed to move too fast and go too far,—I mean a legislative body able to protect the people against itself and against the encroachments of power.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—In England, the Crown has never attempted to degrade the House of Peers by submerging it, because it knows well that the nobility are a bulwark against the aggressions of the democratic element. The House of Lords, by their power, their territorial possessions, and their enormous wealth, are a great defence against democratic invasion, greater than anything we can oppose to it in America. In Canada, as in the rest of North America, we have not the castes—classes of society—which are found in Europe, and the Federal Legislative Council, although immutable in respect of number, inasmuch as all the members belonging to it will come from the ranks of the people, without leaving them, as do the members of the House of Commons, will not be selected from a privileged class which have no existence. Here all men are alike, and are all equal; if a difference is to be found, it arises exclusively from the industry, the intelligence, and the superior education of those who have labored the most strenuously, or whom Providence has gifted with the highest faculties.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Long

ago the privileges of caste disappeared in this country. Most of our ancient nobility left the country at the conquest, and the greater number of those who remained have sunk out of sight by inaction. Accordingly, whom do we see in the highest offices of state? The sons of the poor who have felt the necessity of study, and who have risen by the aid of their intellect and hard work.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Everything is democratic with us, because everyone can attain to everything by the efforts of a noble ambition. The legislative councillors appointed by the Crown will not be, therefore, socially speaking, persons superior to the members of the House of Commons; they will owe their elevation only to their own merit. They will live as being of the people and among the people as we do. How can it happen, then, that having no advantage over us greater than that of not being elected, they will not be subject in a legitimate degree to the influence of public opinion?

There are some men who have enough patriotism to approve of everything done elsewhere, but to find fault with everything done at home—it is a pitiful croquet in the human mind. If there had been as much danger for the liberal party in this union as you say there was, would Hon. Mr. Tilley, the leader of the Liberal government of New Brunswick, a man of such foresight and judgment; would the honorable member for South Oxford [George Brown], your former leader, whose talent and experience you will not deny, have accepted it?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But look rather at what is now passing in New Brunswick and Nova Scotia; what they have agreed to designate as the Federal electoral ticket is composed of six candidates for the town and

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county of St. Johns, N.B.; and in Nova Scotia,

Hon. Mr. Tupper, the leader of a Conservative government, and Messrs. Archibald and McCulley, two of the chiefs of the Liberal party, are working hand in hand for Confederation.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—One must be short-sighted not to see that this new order of things will produce new combinations similar to those produced by the American Constitution of 1788, when the citizens and public men divided into two camps, the camp of the supporters of national union and that of the friends of the state sovereignty.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Let us not then be anxious about the future of parties. What does it matter to this country what position the honorable member for Hochelaga [Antoine-Aimé Dorion] or myself may occupy in this new Constitution?

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—What matters it to the country if we be above or below, the first or the last, the victors or the vanquished, so long as it is happy under the new rule, and finds happiness, greatness, power and prosperity in the free development of its resources and institutions?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The opponents of Confederation do not desire the union of the provinces for the purpose of military defence; two and two will always make four, say they, and in uniting the populations of the different provinces, you will not give us more strength to resist the common enemy, unless, as facetiously remarked the honorable member for Lotbinière [Henri Joly], we make a treaty with the enemy, which would bind him to attack us at but one place at a time, so as to allow us to oppose all our forces to the invasion.

Yes, two and two will always make four. You are right. War between England and the United States would expose us in our colonial position to the attacks of the enemy at all

vulnerable points of the respective provinces. But, firstly, the union carries with it the construction of the Intercolonial Railway, and that railway which does not particularly please the two annexationist leaders of the Opposition, would allow England and the provinces to transport troops rapidly from the furthest limits of the country to the threatened points of the national territory. Without the aid of railways how could Napoleon III have been able, in a fortnight, to throw two hundred thousand men on the plains of Italy, to defeat the Austrians at Magenta and Solferino, and to gain one of the bloodiest and most glorious victories of modern times? But in the advanced condition of our civilization, our commerce and our manufactures—with so many elements of greatness, with so many prodigious sources of prosperity and wealth—with a population of nearly four millions already—should we have so little ambition as not to aspire to take our place one day in the rank of nations?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Shall we forever remain colonists? Does the history of the world afford examples of eternal subjection?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—It is not, for my part, because I do not feel myself proud and happy under the glorious flag which protects and shelters in safety one hundred and fifty millions of souls. It is not because I do not feel myself free as the bird of air in the midst of space, under the mighty aegis of the British Empire—a thousand times more free than I should be, with the name of citizen, in the grasp of the American Eagle.

Some Hon. Members—Hear, hear, *and cheers.*

Joseph Cauchon [Montmorency]—But we must not conceal from ourselves the fact that we are attracted by two centres of attraction—the opposing ideas which are developed and which make war upon each other, even within these walls, sufficiently attest the fact. Everything tells us that the day of national

emancipation or of annexation to the United States is approaching, and while the statesmen of all parties in the Empire warn us affectionately to prepare for the first, a few of our own public men drive us incessantly towards the second, by propagating republican ideas, and by endeavoring by all possible means to assimilate our institutions to those of the neighboring republic.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If we remain isolated, what will happen at the moment of separation from the Mother Country; for that moment will come, whether we wish it or wish it not? Each province would form an independent state, and as to attack the one would no longer mean to attack all, inasmuch as we should have ceased to be the subjects of the same empire, the United States, if they covet them, would devour them one by one in their isolated position, following therein the able tactics of the Romans in Asia, Europe and Africa, of the English in India, and of Napoleon, the greatest warrior of modern times, in Europe.

I understand that the annexationists insist on the status quo and on isolation; but others would be blind did they listen to them, inasmuch as reason commands them to organize, so as to be ready when danger comes. If we are four millions to-day, we shall probably be eight millions and over then, with proportionate means of defence, and the alliances which we would find in the necessity on the part of the European powers to keep within bounds the too extensive development of that nation which

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is now struggling in the horrors of civil war.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Honorable gentlemen do not desire Confederation, because there must be an outlay for its defence. But are those, who argue thus, logical? If two and two did not make more than four a moment ago, why would they make five now? If each province,

standing in an isolated position, would be obliged to expend money to organize the defence of its territory, why would the combination of all these various outlays in Confederation amount to more than the total of these same expenses otherwise added up? Would this be the case because a single organization ought to be, necessarily, less expensive than six distinct commands? The honorable member for Hochelaga [Antoine-Aimé Dorion] has exaggerated the expenses of the Confederation, as he has everything else; as he exaggerated and perverted, the other day, the words of the Hon. President of the Council [George Brown].

Félix Geoffrion [Verchères]—And besides this, the Maritime Provinces have to be paid to come into the Confederation.

Joseph Cauchon [Montmorency]—That question will naturally come up in its turn. But it is not the less true that all the provinces come into the Confederation on an equal footing, as their debt is placed in equilibrium; and as, for the purposes of the union, the arrangement is strictly based on the total population of each of them. On a previous occasion, as I have elsewhere quoted, the honorable member for Hochelaga [Antoine-Aimé Dorion] stated that the Maritime Provinces did not choose our alliance, because our debt was too great. Now he does not choose their alliance, because he is afraid we shall have to pay for them. Now that the debt is perfectly equal, in proportion to the total population, and the Conference has so equalized it in order to found Confederation on justice, the Atlantic Provinces consent to the union.

Antoine-Aimé Dorion [Hochelaga]—What provinces are those?

Joseph Cauchon [Montmorency]—I allude to New Brunswick and Newfoundland, and I am convinced that the decision of those two provinces will sufficiently influence Nova Scotia to cause her to resolve to come into the Confederation. The Nova Scotian newspapers, even those of them which are most hostile to the scheme, acknowledge that that province cannot remain isolated; and accordingly she

awaits the result of the elections in New Brunswick before taking action.

In the meantime the journals in question are making incredible exertions to prevail upon New Brunswick to refuse the great Confederation, because they wish for another and a smaller one, that of the Maritime Provinces alone.

Another motive which will induce Nova Scotia to accept the scheme of the Quebec Conference, if New Brunswick should declare herself in favor of it, is that the terminus of the Intercolonial Railway would be fixed at St. John instead of at Halifax; and what would become of Nova Scotia so isolated? She would not consent to it; her writers and her statesmen positively assert it. For our part, we require an outlet upon the Atlantic seaboard, and that we can only have by means of Confederation.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—To those who cherish different ideas, I can conceive that this matter is not one of equal importance, for they wish to fix their terminus at another point on the Atlantic seaboard.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I feel that I have already spoken at length, and I have yet some important points of the scheme to examine. I will not, then, enter into calculations of figures to prove the extravagance and absurdity of those of the hon. member for Hochelaga [Antoine-Aimé Dorion], preferring, moreover, to leave them in the more skilful and powerful hands of the Hon. Minister of Finance [Alexander Galt].

I shall content myself with telling the hon. member for Hochelaga [Antoine-Aimé Dorion]—and that will suffice for myself as well as for the House and the country—that I prefer Confederation with its prospects of expense, to annexation to the United States with an actual debt of close upon three thousand millions, and with an annual tax of five hundred millions of dollars. The [34th paragraph of the 29th clause of the scheme](#) reads thus: “The establishment of a General Court of Appeal for the Federated

Provinces.”⁷⁶

What is the object—what will be the character of the tribunal? These two questions will naturally present themselves to those who have given any attention to that part of the scheme which refers to the civil and criminal law, and the working of the judiciary. The whole of the clauses which refer to the latter are as complete as the most ardent supporters of union could desire, tempered by the low exceptions by means of which the provinces have wished to shelter their local institutions from attack.

Some Hon. Members—Cheers.

Joseph Cauchon [Montmorency]—To convince the House of this, I need but read [the following](#):—

31. The General Parliament may also, from time to time, establish additional courts, and the General Government may appoint judges and officers thereof, when the same shall appear

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necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All courts, judges and officers of the several provinces shall aid, assist and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be courts, judges and officers of the General Government.

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

35. The judges of the courts of Lower Canada shall be selected from the Bar of Lower Canada.

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

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and supersede those made by the local legislature, and the latter shall be void so far as they are repugnant to, or inconsistent with the former.

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

39. The lieutenant-governor of each province shall be paid by the General Government.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty’s assent, and any bill of the local legislatures may, in like manner, be reserved for the consideration of the Governor General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the legislatures of the said provinces hitherto, and, in like manner, any bill passed by a local legislature shall be subject to disallowance by the Governor General within one year after the passing thereof.⁷⁷

The evident object of this organization is to reassure the Protestant minority of Lower Canada against any apprehension for the future; it is also perhaps in the interest of national unity, to prevent local parliaments and governments from infringing the attributes of the Central Parliament. The nomination of judges, the veto, the reservation and even certain directions to be found in the project itself, tend to the same end, and must necessarily attain it. I see nothing wrong in that, provided that this formidable engine in going out of its course does not crush the rights which we are bound to respect and maintain forever in their integrity.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I am not of the same opinion as the hon. member for Brome [Christopher Dunkin], who pretends to see in those clauses that the judges would be under two masters at the same time. If they could possibly be controlled at all, it would be by the Federal Government, which alone will

⁷⁶ [Quebec Resolution 29 \(34\)](#). *Supra* footnote 49.

⁷⁷ [Quebec Resolutions 31, 32, 33, 35, 37, 38, 39, 45, 50, 51](#). *Supra* footnote 49.

appoint them, pay them, and have the power of dismissing them in certain cases. There is no anomaly here, because one thing follows another; all are linked together and harmonize perfectly. If anything could possibly arise, it would be danger. However, so far as we can see, there will be no danger in the administration of justice—the question of veto, and reserve with regard to legislation, being a totally different thing, and suggesting considerations of a different nature.

But here is the point to which I wish to draw the attention of this House. Among all the things guaranteed to Lower Canada in the Constitution, and in fact to all the provinces, we find their own civil laws. Lower Canada has been so tenacious of its civil code, that it is laid down in the project before us that the Federal Parliament shall not even be able to suggest legislation by which it may be affected, as it will have the right to do for the other provinces—The reason is obvious; the civil laws of the other provinces are nearly similar; they breathe the same spirit and the same principles; they spring from the same source and the same ideas. But it is not so with regard to those of Lower Canada, with their origin from almost entirely Latin sources; and we hold to them as to a sacred legacy; we love them because they suit our customs, and we find under the protection for our property and our families.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The Conference has understood and respected our ideas on this point. However, if a Court of Appeal should one day be placed over the judiciary tribunals of all the provinces, without the exception of those of Lower Canada, the result would be that those same laws would be explained by men who would not understand them, and who would, involuntarily perhaps, graft English jurisprudence upon a French code of laws.—

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Such was the spectacle presented in Canada after the conquest, and no one, I am sure, would

wish to see a repetition of the scene.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We have, it

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is true, Her Majesty's Privy Council as a last resort, but we owe it to necessity; we have not asked for it ourselves. At any rate it is composed of chosen men, all or nearly all of whom are well versed in Roman law—men who, when they have a doubt upon some point, avail themselves of the counsels and advice of the most eminent jurists of France. Nor does the proposed Constitution speak of doing away with this tribunal, which will dominate by its imperial character even over the Court of Appeal which the Federal Government has the power of creating. Here the Convention had national views; it foresaw evidently in the future the day of colonial emancipation.

Nevertheless, whatever the intentions of the delegates, their project does not define the attributes of this Federal court; and as there is some apprehension on this point, I would wish to put the following question to the Government:—If this Court of Appeal be established, will it be a purely civil tribunal, or a constitutional one? Or will it be at the same time civil and constitutional? If it be a civil tribunal, will it have jurisdiction over Lower Canada?

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—The question put by my hon. friend the member for Montmorency [Joseph Cauchon] is one which it is not easy for the Government to answer, inasmuch as the power conferred by that article is only that of creating a Court of Appeal at some future day, and the jurisdiction of that court will depend on the causes which lead to its creation. The hon. member has very justly remarked that it may become necessary at a future period to constitute such a tribunal.

At present the several provinces which are to form part of the Confederation have the

same court of final appeal. As long as we keep up our connection with the Mother Country, we shall always have our court of final appeal in Her Majesty's Privy Council. But when the British Provinces on this continent are united by the bond of Confederation, we shall have one uniform system, common to all, in regard to imports, bills of exchange and promissory notes, as well as universal jurisprudence.

Accordingly, when we have lived some years under the Federal regime, the urgent need of such a Court of Appeal with jurisdiction in such matters will be felt, and, if it is created, it will be fit that its jurisdiction should extend to civil causes which might arise in the several Confederate Provinces, because it will necessarily be composed of the most eminent judges in the different provinces, of the jurists whose reputation stands highest, of men, in short, profoundly skilled in the jurisprudence of each of the provinces which they will respectively represent. Well, if this court is called upon, for instance, to give final judgment on a judgment rendered by a Lower Canada court, there will be among the judges on the bench men perfectly versed in the knowledge of the laws of that section of the Confederation, who will be able to give the benefit of their lights to the other judges sitting with them.

I must observe to my hon. friend the member for Montmorency [Joseph Cauchon], that he disparages the civil law of Lower Canada in the estimate he makes of it; but he need be under no uneasiness on that head. He should not forget that if, at this day, the laws of Lower Canada are so remarkably well understood in Her Majesty's Privy Council, it is because the code of equity, which is a subject of deep study and familiar knowledge among the members of the council, is based on Roman law, as our own code is. All the eminent judges, whether in England, in the Maritime

Provinces or in Upper Canada, are profoundly versed in those principles of equity, which are identical with those of our civil code.

Now, as to my own personal opinion, respecting the creation of that tribunal, I think that it is important not to establish it until a certain number of years shall have elapsed from the establishment of Confederation, and to make it consist of judges from the several provinces; for this court would have to give final judgment in causes pronounced upon in the courts of all the sections. Neither can I tell what functions and powers might be assigned to it by the act establishing it. Time alone can tell us that; but I do hold, and the spirit of the conference at Quebec indicated, that, the appeal to the judicial committee of Her Majesty's Privy Council must always exist, even if the court in question is established.

François Evanturel [Quebec County]—I acknowledge the frankness which the Hon. Attorney General for Lower Canada [George-Étienne Cartier] has evinced in giving the explanations to the House which we have just heard; and I trust that the honorable minister will permit me to ask him one question. [Paragraph 32](#) gives the Federal Government the power of legislating on criminal law⁷⁸, except that of creating

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courts of criminal jurisdiction, but including rules of procedure in criminal cases. If I am not mistaken, that paragraph signifies that the General Government may establish judicial tribunals in the several Confederate Provinces. I should much like to be enlightened on this head by the Hon. Attorney General for Lower Canada [George-Étienne Cartier].

George-Étienne Cartier [Montreal East, Attorney-General East]—I am very glad that the honorable member for the County of Quebec [François Evanturel] has put this question, which I shall answer as frankly as

⁷⁸ [Quebec Resolution 29\(32\)](#), which reads in full, "*The General Parliament shall have power to make Laws for the peace, welfare and good government of the Federated Provinces (saving the sovereignty of England), and especially laws respecting the following subjects:— ... The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the procedure in Criminal matters.*" *Supra* footnote 49.

that of the hon. member for Montmorency [Joseph Cauchon]. My hon. friend will find, if he refers to the paragraph which he has cited, that it gives the General Government simply the power of providing for the execution of the laws of the Federal Government, not of those of the local governments.

Joseph Cauchon [Montmorency]—I have listened to the explanations of my hon. friend the Attorney General for Lower Canada [George-Étienne Cartier], and I find them perfectly satisfactory, as they regard criminal law; for that is the same or nearly the same in all the provinces. For my own part, I infinitely prefer the criminal law of England to that of any other country. It affords more protection to the party accused, than, for instance the criminal code of France does. The civil laws of the latter, by the way, have my warm admiration, as have also their administrative talent and their aptness for civilizing influences.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If the English criminal law gives the criminal too great a chance of escaping, it at least saves society the stigma of condemning the innocent. The accused is tried for the single act for which he is indicted, and is not questioned concerning his whole past life and conversation. The laws of commerce are nearly the same in all countries, and those which rule the trade of two continents may be said to be founded on an ordinance of a king of France. Accordingly, there will be no inconvenience in bringing commercial causes, as well as others, for adjudication before the Court of Appeals mentioned in the scheme of Confederation.

I am convinced that if ever that tribunal comes into existence, it will be composed of the most eminent men in the several provinces, who will devote their whole energies to the causes brought before them, but the majority of whom will have studied and practised a code different from ours; although the laws of Upper Canada, for instance, have a constant tendency to coincide with our civil code: Blackstone, with his

national common law which he aimed at establishing, being no longer the great authority which he was in former days, and England, like Germany, drawing rather from the pure spring of Roman law, as the most perfectly rational code in existence.

We have not, however, yet come to this position of things in our provinces, and, up to the present hour, English law consists rather of precedents and decisions of eminent judges, like Lords Mansfield, Coke, and others; and as the scheme of a Constitution makes an exception in favor of our civil laws, it would be most prudent, in my opinion, to leave the decision of our causes to those judges who have studied and practised them. Nothing is as yet written in the Constitution concerning them, and nothing stands in the way of the desired exception.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—I am aware that it may be attended with some inconveniences and that in this behalf concessions may have been, perforce, submitted to in order to obtain others; but I think that on reflection it will be found best for all concerned to have the laws enforced rather by those who understand them than by those who do not.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I now come, Mr. Speaker, to the question of marriage and divorce. The word divorce has sounded strangely upon Catholic ears through the length and breadth of Lower Canada; for the Catholic, whether he live in Rome, in London, Paris, New York, Halifax or Quebec, does not recognize any authority on earth with power to sanction or legalize divorce. Such is what the Catholic believes, whether he be the Sovereign Pontiff, ruling spiritually over 200,000,000 souls, or the humblest or poorest of the faithful, with nothing to shelter him from the fury of the elements but the thatched roof of his cabin.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—That is what I believe, in common with all the

Catholics of the world; but here, in this House, composed of Catholics and Protestants, I feel that I need, in order to be understood, to speak in another language, which will be understood by all, because it is based upon principles anterior to Christianity and universally admitted. What is marriage, considered as a natural contract? It is the social formula; it is, as I had occasion to write elsewhere, the natural mode of transmitting property, which is the fundamental base of society, and, to go farther, society itself in its constitution.

Some Hon. Members—Hear, hear.

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Joseph Cauchon [Montmorency]—If we cannot suppose a body without a form, so we cannot suppose society without its formula, and in destroying its formula you destroy society. That is the reason why the marriage tie should be indissoluble; it is it which constitutes the family, and in breaking that tie you destroy the family, in breaking that tie you strike a mortal blow at society, because family ties are its only base, its only foundation, Its only element of composition

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—It is from those fundamental truths that spring the rights, duties and civil laws which prove their existence and at the same time protect them.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—I have heard in another place than in this House, men who, forgetting the natural law and the principles of society, become affected at the recital of the domestic miseries of one of their fellow-beings, and even invoke the Divine word to justify them in granting a divorce for cause of adultery. Let us see if the language of the Saviour of the world, who taught here upon earth a social doctrine, by preserving the inviolability of domestic ties and surrounding them with duties which rendered them still more sacred, justifies such an interpretation: —
"I say unto you, that he who putteth away his

wife, except for adultery, and marrieth another, committeth adultery, and he who marrieth her who hath been put away also committeth adultery."⁷⁹ Are not these words as clear as day, and do they not expressly forbid divorce, since they declare an adulterer the man who shall marry the woman separated from her husband.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—These words permit the sending away, the separation of the body, but they expressly forbid divorce—that is, the rupture of family ties.

Some Hon. Members—*Applause.*

Joseph Cauchon [Montmorency]—I have said that those Divine words had a social object; in fact what other object could they have but to preserve intact the social formula for the transmission of property; and if they surround that formula with a supernatural sanction, accompanied by a prospect of reward or punishment, it is to protect it still more. It is for this reason that, in Catholicism, marriage, a natural contract, is elevated to the dignity of a sacrament, but it was inviolable and indissoluble before that sanction.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Now, if we drop the consideration of these great philosophical Christian ideas, we come to the region of material facts, and we are forcibly led to distinguish between force and right, between power and duty. The sovereign legislative authority, as a superior power everywhere, in spite of right and duty, has ruled with a high hand questions in the social order, among which may be found divorce; everywhere, in ancient Rome, in France, in England, in the United States, and in Canada, has this authority acted, and the judiciary was bound to execute its commands.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—This power is inherent to Parliament, and is exercised without opposition. Our present

⁷⁹ [Matthew 19:9.](#)

Parliament possessed that power, as did those of '74 and '91⁸⁰, and several of us have had, at some time or other, to give our vote on a bill of divorce. Catholics invariably voted against those bills, denying the right, but unable to deny the power, of Parliament, thus reconciling their consciences with their principles.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—This scheme of the Conference does not ask us today to proclaim a principle, but simply the transposition of the exercise of a power which exists in spite of us. Now, in weighing the advantages and inconveniences, I, for my part, say—and I believe, in so speaking I express the general sentiment of Catholics—that, since the evil is a necessary one, and cannot be got rid of, I would rather see it where its consequences would be less serious, because they would be more cramped in their development, and consequently less demoralizing and less fatal in their influence.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Marriage presents itself to us here under another aspect—that is, marriage with regard to its civil effects. This project attributes the civil laws and legislation as to property to the local legislatures. Now, marriage, considered as a civil contract, becomes necessarily a part of these laws, and, I might even say, it affects the entire civil code, containing in its broadest sense all the marriage acts, all the qualities and conditions required to allow marriage to be contracted, all the formalities relative to its celebration, all its nullifying causes, all its obligations, its dissolution, the separation of the body, its causes and effects; in a word, all the possible consequences that can result from marriage to the contracting parties, their children and their estates.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If such

had been the intention of the delegates, we might as well say that the civil laws will not be one of the attributes of our Local Legislature, and that these words, “Property and civil rights,”⁸¹ have been placed ironically in the fifteenth section of [the forty-third clause of the scheme](#). But I was sure beforehand that such could not be the case, when the Honorable Solicitor General for Lower Canada [Hector-Louis Langevin] declared the other day, in the

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name of the Government, that the word marriage, inserted in the project of Confederation, expresses the intention to give to the Federal Parliament the power to declare that marriages contracted in any one of the provinces, according to its laws, should be considered as valid in all the others. Then am I to understand that that part of the Constitution relating to this question will be drafted in the sense expressed in the declaration of the Honorable Solicitor General [Hector-Louis Langevin], and will be restricted to the case mentioned?

Hector-Louis Langevin [Dorchester, Solicitor General East]—I made, Mr. Speaker, the other day, in the name of the Government, the declaration now alluded to by the honorable member for Montmorency [Joseph Cauchon], relative to the question of marriage. The explanation then given by me exactly accords with that which was affixed to it at the Quebec Conference. It is undoubted that the resolutions laid before this honorable House contain in all things only the principles on which the bill or measure respecting Confederation will be based. I can assure the honorable member that the explanations I gave the other evening, relative to the question of marriage, are perfectly exact, and that the Imperial Act relating to it will be drawn up in accordance with the interpretation I put upon it.

Antoine-Aimé Dorion [Hochelaga]—I

⁸⁰ [Quebec Act, 1774 \(U.K.\)](#) and [Constitutional Act, 1791 \(U.K.\)](#)

⁸¹ [Quebec Resolution 43\(15\)](#), which reads in full, “The Local Legislatures shall have power to make laws respecting the following subjects: ... Property and Civil Rights, excepting those portions thereof assigned to the General Parliament.” *Supra* footnote 49.

thought I understood from someone, whom I had reason to consider well informed, that that article was intended to protect mixed marriages.

Hector-Louis Langevin [Dorchester, Solicitor General East]—In order that I may be better understood by the hon. member, I will read [the written declaration which I communicated to the House the other evening](#). This declaration reads as follows:

The word marriage has been placed in the draft of the proposed Constitution to invest the Federal Parliament with the right of declaring what marriages shall be held and deemed to be valid throughout the whole extent of the Confederacy, without, however, interfering in any particular with the doctrines or rites of the religious creeds to which the contracting parties may belong.⁸²

The hon. member for Hochelaga [Antoine-Aimé Dorion] will please to remark that I have been careful in reading this declaration; and in order that no doubt may exist respecting it, I have given to the reporters the very text of the declaration.

Antoine-Aimé Dorion [Hochelaga]—I may have been mistaken; but the question on which I wish to be enlightened by the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] is this: Will a Local Legislature have the right of declaring a marriage between parties not professing the same religious belief invalid?

George-Étienne Cartier [Montreal East, Attorney-General East]—Has not the Legislature of Canada now the power of legislating on that matter, and yet has it ever thought of legislating in that way?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If I understand the explanation of the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] correctly, it will be nothing but the application between the provinces of public international law, namely, that a marriage lawfully contracted in one province should be equally binding in all the others.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—In that case you have no need of that clause.

Joseph Cauchon [Montmorency]—If the principle is just, I do not see what harm there can be in having it written in the Constitution, particularly as it is desired in the provinces, and we, for our part, are interested in knowing that marriages contracted in Lower Canada are valid in all parts of the Confederation. That declaration is satisfactory and reassuring.

Some of the speakers, imbued with democratic-republican ideas, have gone so far as to deny one of the most essential and fundamental principles of the British Constitution, that is to say—that the Parliament may change the Constitution without special appeals to the electoral body, and without recourse to popular conventions. It is evident that they wish to lead us towards a social republic, government and legislation in full force. The Roman armies in the days of the decadence of the empire, made and unmade emperors; but it never occurred to them to make laws and administer affairs of state. This had to be reserved to our republicans, who are against Confederation because they desire annexation to the United States, and who raise all kinds of obstacles in order to attain their end.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Here there are useless debates provoked in order to kill time; there, petitions covered with false signatures or names obtained under false pretences; and the forlorn hope of democracy, who in the streets threaten with riots and gibbets all who wish for the union of the provinces, and thereby, in its time, constitutional monarchy and parliamentary government.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But for those who, like myself, move in another circle of ideas, who have other aspirations, and who are unwilling to accept on any condition their

⁸² [Hector Langevin, Legislative Assembly \(Feb. 21, 1865\), p. 388.](#)

share of a debt of three thousand millions, and of an annual burthen of five hundred millions

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of dollars; for those the theory and practice of English constitutional law alone possess attractions.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—These convictions on my part are not of yesterday. When, in 1849, after a commercial crisis, which had everywhere caused discouragement, ruined merchants sighed for annexation, because they hoped to find in it a remedy for the ills and the fortune they had lost; they supplicated Great Britain to allow them to go over, arms and baggage, to the Washington Government; to them became immediately allied the republicans by inclination and principle, among whom were the honorable members for Chateauguay [Luther Holton] and Hochelaga [Antoine-Aimé Dorion].

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The prosperity which followed brought back the merchants to affection for British rule, but the others remained republicans and annexationists. Their leaders are here before us. Their acts betray them, and were it permitted to us to hear them in their familiar counsels, I am sure their words would also betray them.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The annexation movement had scarcely commenced in Montreal, when the two similar classes of men began to agitate in Quebec, and called an annexationist meeting in the St. George's Hotel, now occupied as the Executive Council Chamber. This meeting was inaugurated under evil auspices. It was presided over by a bankrupt merchant. It was evening, and the meeting was held by gas-light. An orator was chanting with stentorian lungs the praises annexation and republicanism, from which we were to derive

prosperity and happiness. Respectable leading citizens, indignant at what they beheld, implored me to speak, and by a spontaneous movement I was borne towards the platform. The annexationist orator, losing his balance with the shock, in order to keep himself upright, seized the gas-burner above his head, but the frail support gave way.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—The flames ascended in a threatening manner towards the ceiling, and the terrified hotel-keeper immediately ran to the cellar and put a stop to the sources of illumination—and thus annexation was quenched in utter darkness.

Some Hon. Members—*Cheers and continuous laughter.*

Joseph Cauchon [Montmorency]—The republican annexationists, their hearts bursting with rage, in order to avenge themselves, proceeded to break my windows. This occurred nearly sixteen years ago, and time has only strengthened within me the opinion which guided my action then. It is neither hatred nor prejudice which has inspired me since I have been able to read and reflect. My opinion is the result of matured conviction. It is, therefore, in the parliamentary history of Great Britain, and not in that of American institutions, that I shall seek a rule of conduct to guide me under the circumstances. In [1717 the British soil was invaded by the Pretender](#)⁸³. The tories, who were not in power, but who wanted to rise to it precisely like the honorable members in opposition whom I see before me, exclaimed, like them, that the church and religion of the country were in danger. Observe well the similarity. These tories wished to elevate a Catholic prince to the throne.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—The Whigs, who held the Government, and who saw in the approaching election the certainty of the downfall of the reigning dynasty, determined to prolong the existence of the

⁸³ [Jacobite Rising of 1715](#), which was an unsuccessful attempt by James Stuart to regain British throne for the Stuarts.

Parliament for four years more without an appeal to the people. Their adversaries exclaimed, as do ours today, about violation of the Constitution, and accused them of evading, by violent means, an appeal to the people, to maintain themselves in power.

Félix Geoffrion [Verchères]—In proportion to their numbers, there are more Protestants than Catholics in favor of Confederation.

Joseph Cauchon [Montmorency]—In the first place, there are a great many more Protestants in the House than Catholics, Upper Canada being entirely Protestant with the exception of two votes, and the Opposition of Lower Canada pronouncing themselves, as a party, against Confederation, it is not to be wondered at that there should be proportionately more Protestants than Catholics in favor of Confederation.

Some Hon. Members—Hear, hear, *from the Opposition benches*.

Joseph Cauchon [Montmorency]—And this leads me to say that Catholic institutions have been much better maintained by Protestant votes than by certain Catholic votes in the Legislature. If Catholicism has been insulted, the insult has come from the Opposition newspapers.

Some Hon. Members—Hear.

Félix Geoffrion [Verchères]—The *Globe*, the organ of the Honorable the President of the Council [George Brown]!

Joseph Cauchon [Montmorency]—Yes, the *Globe* has made attacks on Catholic institutions and the Catholic clergy—it was wrong, there is no doubt, and so was its proprietor. But at that time, and more particularly when the Honorable the President of the Council [George Brown] accused Catholicism of demoralizing society, who was it who replied on the floor of this House, at great length, and I believe victoriously, in disproof of that assertion? (Sensation.)⁸⁴ I am then justified in saying that the Honorable the President of the Council [George Brown] was wrong in speaking and writing as he did. He

was unjust, but he was a Protestant, and he adhered to his opinions. What, however, has

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he written in comparison with what has been written by certain newspapers of the Catholic opposition, among which the *Avenir* takes the highest place? They have ransacked the history of the world from the beginning of the Christian era in search of the calumnies of past ages, with the view of overwhelming, if it were possible, our bishops and priests. They have even gone so far as to cast their venom upon the august Pontiff who now rules over the Catholic Church; and what has not been done by the *Institut Canadien* of Montreal, which is patronized by the leaders of the Opposition?

Some Hon. Members—*Cheers*.

George-Étienne Cartier [Montreal East, Attorney-General East]—And the *Avenir*, which asserted that the Pope ought to be a schoolmaster.

Joseph Cauchon [Montmorency]—Ah! We now well know those who pretend to be the defenders of Catholicism, those former editors of the *Avenir*; we know what has been done by the *Avenir*, and the *Pays* also, in certain circumstances.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But here is what we find in a great constitutional authority, the value of which honorable gentlemen opposite will probably not contest "[Hallam's History of England](#)":—

Upon the prevalent disaffection and the general changes of the established government was founded that measure so frequently arraigned in later times, the substitution of septennial for triennial parliaments. The Ministry deemed it too perilous to their master, certainly for themselves, to encounter a general election in 1717; but the arguments adduced for the alteration, as if it was meant to be permanent, were drawn from its permanent expediency.

Nothing can be more extravagant than what is sometimes confidently pretended by the ignorant, that the legislature exceeded its rights by this enactment; or if that cannot legally be advanced, that it at least violated the trust of the people, and broke in upon the ancient Constitution. That

⁸⁴ The editors are unable to make sense of this term. It is possible some hon. members were sensationalized by the speech.

law for triennial parliaments was of little more than twenty years' continuance. It was an experiment which, as was argued, had proved unsuccessful; it was subject, like every other law, to be repealed entirely, or to be modified at discretion.

As a question of constitutional expediency, the septennial bill was doubtless open at the time to one serious objection. Everyone admitted that a parliament subsisting indefinitely during a king's life, but exposed at all times to be dissolved at his pleasure, would become far too little dependent on the people, and far too much so on the Crown.

But if the period of its continuance should thus be extended from three to seven years, the natural course of encroachment of those in power, or some momentous circumstance like the present, might lead to fresh prolongations, and gradually to an entire repeal of what had been thought so important a safeguard of its purity. Time has happily put an end to apprehensions, which are not on that account to be reckoned unreasonable.⁸⁵

Against those who pretended that the Parliament of England could not effect, without an appeal to the people, a legislative union with Ireland, William Pitt, that other great constitutional authority, maintained that Parliament had the right to alter even the succession to the Throne, to incorporate with itself another legislature, to deprive of the franchise those who elected it, and to create for itself other electors. To be more exact I will quote from a speech made by the illustrious Sir Robert Peel, on the 27th March, 1846, on the [Corn Law question](#)⁸⁶. You will find there the opinion of Pitt, Fox and Peel himself, the most weighty English constitutional authority of this century. It is found in [Hansards Parliamentary Debates, third series, vol. 85, pages 224, 225 and 226](#). Sir Robert Peel said:—

But my honorable friend says he did not object to it as impeding the formation of a protection government, but as preventing a dissolution; and my honorable friend and others have blamed me for not advising a dissolution of Parliament. In my opinion, it would have been utterly inconsistent with the duty of a Minister to advise a dissolution of Parliament under the particular

circumstances in which this question of the Corn Law was placed. Why should it be so utterly impossible for this Parliament to deal with the present proposition?

After its election in 1841, this Parliament passed the existing Corn Law, which diminished protection; this Parliament passed the tariff destroying altogether the system of prohibition with respect to food; this Parliament passed the Canada Corn Bill; why should it exceed the functions of this Parliament to entertain the present proposition? But upon much higher ground I would not consent to a dissolution. That, indeed, I think would have been a "dangerous precedent" for a Minister to admit that the existing Legislature was incompetent to the entertainment of any question; that is a precedent which I would not establish.

Whatever may have been the circumstances that may have taken place at an election, I never would sanction the view that any House of Commons is incompetent to entertain a measure that is necessary for the well-being of the community. If you were to admit that doctrine, you would shake the foundations on which many of the best laws are placed.

Why, that doctrine was propounded at the time of the union between England and Ireland, as it had been previously at the time of the union between England and Scotland. It was maintained in Ireland very vehemently, but it was not maintained in this country by Mr. Fox. It was slightly adverted to by Mr. Sheridan at the time when the message with regard to the union

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was delivered. Parliament had been elected without the slightest reason to believe it would resolve that its functions were to be fused and mixed with those of another Legislature, namely, the Irish Parliament; and Mr. Sheridan slightly hinted it as an objection to the competency of Parliament.

Mr. Pitt met that objection at the outset in the following manner. Mr. Pitt said:—

"The first objection is what I heard alluded to by the honorable gentleman opposite to me, when His Majesty's message was brought down, namely, that the Parliament of Ireland is incompetent to entertain and discuss the question, or rather, to act upon the measure propose without having previously obtained the consent of the people of Ireland, their constituents. This point, sir, is of so much importance that I think I ought not to suffer the opportunity to pass without illustrating more fully what I mean.

⁸⁵ [Henry Hallam, *The Constitutional History of England, Vol. II* \(1846\), pp. 398-399.](#)

⁸⁶ The repeal of the [Corn Laws in 1846](#), including the lifting of the [Canada Corn Act 1843 \(U.K.\)](#), an act which gave Canada preferential rates to the British market, paved the way for British free trade.

If this principle of the incompetence of Parliament to the decision of the measure be admitted, or if it be contended that Parliament has no legitimate authority to discuss and decide upon it, you will be driven to the necessity of recognizing a principle the most dangerous that ever was adopted in any civilized state, I mean the principle that Parliament cannot adopt any measure, whether in its nature and of great importance, without appealing to the constituent and delegating authority for direction. If that doctrine be true, look to what an extent it will carry you.

If such an argument could be get up and maintained, you acted without any legitimate authority when you created the representation of the Principality of Wales or of either of the counties palatine of England. Every law that Parliament ever made, without that appeal, either as to its own frame and constitution, as to the qualification of the electors or the elected, as to the great and fundamental point of the succession to the Crown, was a breach of treaty and an act of usurpation."

Then, Mr. Pitt asked, "if they turned to Ireland herself, what would they say to the Protestant Parliament that destroyed the exclusive Protestant franchise, and admitted the Roman Catholics to vote without any fresh appeal?

Mr. Pitt went on:—

"What must be said by those who have at any time been friends to any plan of parliamentary reform, and particularly such as have been most recently brought forward, either in Great Britain or Ireland? Whatever may have been thought of the propriety of the measure, I never heard any doubt of the competency of Parliament to consider and discuss it. Yet I defy any man to maintain the principle of those plans without contending that, as a member of Parliament, he possesses a right to concur in disenfranchising those who sent him to Parliament, and to select others, by whom he was not elected, in their stead.

I am sure that no sufficient distinction, in point of principle, can be successfully maintained for a single moment; nor should I deem it necessary to dwell on this point in the manner that I do, were I not convinced that it is connected in part with all those false and dangerous notions on the subject of Government which have lately become too prevalent in the world."

Mr. Pitt contended, therefore, that Parliament had a right to alter the succession to the Throne, to incorporate with itself another legislature, to disfranchise its constituents, or associate others with them. Why, is it possible for a Minister now to advise the Crown to dissolve Parliament on the ground that it is incompetent to entertain the question what this country shall do with the Corn Law?

There could not be a more dangerous example, a more purely democratic precedent, if I may so say, than that this Parliament should be dissolved, on ground of its incompetency to decide any question of this nature. I am open to the charge, therefore, if it be one, that I did advise Her Majesty to permit this measure to be brought forward in the present Parliament.⁸⁷

The principle which I hold is so firmly established, that at the time of the flight of James II in 1688, the English Parliament, that is to say two branches of it only, declared the succession vacant and gave the Throne to a new dynasty.

Antoine-Aimé Dorion [Hochelaga]—Hear! Hear!

Joseph Cauchon [Montmorency]—I wish to be well understood. I do not cite this example as an authority, because the Parliament was incomplete without its third legislative branch, but only for the purpose of shewing to what length the Parliament of Great Britain has carried the exercise of its great prerogative. During the illness of George III, as it had been impossible to foresee that such a misfortune would happen, and as without the action of the Sovereign, neither the administration of the government, which is conducted in the name of the king, nor legislation, which is only effectual after receiving the assent of the three branches of the legislature, were possible; under these unforeseen circumstances, the two Houses, at the suggestion of the Ministers created a mechanism to act during the illness of the king, and all that was done under its operation became law, and was regarded as such by the whole British nation and all those charged with the execution of the laws of Parliament.

But setting aside these extraordinary circumstances, which demanded extraordinary remedies, we assert that Parliament in its integrity has power to alter the Constitution and even the succession to the Throne. As to us, we do not propose to go so far; we simply ask the Imperial Parliament to give us a new Constitution, and even that

⁸⁷ [UK, House of Commons, "Customs and Corn Importation Report" \(Mar. 27, 1846\), vol 85, cc160-271.](#)

Parliament will only with our consent make use of that power which it has a right to exercise without our consent.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Let it be observed,

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Mr. Speaker, that I am only considering now the question of power and right; the question of what is fit and expedient is quite another matter. We might do well or we might do ill by taking this course, but as we act in our capacity of representatives of the people, it is for us to decide whether it is expedient or advantageous that an appeal should be had to the people under the circumstances.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—As regards the sentiments of Great Britain in relation to us, the events which have taken place since the union show that they are altogether changed. In [1840 we had a Constitution](#)⁸⁸ imposed upon us against our will, and by so doing Great Britain was guilty of injustice towards us. Now they await our decision before they act. In past days England looked upon the colonies as her own special markets, and fortified them by prohibitory duties against foreign trade. Now they are open to the whole world. Formerly we were under a despotic and oligarchical government, and since 1841 we have had that British Parliamentary Government which the great economist Turgot, more than sixty years before, had advised England to extend to her colonies.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Thus the Parliament of Great Britain, which had just proclaimed [the union with Ireland](#)⁸⁹, incorporated into its legislature the representation of the latter, and constituted itself, by its own authority, the first Parliament of the United Kingdom of Great Britain,

without recourse to a dissolution and new elections. At the meeting of the Houses they proceeded to the election of a new Speaker for the Commons, precisely as after a general election, and all the other formalities were observed which, according to custom, accompanied the opening of new parliaments. You will find those details in the [Parliamentary History, vol. 35, page 857](#)⁹⁰. Here is another authority which the republican-annexation adversaries of Confederation will hardly care to doubt. I find it in pages [164, 165, and 166 of Sedgwick on Statutory and Constitutional Law](#):—

Nor are these merely speculative or abstract questions. We shall find them presenting themselves in a large class of cases which I am about to examine. The difficulty, generally, seems to have arisen from a want of accurate notions as to the boundary line which, under our system, divides the legislative and judicial powers.

I now turn to a more detailed consideration of the cases in this country, where these questions have been considered and which, so far as they go, tend to give a practical definition to the term law, and to define the boundaries which separate the legislative from the judicial power. And first, of causes where the legislature has sought to divest itself of real powers. Efforts have been made, in several cases, by the state legislatures to relieve themselves of the responsibility of their functions, by submitting statutes to the will of the people, in their primary capacity.

But these proceedings have been held, and very rightly, to be entirely unconstitutional and invalid. The duties of legislation are not to be exercised by the people at large. The majority governs, but only in the prescribed form; the introduction of practices of this kind would remove all checks on hasty and improvident legislation, and greatly diminish the benefits of representative government.

So where an act to establish free schools was, by its terms, directed to be submitted to the electors of the state, to become a law only in case a majority of the votes were given in its favor, it was held, in New York, that the whole proceeding was entirely void. The Legislature, said the Court of Appeals, have no power to make such submission, nor had the people the power to bind each other by acting upon it. They voluntarily surrendered that power when they adopted the constitution.

⁸⁸ [The Union Act, 1840 \(U.K.\)](#).

⁸⁹ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

⁹⁰ [William Cobbett, The Parliamentary History of England, Vol. XXXV \(1819\), p. 857.](#)

The government of this state is democratic; but it is a representative democracy, and in passing general laws, the people act only through their representatives in the Legislature. And in Pennsylvania, in the case of an excise statute, the same stern and salutary doctrine has been applied. In some of the more recent state constitutions this rule has been made, a part of the fundamental law.

So in Indiana, the principle is now framed into a constitutional provision which vests the legislative authority in a Senate and House of Representatives, and declares that no act "shall be passed, the taking effect of which shall be made to depend upon any authority except as provided in the Constitution." And under these provisions it has been held that so much of an act as relates to its submission to the popular vote, was null and void.⁹¹

Antoine-Aimé Dorion [Hochelaga]—In England there are seven or eight acts of Parliament which were submitted to the popular vote before becoming law.

Joseph Cauchon [Montmorency]—In England it is admitted that Parliament may do anything and even change the sexes if necessary, according to the doctrine of the honorable member for Brome [Christopher Dunkin].

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] is an admirer of written constitutions; I am citing authorities to suit him, and which it is quite impossible for him to reject.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—All these authorities establish, by incontestable evidence, the power of Parliament in regard to every question that may come before it. There only remains now the question of convenience and expediency, and that question can only be considered by Parliament. In 1717⁹², 1800⁹³,

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and 1846⁹⁴, the British Parliament decided it without appealing to the people. In 1832 it decided the question after an appeal to the people⁹⁵, acting in all those circumstances under the constitutional responsibility of its trust. That is what we shall do in the present difficult conjuncture, awaiting in the approaching elections the approval or condemnation of our initiative. But let the opponents of the scheme be well convinced that we understand, quite as well as themselves, the entire importance of the vote which we are going to give.

In closing, Mr. Speaker, I may be allowed to say to the House, that in a debate of such a solemn character, and when such great destinies as regards the future of the whole of British North America are at stake within these walls, let us have the courage to rise superior to passions, hatreds, personal enmities, and a miserable spirit of party, in order to allow our minds to soar more freely in the larger sphere of generous sentiments, and of great and noble national aspirations. We possess all that we want—all the necessary elements of greatness and prosperity to found an empire in America. Let us boldly set to work, sheltered by the flag and protected by the powerful aegis of the Empire which leads us on to undertake the task.

Some Hon. Members—*Prolonged applause.*

Antoine-Aimé Dorion [Hochelaga]—Mr. Speaker, the honorable member for Montmorency [Joseph Cauchon], who has just sat down, having given it as his opinion that all those who are opposed to Confederation are annexationists and infidels, I must congratulate him upon having at last opened

⁹¹ [Theodore Sedwick, *A Treatise on the Rules which Govern the Interpretation and Application of Statutory and Constitutional Law* \(1857\), pp. 164-166.](#)

⁹² [Union with Scotland Act 1706 \(England\)](#) & [Union with England Act, 1707 \(Scotland\)](#). Cauchon may have misspoken or his words were incorrectly transcribed. He probably was referring the Union of England and Scotland in 1707 rather than 1717. He immediately refers to the Union between Great Britain and Ireland in 1800, followed by the *New Zealand Constitution Act* of 1846.

⁹³ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

⁹⁴ [New Zealand Constitution Act 1846 \(U.K.\)](#).

⁹⁵ [Reform Act \(U.K., 1832\)](#). *Supra* footnote 75.

his eyes and escaped the danger of being drawn into the vortex of the American Union, and perhaps into something worse—

Some Hon. Members—*Laughter.*

Antoine-Aimé Dorion [Hochelaga]—as but a short time ago he was in the bad company of those who are opposed to Confederation. He has even written [a whole volume in opposition to the union of the British North American Provinces](#).⁹⁶

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I suppose that at that time he did not look upon himself as an annexationist, and still less as an infidel, for the simple reason that he combated with all the power at his command, not only Confederation, but also union of any kind with the British American Provinces.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—In that book, which I have just referred to, and which was [written at the end of 1858](#), the honorable member, after having described the different systems under which the union might be projected, says:—"We do not desire it, because we do not want union in any form, inasmuch as the same object will always be attained, no matter under what form the union may be established."⁹⁷ That object, according to the hon. member, was the depriving Lower Canada of the small influence which she exercises on the legislation of the existing union.

It is true that the honorable gentleman has [written another book lately](#)⁹⁸. According to that book he no longer sees any other danger for Lower Canada than that of annexation, and invites everyone to turn round as he has done, and to follow him with the view of avoiding these dangers.

Some Hon. Members—Hear, hear, *and laughter.*

Antoine-Aimé Dorion [Hochelaga]—Once

more I congratulate him that he is now out of danger, and I will endeavor to follow him with his two books in his hand. As it is too late to-night, however, I will do it at the next sitting, and for that purpose I move that the debate be now adjourned.

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] alludes to the two pamphlets which I have written, [one in 1858](#)⁹⁹, and the other [in 1865](#)¹⁰⁰, on the subject of the Confederation of the provinces. The difference between the honorable member and me is simply this, that I do not deny what I have written, whilst in order that he may enjoy greater freedom of discussion, he has thought proper to deny his actions in the past.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—There is another contradiction which it is of importance to remark. After having asserted, up to 1861, that there was danger for Lower Canada in not granting to Upper Canada representation based upon population, or its substitute, the Confederation of the two Canadas, and that the danger was so menacing that it was more prudent to give way than to allow it to be forcibly taken by her—to-day he comes down and maintains that the horizon is quite serene; that there is no necessity for constitutional changes. Does he then so easily forget the days of 1858, '59, '60 and '61?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—For my part, Mr. Speaker, I think we should be acting with more dignity, and would render more service to the country, if we devoted ourselves exclusively to the consideration of the question, setting aside those accusations of contradiction from which no one is ever exempt.

Some Hon. Members—Hear, hear.

⁹⁶ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\).](#)

⁹⁷ [ibid., p. 11.](#)

⁹⁸ [Joseph Cauchon, l'Union des Provinces de l'Amérique Britannique du Nord \(1865\).](#)

⁹⁹ [Supra footnote 96.](#)

¹⁰⁰ [Supra footnote 98.](#)

Antoine-Aimé Dorion [Hochelaga] *moved*

The adjournment of the debate to the sitting tomorrow night at half-past seven.

George-Étienne Cartier [Montreal East, Attorney-General East] *moved in amendment*

That it be adjourned till half-past three tomorrow, to be then the first order of the day after routine business.

After some discussion, the amendment was carried, and the House adjourned.

of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.¹

Joseph Perrault [Richelieu]—Mr. Speaker, it is not without a degree of hesitation easy to be understood that I venture to give my reasons for my vote on the question of the Confederation of the Provinces of British North America. I hesitate, because I am conscious how much I fall short in respect of solid information and political experience to enable me to form a healthy and reliable judgment of the various reasons to be alleged on both sides of that vast question, the decision of which is pregnant with such serious consequences to the future welfare of the country.

A further cause of my hesitation, Mr. Speaker, is that I see on the Ministerial benches men grown old in political warfare—men who for many years have been the leaders and guides of the majorities in the two Canadas—supporting the scheme now submitted to us, and assuring us that it is the only remedy for all the difficulties of our present position. Still another cause of my hesitation is that I am aware of the great severity with which the Ministerial press visits all the adversaries of the plan of Confederation, and of the small measure of justice which it metes out in estimating the motives of those who oppose this constitutional scheme, however upright their characters or honest the motives which actuate them.

But I should consider myself wanting in my duty as a member if, swayed by these misgivings, I did not state my motives in this House for my opposition to the project of Confederation. On so important a question it is a duty to my constituents, it is a duty which I owe to myself, that I should justify the responsibility which I take upon myself in resisting a measure which is so strongly supported in this House, and I should think I failed in my duty and was unworthy of the

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



**FRIDAY,
MARCH 3, 1865**

The Order of the Day being read, for resuming the adjourned Debate upon the Question which was, on Friday the 3rd of February last, proposed—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference

¹ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 173](#). Inserted for completeness. The Hunter & Rose version begins with Perrault's speech.

seat which I fill in it, if I did not add force to my opposition by citing the history of the past, by portraying the prosperity of the present, and by pointing out the dangers to be feared in the future which is preparing for us.

I have been long studying the general question of a Confederation, and I am of opinion that the Provinces of British North America are destined to form, at some future time which may be more or less remote, a vast Confederation, in which the two races of French and English origin will be seen struggling in the career of progress for the common prosperity of both; and for the better convenience of studying the question, I visited the Lower Provinces in 1863, by way of the Gulf, and in 1864 by the Bay of Fundy. I am bound to say that I found the people everywhere in caring circumstances, and intelligent, and doing honor to that part of the country. I was then enabled to appreciate the advantages and the inconveniences attending on the decision of the question of Confederation generally.

On my return from my last journey, which I made in the month of August, 1864, in company with a certain number of the members of both Houses, it was said by the press that I had in several companies declared myself favorable to the plan of a Confederation of all the provinces. At that time the Conference at Charlottetown had not taken place, and public opinion had already busied itself with classifying the members of this House as favorers or opponents of Confederation. I had already, at that time, publicly expressed my opinion on the question through the press, in order that I might bring it under the notice of my constituents, and I must declare that the opinion which I then expressed coincides with the line of conduct to which I still adhere, and that I have not found it necessary to alter my position in any one point from what it then was.

In order that I may show this in the clearest manner, I shall read what I wrote in the month of August last, as perfectly explanatory of

what I always thought of the scheme of confederating the Provinces of British North America. [Here is what I wrote:](#)—

This question of serious import, on which the minds of all our political world are so busy, in the present crisis, is so difficult of solution, that it would be an act of presumption in me to attempt even to discuss it, while our public men of the highest mark are still doubtful whether to favor it or not. As the *Minerve*, however, in its last number, claims me as one of the new converts to the great scheme of Confederation, I should think myself wanting to my duty and my convictions if I failed to let the world know my impressions of the present position, as I understand it.

Those who consider the inexhaustible resources of the Provinces of British North America have no doubt that we possess all the elements of a great power. In territory we have a tenth part of the habitable globe, capable of supporting a population of 100,000,000 of persons. Bounded on the east by the Atlantic, on the west by the Pacific, our territory is further accessible by the navigation of the internal seas, which bound it on the south. Our rivers complete the incomparable net-work of communication

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by water, and, like vivifying arteries, bear on their bosom to the ocean and the markets of the world the heavy produce of the western plains, the lofty pines of our forests, our ores of gold and copper, our furs collected in our hunting grounds, and the produce of our fisheries in the gulf. In this vast field of productiveness, where all the materials of immense wealth exist, we need a moving power, and the inexhaustible coal fields of Nova Scotia are at hand to furnish it.

British North America, therefore, looms in the future with gigantic proportions, and it depends only on ourselves to decide whether the French element shall have a large share of the power which is to grow up within its limits. With energy and union, we shall keep the ground we have gained in a struggle of a hundred years. The past is a warranty of success in the future. Yet must we not hurry matters, nor overrun the natural progress of events. While we are still too few to take the offensive, our policy should be one of resistance. Accordingly, before pledging myself to the support of Confederation, which is a total change of the basis of our present Constitution, I would be perfectly sure that we shall not lose an inch of ground.

More than this; I would permit no change to be made in our present Constitution, except in as far as it would ensure a larger measure of prosperity for our country, more powerful protection for our institutions, and the absolute inviolability of our rights. For I have not deviated in the smallest degree from the terms of my address to the electors of Richelieu, when I had the honor to solicit their votes as their representative in the Legislative Assembly.

In that address, I declared myself opposed to any concession whatever to Upper Canada.

Accordingly, if it should appear that the scheme of Confederation, which is to be laid before the Provincial Parliament in its next session, would assure to French-Canadians greater advantages than they enjoy under the present Constitution, I should, as a thing of course, be in favor of Confederation. But if it should be otherwise; if, in however small a degree, Confederation should appear to be a concession to Upper Canada, to the detriment of our institutions, our language or our laws, I shall to the utmost extent of my power oppose any change whatever in the present Constitution.

Of course I am not one of those who would bound our political horizon and place limits to our greatness as a people; on the contrary, nothing would render me happier than the creation of a vast political organization, spread over an immense territory. The heart-burnings between localities and individuals would thenceforward cease and die out from mere insignificance, as compared with the great interests which would be confided to the watchful guardianship of our statesmen, and become the subject of their deliberations in the councils of the nation.

Then the laudable ambition of achieving a great name in a great country would produce a race of great men, of whom we might be justly proud. But if this glorious future is to be purchased only at the price of our absorption, of our language, and all that is dear to us as Frenchmen, I for one could not hesitate between what we may hope for while still remaining what we are, and the bastardizing of our race paid as the price of advantages to come.

To sum up all, therefore, I declare for the Constitution such as it is, which, so far, has yielded us a greater amount of advantage than all the proposed changes would; and such, I venture to say, is the opinion of the majority of our Legislative Assembly. But if the projected scheme secures to us in the convention all the privileges which the French-Canadians now enjoy in the present Parliament, and if, in the whole and in every part, it secures to us greater advantages than those which are guaranteed to us by the Constitution, I shall prefer Confederation to all other changes.²

I am bound to declare that this way of looking at the question, in the month of August last, has undergone no change in my

mind, since I heard the explanations given by the members of the Administration. The skill which they have evinced certainly does them great honor, but neither the arguments of Ministers, nor those of the members of the House who support the scheme, have convinced me; and I rely on being able to show in my remarks what are the grounds of my opposition, and to justify, according to my way of looking at it, the responsibility which I undertake in opposing a project which has found such powerful supporters in this House. I trust I shall be able to show, first, the inexpediency of a constitutional change; second, the hostile object of Confederation; third, the disastrous consequences of the adoption of the project of Confederation.

The inexpediency of a constitutional change must be perfectly evident to any one who considers for a moment the present prosperity of Canada, and who takes the trouble to examine the progress made by United Canada since 1840³. The Hon. Attorney General East [George-Étienne Cartier] says that “the union has done its work.” But is that quite certain? When we compare the past with the present, have we not reason to be proud of our growth since 1840, and of the fact that within the past twenty-five years, our progress, both social and material, has kept pace with that of the first nations in the world? During the past twenty-five years we have progressed politically in a manner unprecedented in colonial history; and Canada has furnished a magnificent instance of the good result of responsible government in an English colony, notwithstanding diversity of races and religions.

In 1840, we had just terminated [a glorious struggle](#)⁴, during which, unfortunately, many lives had been lost—

² [Joseph Perrault, “La Confédération des Provinces de l’Amérique Britannique du Nord,” L’Ordre \(Aug. 26, 1864\).](#)

³ [The Union Act, 1840 \(U.K\).](#)

⁴ [Violent insurrections broke out in 1837-1838](#) in both Lower Canada and Upper Canada that later led to Lord Durham’s proposed substantive constitutional reforms in 1839 and the development of the constitutional convention full responsible government in 1848. The conflicts in Lower Canada killed more than 300 people, and in Upper Canada, over 500 armed rebels claimed parts of Toronto. While their goals weren’t fully aligned, they both were symptomatic expressions of deeper failures of the constitution.

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a struggle undertaken in order to secure responsible government⁵, which had, up to that time, been refused, and which was then accorded us as the reward of the struggle. At that period Lower Canada was united as one man; she had forwarded to England petitions, bearing 60,000 signatures, asking for responsible government. We then had in our ranks men who did not shrink from the struggle, men accustomed to resist oppression, men who had grown up in the midst of a strife with an arrogant minority, which sought to overrule the majority; and these were the great men who secured the triumph of our nationality, and upheld the rights of Lower Canada, by securing responsible government at the same time that [the union](#)⁶ was forced upon us. Let us now see the result of their labors.

Is it true that we have progressed both socially and materially since that period? Any one who reflects on what Canada was in 1840, and what it is in 1865, cannot but admit that we have progressed in a degree almost unprecedented in the history of the prosperity of nations; that we have immensely extended our territory, by clearing away the forest; that our population has increased in a wonderful manner, that that population is prosperous and contented, and that we have progressed materially and socially in a manner heretofore unprecedented under the colonial system. In the social order, let us examine, first, our legislation and system in municipal matters. Can a more perfect system be found anywhere? Has not every locality the powers necessary for effecting all improvements of real necessity? It is since the union that we have perfected this system, and that we have endowed our rural districts with the means of

effecting all improvements they may desire, and particularly as regards road matters and the making of new roads, in order to facilitate the transport of farm produce to market.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But I need not dwell on the progress we have made and the reforms we have carried out, as regards legislation. That which had chiefly contributed, from the [first establishment of English rule](#)⁷, to arrest our progress in this respect was the Legislative Council of the former Legislature, and that which existed from the union up to [1856](#)⁸. Since that period have we not obtained an elective Legislative Council, and must not our greatest reforms be considered the consequence? With the union and responsible government, did we not also secure the right of being represented by French-Canadian fellow-countrymen in the Executive Council? And since then have we not enjoyed all the advantage of a system of government under which the people can, not only express their wants, but enforce their wishes?

These are reforms of the highest importance, but we have obtained yet more. When, in 1840, the union of the Canadas took place, landed property in Lower Canada was subjected to the feudal system, which had been introduced with all its features derogatory to the dignity of man, with all its charges upon property, and all its vexations for the *censitaire*⁹. Under that system no property whatever could change hands without being submitted to a heavy charge in the form of *lods et ventes*¹⁰ for the benefit of the seignior, and to *cens et rentes*¹¹ which considerably reduced its value. With the political rights conferred on us by the union, the seigneurial system of necessity disappeared, giving us property in freehold,

⁵ Responsible Government was only fully granted in 1848.

⁶ [The Union Act, 1840 \(U.K.\)](#). See also footnote 5.

⁷ [Royal Proclamation, 1763 \(U.K.\)](#)

⁸ Before [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#).

⁹ *Censitaires* were the tenants of a *seigneurie*.

¹⁰ i.e. "Seigneurial taxes."

¹¹ i.e. "Seigneurial duties."

the same as in the neighbouring States and in all civilized nations.

It is also since the union that we have consolidated our laws; that we have created a system of public instruction which imparts the blessings of education to the most remote parts of the province. At the present moment we have a school system which does honor to the country, and the intelligent, however poor they may be, can, almost without charge, acquire an education. Now, each village, each concession has its school, and the child of the backwoodsman dwelling in the midst of the forest, can there obtain a degree of elementary instruction sufficient to enable him to enter upon a career of honor and fortune, should his talents, his industry and his energy fit him for playing a part in politics, in the sciences, in the arts or in the ranks of the clergy of his country.

It is a remarkable fact, Mr. Speaker, and one which I deem it right to mention, that the majority of the notable men who have attained seats on the judicial bench, in the Ministry and even in the Episcopal chair, came forth from our humble country homes, and qualified themselves in our educational institutions, where instruction is afforded all but gratuitously, by dint of talent, perseverance, study and industry. It was the pressure of want in the family homestead that in many cases created in the breasts of our most eminent public men, the eager desire of attaining a high position by means of study and labor.

Since the union our system and means of public

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instruction have made immense progress. Before the union we had no Catholic university in the country. Young men intending to enter the liberal professions were compelled, instead of following a regular course, to content themselves with what they could acquire in the office of their patrons, who were not in all cases competent for the

task they undertook, or else to go abroad at great expense for many years, in order to obtain in England or France a certificate of qualification.

Today we have in Lower and in Upper Canada universities rivalling European universities of the same class, and we have also a body of young students, who, fifteen or twenty years hence, will give proof of the excellence of our university system, and of the high curriculum of studies these institutions have now rendered universal. Now, in face of the degree of progress I have just referred to, in the social order, can it be truly said that the union has run its day, when all these marvels are its creation? When we are stronger and better educated than we were twenty years ago; when we have new political rights; when we have a free right to the soil, and when we have created a system of public instruction such as we now enjoy, can it be said that the union has done its work, and that it must be broken up?

For my part, Mr. Speaker, I am not prepared to support that assertion. The union has been for us a great means of progress, since it has enabled us to secure all these results in the social order. The Hon. Attorney General East [George-Étienne Cartier] has told us that Confederation will procure us material advantages still greater, and that that is all we want. I deny, Mr. Speaker, that material interests form the sole ambition of the French-Canadian population. We attach a far higher importance to the preservation of our own institutions. But even as regards material interests, apart from the advantages, in the social order, derived from the union, we have still a vast field before us as regards the progress we have made since [1840](#)¹².

In order to see what the union has done in this respect, it is sufficient to look at our system of railroads, and above all, at the great Grand Trunk line from Sarnia to Rivière du Loup, which has increased our commerce tenfold, opened our dense forests to

¹² [The Union Act, 1840 \(U.K.\)](#).

colonization, and multiplied our resources to an incalculable extent; it is sufficient to look at our ports of Montreal and Quebec during the season of navigation, filled with vast forests of shipping, to see our transatlantic steamers bearing off weekly the products of our country to the most distant European markets, in exchange for the articles of import we require. And if we ascend our great River St. Lawrence, what do we see? We find canals, which in their dimensions, the materials of which they are constructed, and in their extent, are unsurpassed in any part of the world.

I maintain, Mr. Speaker, that there is nothing to be found in Europe to compare with our artificial water communications. In England, for instance, the canals are only miserable gutters, and the little boys, in rowing their boats, can touch both sides at once with the ends of their oars. Here our canals pass through the whole country, and connect the most remote parts of it with the markets of Europe. And, in fact, a ship of four hundred tons burden can now sail from Chicago, cross the ocean, and discharge her cargo in the docks at Liverpool. The union which has given us such canals, such railways, has not run its day, has not done its work, as the Hon. Attorney General East [George-Étienne Cartier] pretends.

On the contrary, with such means as these, we are justified in anticipating from the union still greater results in the future. If we look at our colonization, we behold the forest receding before the axe of the settler, the products of our land increased tenfold, and our settlers locating in advance of the surveyor on our wild lands. What the union has already done for us is certainly great, but the advantages it has in store for us are still greater, if we know how to avail ourselves of

the means it places at our command. Therefore it is that I do not think the union has done its work, but that, on the contrary, it will yet secure our prosperity. And hence it is that I wish to preserve the union and remain under allegiance to Her Most Gracious Majesty the Queen of England, and refuse to accept constitutional changes which must of necessity imperil our future as a nation.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—It has often been said that Lower Canada was a drag on Upper Canada, retarding her advancement in the march of progress, and that a new Constitution was necessary. I deny the justice of the accusation, and I maintain that such a charge could only emanate from Upper Canadian fanaticism. True, the French-Canadian race has been characterized at Toronto by a Governor General as an “inferior race,”¹³ but the insult thus offered to Lower Canada has not a single fact to bear it out. Moreover,

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I am happy to bring forward the testimony of the Hon. Finance Minister (Hon. Mr. Galt) to refute these assertions, to answer these insults, and to prove that the prosperity of Canada is due to the active co-operation of the French-Canadians—not only in the Executive, but in the Legislative Assembly. In a letter written from London in 1860, the Hon. Minister of Finance [Alexander Galt] says:

From 1849 up to this day, the French Canadian majority has been fairly represented in the Ministry, and it is with its powerful co-operation and the part it has taken in initiating every measure, and the support of its votes in Parliament, that all great reforms have been realized.¹⁴

Well, if it be true that the French-Canadian

¹³ Perrault is referring to Governor General Edmund Head although the veracity of this claim is disputed. John A. Macdonald said that it was a “lying story of the Globe...” which “destroyed Sir Edmund’s popularity and lessened his comfort and usefulness.” Macdonald says that the story persisted amongst French-Canadians. He also said that he and Cartier were present for what he really said. “What Sir Edmund Head did say on the occasion referred to was that the French Canadians, as a race, were not inferior to the people of Upper Canada.” [John A. Macdonald to John Rose \(Jun. 29, 1883\) in Joseph Pope, Correspondence of Sir John Macdonald \(1921\), p. 301.](#)

¹⁴ Galt letter from London (1860). Unconfirmed reference.

members of the Government, since 1849, have, by their unceasing efforts, obtained the realization of these reforms, why is it now sought to destroy the Constitution under which they were obtained, and to create a new state of things which will diminish that influence which we now enjoy? It is because, notwithstanding our material prosperity, the old aggression of race against race, the former state of antagonism and ill-will, has not disappeared. The end proposed to be attained by the Government in making these changes is a vast and noble end, I admit. It is the creation of an immense Empire, which will redound to our glory and to that of England. But it seems to me that this will not be the necessary result of the means which are being taken to attain it.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Whenever the great measures of reform to which I have already referred have been submitted to Parliament, we have seen public men devote themselves exclusively to these measures, and labor for their realization. We have seen parties arrayed for or against these great questions—[the abolition of the Seigniorial Tenure](#)¹⁵, [the election of the members of the Legislative Council](#)¹⁶, the construction of our railways and canals, etc. In view of these great questions, there was no room for the contemptible personal considerations, and the miserable wrangling of the church door; but as soon as these great reforms were obtained, there was no longer any ground for opposition to the Government on these subjects; yet subjects for the exhibition of discontent and opposition had to be devised, with the view of attaining power, and of satisfying individual ambition.

They then addressed themselves to the prejudices of race and religion. A cry was raised in Upper Canada that French-Canadian domination could no longer be endured, and that an end must be put to it. No heed was

taken of the progress that had yet to be made, but it seemed as though nothing required to be done in order to attain success, but to destroy the national character of a large section of Canada. They complained of French domination, the influence of the clergy, and of the great number of religious institutions in Canada; and what was the remedy proposed to put an end to all these evils which Upper Canada could no longer tolerate?

The hon. member for South Oxford (Hon. Mr. Brown) was imported, and brought out here from Scotland, to cast the flaming torch of discord between the two populations, and to inflame them one against the other. I imagine that since that time the Hon. Mr. Buchanan must have more than once regretted this importation, which was not quite in the regular line of his commercial operations. And when this gentleman had been imported, who has been the cause of all our dissensions up to the present time, parties were organized under his command as they are this day.

To diminish or destroy the influence of the French-Canadians in Parliament, the hon. member for South Oxford [George Brown] raised a clamour for representation based upon population, which was re-echoed from one end of Upper Canada to the other. Those cries, the offspring of fanaticism, were rejected by Lower Canada with unanimity on the part of our public men. The hon. member for South Oxford [George Brown], finding that this cry for representation based on population was a magnificent war-horse, made use of it to form a party.

Since that period he has allowed nothing to stand in his way. He has calumniated every public man and all the institutions which were held in respect by the inhabitants of Lower Canada; he has attacked, with the greatest fury, all that was dear to us as Frenchmen and Catholics; and by this means he gained his object; and we have seen all the western

¹⁵ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\)](#).

¹⁶ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#).

farmers, all the inhabitants of Canada West, cry out that here we were all under the domination of the clergy, and that the English and Protestant population ought not to submit to so heavy a yoke. He knew that the English element was fanatic and aggressive, and by means of this cry the then leader of the Opposition in Upper Canada succeeded in forming a phalanx so strong, that Lower Canada has been compelled to yield some portion of the

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ground which she had conquered in her struggles of former days.

I do not believe that there is a single member for Lower Canada who would wish to change our present Constitution in the manner now proposed, were he not forced to it by Upper Canada. We are, then, about to give up some of our franchises and our rights in this new struggle against the spirit of encroachment and domination manifested by the English race. Hon. members who support the measure will tell you that they are giving up a part of our rights, in order that what remains may be saved from destruction, and that they may not lose all they now enjoy, before any lengthened period shall have elapsed. But was this clamor in favor of representation based upon population sincere on the part of those who used it as a means of attacking us?

Was it in reality a remedy for the evils of which they complained? No, Mr. Speaker, I do not think it was. It was simply an electoral platform, by which to attain power and consummate the encroachment upon our rights contemplated by the leaders of the movement. I do not deem it necessary to repeat here all the arguments brought to bear against the demand for representation by

population, in eighty speeches delivered in 1860¹⁷, during the discussion of that exciting question; but I remember that debate with all the more pleasure, that the French-Canadians shewed that they retained some vestiges of firmness in the day of battle, and of perseverance in the maintenance of our rights, which our fathers had so often manifested. On that occasion the Hon. Attorney General East (Hon. Mr. Cartier) deserved the approbation of his country for the resistance he made to that unjust demand on the part of Upper Canada, with that energy and tenacity he is so well known to display; he was the champion of our rights.

Why, then, does he today come down and propose a compromise with his opponents of those days? Is it just at the moment when the leaders of the Upper Canadian Opposition had, by entering the Macdonald-Sicotte Government¹⁸, absolutely rejected the principle of representation based upon population¹⁹, that he should abandon the struggle? Is it at the moment the Macdonald-Sicotte Government had obtained [separate schools for the Catholics of Upper Canada](#)²⁰, that the party led by the honorable member for South Oxford [George Brown] was to be derailed?

Is it at the moment when the law providing separate schools for the Catholics of Upper Canada was the subject of a triumph, which the Hon. Attorney General [George-Étienne Cartier] had never succeeded in obtaining during the whole time he has been in power, that the Hon. Attorney General [George-Étienne Cartier] should cease from further efforts, throw down his arms, and declare as a French-Canadian that we could no longer hold the breach, and that we must make concessions to Upper Canada? Did not the

¹⁷ According to the [Journals of the Legislative Assembly of the Province of Canada, 1860](#) (pp. 384, 441), the debates on representation by population occurred on May 14 and May 16, 1860. Based on the newspaper reports in *The Globe*, "eighty speeches" seems to be an exaggeration. Consult [PrimaryDocuments.ca](#) for the [May 14](#) and [May 16](#) debates.

¹⁸ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

¹⁹ William McDougall, a Reformer, disavowed representation by population as a condition to join the Liberal Macdonald-Sicotte administration.

²⁰ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\)](#).

Macdonald-Sicotte Administration make a close question of representation by population? Were not all the members of that Government bound to oppose it?

Yes, Mr. Speaker, the Hon. Attorney-General East [George-Étienne Cartier] was guilty of a grievous wrong, when he defeated that Government by a hostile majority composed of French-Canadians. It was after that hostile vote that Upper Canada insisted on her right to renew her claims to representation based on population, and that we are compelled to-day to make concessions. For my part, Mr. Speaker, I have never been convinced of the sincerity of those who made use of the cry for representation based on population, for I have never seen any other means employed to obtain the aid of the western farmers in securing more easily the reins of power.

Has the principle of representation based on population ever served as the basis of a government having monarchical ideas, like those which actuate the existing Government? Now we are seeking for a Confederation for which there is no precedent—not a Confederation like those to be found in other countries which have adopted that form of government, but a monarchical Confederation.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—It is sought to retain the English Constitution, and yet it is asserted that representation by population is a just principle, and that it must be extended to Upper Canada. Does not the Honorable Attorney General East (Hon. Mr. Cartier) remember the arguments he urged in 1860 against this principle²¹? Did he not then declare with the view of showing that the principle was neither a just one nor one recognized in the British Constitution, that if it were applied to the British Parliament the city of London alone would have thirty members instead of sixteen, and that Scotland would

send many more members to Parliament than she does now? Did he not assert that rotten boroughs, containing only a few hundred inhabitants, had one representative, and that counties containing 100,000 inhabitants had no more? Have these arguments,

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then so full of power, lost all their force and value today? Have they become futile since the alliance of the Honorable Attorney General East [George-Étienne Cartier] and the hon. member for South Oxford [George Brown]? Can they no longer be used to save our Constitution and our liberties? How can the party which has so long been kept together by its opposition to the principle of representation by population, say today that it is a just principle, and that it must be conceded?

I confess, Mr. Speaker, that I cannot understand why we should concede today what we refused in 1860. It is true that I do not possess the experience of the hon. gentlemen who now occupy the Ministerial benches, and that, perhaps, it may be wiser to bend today than to be broken tomorrow; but when I study the history of the past, when I look at things as they are, and look forward to the future which is now proposed for us, I only see in the scheme of Confederation a remedy which is more violent than the disease, and which, instead of removing the difficulties it is proposed to eradicate, will only have the effect of producing results the most unfavorable to the peace and prosperity of our country.

I state then, Mr. Speaker, that the question of representation by population, which has been the principal cause of the Confederation scheme, was excluded from the political programme of the Macdonald-Sicotte Government²², and that the Upper Canada majority, the leaders of which, throughout their whole political career, had so loudly demanded this concession in favor of Upper

²¹ George-Étienne Cartier arguments against representation by population. Unconfirmed reference. See also footnote 17.

²² Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

Canada, had bound itself not to raise that exciting question within the halls of the Legislature, at least during the existence of the Macdonald-Sicotte Ministry.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I stated that, thanks to the patriotic firmness of that Administration, Lower Canada was enabled for two years to live in peace and enjoy the fruits of a tranquillity unknown for ten years previous, and during two sessions the question of representation based on numbers ceased to be a subject of strife and fanatical attack on the part of Upper Canada.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—It was at that period that [the honorable member for South Oxford \[George Brown\] asked for a committee to enquire as to the means of settling the sectional difficulties](#)²³, by effecting a change in the basis of the present Constitution.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Well, Mr. Speaker, what took place then? We saw that able speaker, that indefatigable and powerful advocate of the claims of Upper Canada against the Lower Canada section, unable to find in this House more than forty men prepared to support him in his unjust demand for a constitutional change which the present Administration are about to grant.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—We saw that powerful politician humbled, and giving up in despair all hopes of succeeding with the House—and, for my part, Mr. Speaker, I must say that I felt pained at his position—asking a leave of absence in order to avoid a humiliating defeat, and returning to his home to lament his fall and the loss of an influence based solely on fanaticism and prejudice.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Subsequently, Mr. Speaker, the House witnessed an act which I do not desire to characterise now; we

saw the Administration which had the courage to chain down the monster of representation by population, overthrown by a French-Canadian majority!

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Yes, Mr. Speaker, that Liberal government, which had afforded so much security to our institutions by maintaining intact our present Constitution, was defeated by a French-Canadian majority of this House. I do not intend, when I say this, to attack my fellow-countrymen, far from it; but I wish to trace the parliamentary history of our country, and I do not hesitate to assert that that vote gave a fatal blow to our influence as French-Canadians, and that posterity will record that vote, which is now a matter of history, as a fatal act by which our public men sacrificed to party spirit the dearest of our interests.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I fearlessly assert, Mr. Speaker, that for fifteen years our affairs had not been administered by men more sincerely devoted to our interests and better able to protect the political liberties, the interests and the institutions of Lower Canada. What have we seen, during the past fifteen years in this House?

We have witnessed party appeals to prejudices and the most insulting personalities; and, in fact, the lowering of the moral *status* of our national representatives, as the natural result. We have seen the men best qualified to enforce, on the floor of this House, the rights of the people, refusing to come forward at elections, because they saw that the position of a member of Parliament no longer conferred that degree of dignity and position which made it an object of ambition in better times. We have seen men of eminence, who had labored in behalf of the interests of their constituents for many long years, abandoning their political

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²³ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

career in disgust, and retiring to the seclusion of their homes. Then it was that we saw a French-Canadian majority voting down a Ministry whose political programme afforded more effectual guarantees for Lower Canada interests than that of any previous government.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But a blind and paltry party spirit induced them to sacrifice, for a momentary triumph, the general interests of their country; and the majority, by its vote, decreed our national downfall.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Well, Mr. Speaker, under the new Government we found representation by population again made a subject of discussion in our Legislature; and now, there is no denying it, that unfortunate concession, which places us at the mercy of Upper Canada, has become an accomplished fact.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I stated, just now, Mr. Speaker, that the hon. member for South Oxford [George Brown] was unable to obtain his committee under the Macdonald-Sicotte Administration²⁴, an essentially liberal

one.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—On reference to the *Journals* of this House of that period, what do we find? The Ministry which succeeded that Government had hardly taken possession of the Treasury benches, when the Hon. Mr. Brown again came before the House asking for a committee, and in that instance with more success. I had the honor to propose an amendment to his motion, but my amendment was rejected, and amongst the members who figure in that unfortunate division, I find the names of the Hon. Minister of Public Works [Jean Chapais], the Hon. Provincial Secretary [William McDougall], and the Hon. Attorney General East [George-Étienne Cartier].

Mr. Speaker, this is a very significant fact, and one extremely deserving of attention at the present moment. In pressing that motion upon the House, I maintained that our policy was to act on the offensive, instead of merely defending ourselves, as we had up to that time done; that we ought to unite as one man to obtain the re-enactment of the proviso to the 26th clause of [the Act of Union](#)²⁵, which had been shamefully struck out in 1856, when [we obtained an elective Legislative Council](#).²⁶

Some Hon. Members—Hear, hear.

²⁴ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

²⁵ [The Union Act, 1840 \(U.K.\)](#). The 26th clause, which reads in full, “*And be it enacted, That it shall be lawful for the Legislature of the Province of Canada, by any Act or Acts to be hereafter passed, to alter the Divisions and Extent of the several Counties, Ridings, Cities, and Towns which shall be represented in the Legislative Assembly of the Province of Canada, and to establish new and other Divisions of the same, and to alter the Apportionment of Representatives to be chosen by the said Counties, Ridings, Cities, and Towns respectively, and make a new and different Apportionment of the Number of Representatives to be chosen in and for those Parts or the Province of Canada which now constitute the said Provinces of Upper and Lower Canada respectively, and in and for the several Districts, Counties, Ridings, and Towns in the same, and to alter and regulate the Appointment of Returning Officers in and for the same, and make Provision, in such Manner as they may deem expedient, for the issuing and Return of Writs for the Election of Members to serve in the said Legislative Assembly, and the Time and Place of holding such Elections:*

Provided always, that it shall not be lawful to present to the Governor of the Province of Canada for Her Majesty’s Assent any Bill of the Legislative Council and Assembly of the said Province by which the Number of Representatives in the Legislative Assembly may be altered, unless the Second and Third Reading of such Bill in the Legislative Council and the Legislative Assembly shall have been passed with the Concurrence of Two Thirds of the Members for the Time being of the said Legislative Council, and of Two Thirds of the Members for the Time being of the said Legislative Assembly respectively, and the Assent of Her Majesty shall not be given to any such Bill unless Addresses shall have been presented by the Legislative Council and the Legislative Assembly respectively to the Governor, stating that such Bill has been so passed.”

²⁶ Perrault is referring to [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#). However, the two-thirds clause was struck out two years previous with [An Act to empower the Legislature of Canada to alter the Constitution of the Legislative Council for that Province \(U.K., 1854\)](#).

Joseph Perrault [Richelieu]—Now, on this point, which was perfectly clear, we found these same Ministers voting for the rejection of the amendment, which asserted a right sacred to French-Canadians. Did not this vote imply that those who made this cowardly concession were prepared to yield again in the proposed constitutional changes?

Yes, Mr. Speaker, I do not hesitate to assert, that from that moment, Upper Canada understood that our political leaders, who, up to that time, had shown an unyielding front, were about to give way. And when the Hon. Mr. Brown submitted his proposition to the House, all the English members united in an overwhelming majority, and he carried his point successfully, notwithstanding that all the French-Canadian members voted against it, except the hon. member for Rouville (Mr. Poulin), who displayed the questionable courage of thus committing an act I shall not attempt to qualify.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I need not dwell upon the consequences of that vote, for they are now patent to the whole country, and the hon. member for South Oxford [George Brown] himself has told us in this House that the scheme of Confederation was [the creation of his constitutional committee](#)²⁷; that the appointment of that committee was the first step in the direction of the object for which he had struggled during his whole political career, and that the scheme of Confederation now before the House was an ample reward for his unremitting efforts, and a complete justification of the principles he has supported

in the struggle between Upper Canada and Lower Canada.

Subsequently, Mr. Speaker, the Taché-Macdonald Government²⁸ [succumbed on a question of finance](#)²⁹, and, finding that they could not sustain themselves without the assistance of the Opposition, that same Government called into the Cabinet the man who had proved most hostile to Lower Canadian interests, and with whom they had ever lived in unexampled antagonism. From that alliance resulted the scheme of Confederation which is now submitted to us, and which concedes the principle of representation based on population. Ought the Lower Canadian party to have made so important a concession to Upper Canada? I am prepared to establish by figures that that question contained within itself its own remedy; and those who voted in favor of its concession are in no way justifiable, looking at the question in any point of view whatsoever.

The future held out to us a positive assurance that the grounds of this demand would no longer exist at a period which is close at hand! When we look into the question of the respective populations of the two Canadas, we shall observe at a glance that that of Upper Canada is in great part English and Protestant, and, by reference to the last census, we I shall find that a very large proportion of the

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annual increase in that section is the result of emigration. From 90,000, which was the total amount during the single year 1847,

²⁷ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

²⁸ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864).

²⁹ The administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight – an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton's *The Road to Confederation* \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\), pp. 387-390](#). Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206](#).

immigration gradually fell to 10,000 in the year 1860.

But there is another important fact which it would be well to bear in mind; it is that Lower Canada, which increased slowly at first, because her material and moral development was impeded by the political institutions under which she was governed, and because she had no colonization roads through her forests, still beheld her sturdy children emigrating from their native soil to the United States in search of daily bread and liberty. The increase in the population of Lower Canada was slow and small then; but as railways were built and highways were opened, the population was found to increase in nearly the same proportion as the diminution was observed to be going on, in respect of annual increase, in Upper Canada.

I maintain further, Mr. Speaker, that the census of 1861 is no basis from which to estimate exactly the total population of the two sections; that census is merely a tissue of errors of a serious nature, which demonstrate the inaccuracy of the whole. Thus when we find it stated that at Three Rivers there is not a single Catholic church; that at Hamilton there is but one; that in the year 1861 there were but three vessels built in Lower Canada, while we know that at Quebec alone more than sixty were constructed, we may with perfect safety assert that similar inaccuracies must needs have occurred in the totals of the populations of the two sections. We know that in Upper Canada the true total of the population has been greatly exaggerated.

Did not all their journals declare that the census of 1861 *must* indicate a very large total population in favor of Upper Canada over Lower Canada? And, accordingly, the result showed a majority of nearly 300,000 souls in favor of that province. To such an extent was the number of the living increased, and the number of the dead diminished, that the total number of living children under one year old was 8,000 more than the total number of births in the year.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I am quite willing to admit that the climate of Upper Canada is most salubrious and highly favorable to the development of that part of the population of a less age than one year, but even then there is some difficulty in understanding how it is that in twelve months some of them do not die, and how there can be 8,000 more of less than a year old than were born during the preceding twelve months.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Perrault [Richelieu]—When I observe such results accruing from our official census, I am compelled to believe that it is inaccurate, and that it may be quite as erroneous in respect of the general population. But if in the census the population of Upper Canada was exaggerated, in the case of Lower Canada, on the contrary, it has been considerably diminished. Here our farmers have always stood in dread of the census, because they have a suspicion that it is taken with the sole object of imposing some tax, or of making some draft of men for the defence of the country. Under these circumstances, I consider that the difference between the totals of the population of Upper and Lower Canada is not so well proved as it is wished to have us believe that it is. I maintain that it is less in reality than it is in appearance, and that the figures of the census are not sufficiently accurate to allow of our taking them as the basis of a demand for constitutional changes of so important a character.

But if we study the increase of the French-Canadian population in America, we shall find the increase of the French-Canadians to have been 1,700,000 between the years 1700 and 1860, the total having increased tenfold two and a half times in that period, and this is equivalent to 3.40 percent, per annum, or a doubling of the population in twenty-one years; otherwise an increase of twenty-five times their number in one hundred years. The increase, since 1860, having been 3.60 per cent, in Lower Canada, these figures shew that the natural increase in the Lower Canadian

population is greater than it is anywhere else.

In Upper Canada the average of births has been 3.40 per cent, per annum, and in Lower Canada it has been 4.10 per cent, per annum; this is equivalent to a greater relative increase of 20 per cent, in favor of Lower Canada over Upper Canada. If a calculation is made of the progressive increase of the French population in Lower Canada, from 1781 to 1851, the following results will be arrived at:—

| | | | Per ct. | | Per ann. |
|------|--------------------|-----------------|--------------|----|-------------|
| From | 1784 to 1831 | the increase | was equal | to | 2.60 |
| " | 1831 to 1844 | " | " | to | 3.20 |
| " | 1844 to 1851 | " | " | to | 4.25 |

But the growth of population that would have resulted from this increase has been

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diminished by emigration to the United States. The difficulties between the sections of the province have, during long years, driven our youth to foreign countries, and that is why that considerable increase does not appear, by the census, so great as in reality it has been.

Thus the total number of French-Canadian emigrants to the United States amounted, in 1841, to 31,000; from 1844 to 1850 the total amounted to 30,000; making, in 1850, a grand total of 64,000 of our countrymen who had passed into foreign lands. With such an emigration going on, it is clear that our population could not increase with rapidity; but now, fortunately, the movement of our population has assumed a contrary direction. Many families have already returned to us, whilst many others are only awaiting a favorable opportunity to return to the country, which they ought never to have left.

The French-Canadian population in the United States is still very considerable, as the following figures will show: in the State of

Vermont there are 14,000 French-Canadians; in the State of New York 20,000; in Ohio and Pennsylvania, 6,000; in Michigan, 30,000; in Illinois, 20,000; in Wisconsin, 12,000; in Indiana, 5,000; in Minnesota, 15,000, without taking into consideration the fact that nearly 35,000 of our young men, besides, are enrolled in the army of the United States. What took place in Canada also took place in Acadia, where the French population also increased in a manner which was truly astonishing.

From 1707 to 1737 this increase amounted to a proportion of 6 percent, per annum; in thirty years the total had increased fivefold. It continued to increase in nearly a like proportion up to 1755, the memorable date of the deportation of the Acadians, From 1755 to 1855 the Acadians increased tenfold by themselves, and now the French-Acadian population in the Maritime Provinces and in the State of Maine is distributed as follows:—

| | |
|----------------------|--------|
| Newfoundland | 15,000 |
| Cape Breton | 16,000 |
| Prince Edward Island | 15,000 |
| Nova Scotia | 22,000 |
| New Brunswick | 25,000 |
| State of Maine | 5,000 |
| — | — |
| Giving a total of | 98,000 |

Let us now enquire, Mr. Speaker, what the annual increase has been in Upper Canada. This consideration is an important one, for it goes to prove that in ten years the total population of Upper and Lower Canada will be equal, and that, consequently, the constitutional changes resulting from the question of representation based on population are not called for:—

| In | 1830 | that increase was | 10 per ct. | per annum |
|----|------|------------------------|---------------|--------------|
| " | 1832 | " | 8.77 | " |
| " | 1842 | " | 6.42 | " |
| " | 1852 | " | 5.62 | " |
| " | 1861 | " | 4.35 | " |
| " | 1865 | it will probably be | 3.00 | " |

This amounts to saying that in thirty years the proportion of increase has diminished by more than 50 percent, and that diminution of annual increase has been consequent upon the diminution of immigration. The following figures, which shew the number of immigrants who have come into Upper Canada since the year 1829, shew this clearly:—

| Years | Immigration |
|--------------|-------------|
| 1829 to 1833 | 167,697 |
| 1834 to 1838 | 96,351 |
| 1839 to 1843 | 123,860 |
| 1844 | 20,142 |
| 1845 | 25,375 |
| 1846 | 32,753 |
| 1847 | 90,150 |
| 1848 | 27,939 |
| 1849 | 38,494 |
| 1850 | 32,292 |
| 1851 | 41,076 |
| 1852 | 39,176 |
| 1853 | 36,699 |
| 1854 | 53,183 |
| 1855 | 21,274 |
| 1856 | 22,439 |
| 1857 | 32,097 |
| 1858 | 12,810 |
| 1859 | 8,778 |
| 1860 | 10,150 |
| 1861 | 19,923 |
| 1862 | 22,176 |
| 1863 | 19,419 |
| 1864 | 19,000 |

In 1854 we had no railways as we have today, and consequently the European emigration which was directed to the United States did not pass through Canada, as it does now, towards the Western States. In 1854 the immigration was 53,000, and all who landed in Canada settled there at once; but in 1864 the immigration fell to 19,000, of whom not more than one half remained in the country; the remainder went on to the Western States.

Thus it may be said that the immigration, which numbered more than 53,000 souls in

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1854, has fallen in ten years to 8,000 only for Upper Canada, whilst in Lower Canada we

have increased, by natural progress, in the proportion of from 2.20 percent, to 2.60 percent, during the same period. And it is just at the time that our population is increasing in this proportion that it is proposed to grant to Upper Canada representation based on population. Why do we not still resist?

We are told that if we wait longer the disproportion will be increased. I maintain, according to the above calculations, and in view of other considerations that I shall by and by have the honor to submit to this House, that we can only be the gainers in this matter, because the proportion of our natural increase is increasing, while that of immigration is diminishing. In thirty years, from 1829 to 1860, 942,735 immigrants landed on our shores, nearly all of whom settled in Upper Canada. And there is another fact to which I beg to call the attention of the House, and that is, that the Irish emigration, which amounted in 1851 to 22,381, diminished during the ten following years to 376 in 1861, and it is a well known fact that it was this wholesale deportation from the Emerald Isle which has made the population of Upper Canada what it is today.

But it is not necessary to consult the census to arrive at the conclusion that the proportionate difference in the increase of the populations of the two sections of the province is only due to the arrival in the country of this million of immigrants. If we study the proportion of births, or of the natural increase, we shall see that Lower Canada has increased its population more rapidly than Upper Canada, and that there are more births in proportion in our section of the province. As these artificial sources of increase diminish in Upper Canada, we may be certain that the equilibrium will be established between the two populations.

There is yet another cause which must contribute to reestablish this equilibrium, and I find it in an official report written by the present Honorable Provincial Secretary (Hon. Mr. McDougall) when he was Commissioner of Crown Lands. The cause of colonization has attracted, for several years past, the special

attention of our clergy and of the influential inhabitants of the country, so soon as it became generally known that the increase of the population in Upper Canada would lead very soon to constitutional changes, having for their object representation based upon population, with all its disastrous results for the minority. Since that period new colonization roads have been opened for the surplus population of the old counties, and our youth, instead of expatriating themselves, plunge into the forests to clear the land, and thus to increase the strength of the French element.

The cause of the diminution in the increase of Upper Canada, of which I have just spoken, may be found in the important fact that the best disposable lands are nearly exhausted—I do not mean to say that they have lost their fertility, but that they are nearly all occupied. We require no better proof of my assertion than [the report of the Honorable Commissioner of Crown Lands for 1862 \[William McDougall\]](#), from which I ask permission to cite the following paragraph:—

It will be observed that the whole quantity of land sold during the past year is less by 252,471 acres than in 1861. The falling off is equal to about 38 ½ per cent. The fact is significant, and suggests enquiry as to the cause. It may, I think, be attributed to the commercial and monetary derangements resulting from the civil war in the neighboring country; to the retarding influence of that war upon immigration, and to the diminished means of purchasers within the country by reason of the generally deficient harvest of 1862.

Another cause may be mentioned, which, in an official view, is more important than either of these, because its influence is not accidental or temporary. It is the fact that the best lands of the Crown in both sections of the province have already been sold. The quantity of really good land now open for sale is, notwithstanding recent surveys, much less than formerly, and is rapidly diminishing. The new surveys in Upper Canada have added, during the last five years, no less than 2,808,172 acres to the land roll of the department. The addition during the same period, in Lower Canada, was 1,968,168 acres. Yet it may be doubted if there are today as many acres of wild land of the first quality at the disposal of the department as there were in 1857.

The clergy, school and Crown lands of the western peninsula, the most desirable, both as to quality and situation, of all the public lands of the province, are mostly sold; the few lots that remain are generally of inferior quality. The new township between the Ottawa and Lake Huron contain much good land, but they are separated from the settled townships on the St. Lawrence and north shore of Lake Ontario by a rocky, barren tract, which varies in width from ten to twenty miles, and presents a serious obstruction to the influx of settlers.

Moreover, the good land in these new townships is composed of small tracts, here and there, separated from each other by rocky ridges, swamps and lakes, which render difficult the construction of roads, and interrupt the continuity of settlement. These unfavorable circumstances have induced the better class of settlers in Upper Canada to seek, at the hands of private owners, for lands of a better quality and more desirable

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location, though the price and terms of sale are more onerous than for the lands of the Crown.³⁰

I think that this official report contains a statement of great importance to Lower Canada, and which it is desirable should be clearly demonstrated before we decide whether we ought to change the present Constitution. As the population of Upper Canada is no longer sensibly increased by immigration, and as the natural increase of the population of Lower Canada is more rapid than that of Upper Canada; as the emigration of our countrymen to the United States is ceasing, and as the best lands in Upper Canada are occupied, whilst the territory of Lower Canada is only just beginning to be opened up for settlement, I see no reason why we should make such haste to give up the struggle we have so successfully maintained up to the present time, and, without any just reason, grant representation by population.

This is what is said in [the same report by the present Hon. Provincial Secretary \[William McDougall\]](#), and his words agree exactly with my statements:—

In Lower Canada the sales in 1862 reached a little more than double the quantity sold in Upper Canada. The

³⁰ [“Report of the Commissioner of Crown Lands of Canada, for the Year 1862” \[No. 5\] in *Sessional Papers* \(1863\).](#)

discovery of copper and other minerals in the Eastern Townships and the opening of better means of communication have caused a considerable influx of population into that part of Lower Canada, and a corresponding increase in the demand for unsold public lands. The new surveys on the southern slope of the high land, which border the St. Lawrence between Quebec and Montreal, have developed a very considerable quantity of good land, which is being rapidly taken up.³¹

And what is the consequence of this fact pointed out by the Hon. Commissioner of Crown Lands [William McDougall]? It is that if the public lands are sold only to settlers, so soon as it is established that the quantity of lands sold in Lower Canada is double that sold in Upper Canada, I am justified in concluding that the extent cleared is also double, and as a necessary consequence, that the population must be increasing in the same proportion. Thence I conclude that the question of representation based upon population tends every day to its own solution. Thus we have a man, who certainly cannot be accused of partiality to Lower Canada, and whose extensive knowledge no one will deny, declaring officially that we are increasing in a much greater proportion than Upper Canada.

And it is at the very moment that we are on the point of turning the scale of victory, that we are about to give way and cease from further effort. Our rising generations were emigrating to the United States a few years ago, because we had no colonization roads to give them access to the forests of Lower Canada, as we have now; and why had we them not? Because until quite recently, the Hon. Minister of the Department of the Crown Lands, as well as the Hon. Minister of the Department of Agriculture and Emigration, were always Upper Canadians. Upper Canada always understood the importance of those departments as regards the material development of that section of the province. Accordingly, all the measures of improvement were in favor of the western section, and all the immigration was carefully directed thither.

Now that we have found out the results of that cleverly devised policy, the Lower Canadian party are more attentive to the colonization of our wild lands, and we find the clergy and all our political and influential men seconding their efforts. We have colonization societies in every quarter, and the result of their labors is the settlement and occupation of our public lands as soon as they are surveyed. Frequently we even see the settlers getting ahead of the parties employed in opening the roads through the forests. These facts are important enough to deserve our serious consideration, more especially as the report of the Hon. Provincial Secretary [William McDougall] confirms my statements in every particular.

The Canadian families now in the United States are glad to return among us to aid in developing the resources of our country, and if the Government, instead of making changes in the Constitution, were to establish a vast system of colonization, to draw hither our fellow-countrymen from the United States, and an immigration from Europe of those who own a common origin with ourselves, we should have no need to trouble ourselves about the political changes now proposed to us, of which the object is evidently to destroy our influence in America.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—The intention of the Confederation scheme, we are told by the Ministry, is the formation of a vast Empire, bounded by the Pacific ocean on one side, on the other by the Atlantic ocean, and on the south by the American Union, while on the north it would extend to the Pole, leaving Russian America on the west. No doubt the scheme is a grand one, magnificent in conception, and likely to take with the ambitious minds of the most aspiring men in British North America.

The Opposition perfectly understands the noble object of the promoters of the Confederation, which it is proposed to

³¹ ["Report of the Commissioner of Crown Lands of Canada, for the Year 1862" \[No. 5\] in *Sessional Papers* \(1863\).](#)

establish on a monarchical basis, in opposition to the American Union,

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based on the democratic and republican principle; but the Opposition is also aware that this creation of an Empire presents difficulties of an important character, not only because it is starting into existence in opposition to the neighboring powerful republic, which is essentially opposed to monarchical institutions, but also because the differences of nationality, religion and sectional interests are so many stumbling blocks with which the principal provisions of the scheme of Confederation will come in contact.

It must not be believed that the Opposition only oppose the scheme because they do not understand its import. On the contrary they do understand it, and see in it nothing but provisions of a nature hostile to them. At the present day, with sectional equality, Canada constitutes but a single people, who have tendencies and aspirations in common; but under Confederation such will no longer be the case; we shall have a minority opposed to a majority, the aggressive tendencies of which have always manifested themselves whenever the power of numbers was in their favor. If the populations of all the provinces were homogeneous; if their interests, their ideas, their belief and their nationality were identical, we might perhaps be more disposed to accept the by no means judicious provisions of the scheme which is submitted to us. But as none of these are identical, we consider that we should be in danger if we did accept them.

Formerly France possessed all this part of the continent; the settlers of that period, the farmers, fishermen, hunters and trappers travelled over the whole extent of those immense possessions which were known by the name of New France. At this moment what remains to her of a territory that was equal in extent to Europe itself? A wretched little island at the entrance of the Gulf, a foothold for her fisheries, and a few acres of beach on the coast of Newfoundland. When we consider that

fact, when we see French power completely destroyed on this continent, are we not justified in looking closely into the project of Constitution now submitted to us, which has for its object, I repeat, simply to complete the destruction of the influence of the French race on this continent?

Has not the past taught us to dread the future? Yes, Mr. Speaker, the policy of England has ever been aggressive, and its object has always been to annihilate us as a people. And this scheme of Confederation is but the continued application of that policy on this continent; its real object is nothing but the annihilation of French influence in Canada. If we examine history in order to ascertain whether a precedent is to be found for the course of action adopted today, we shall derive a valuable lesson from the experience of the past.

There was a period, after the conquest of England by the Normans, when the French language was the general and official language of that country, but subsequently the conquerors were compelled to adopt the language of the vanquished. The history of the Parliament of England shows that up to 1425, every bill introduced in the Legislature, without a single exception, was in the French language. But at that date the first English bill was presented to Parliament; and twenty-five years later, in 1450, the last French bill was presented in the English Parliament. After that date we no longer find a trace of the French language in Parliament; twenty-five years had sufficed to do away with it completely.

There is another historical fact connected with the political existence of a people, which it is right to recall. We know how long Scotland and Ireland resisted the encroachments of England. The struggle was protracted and obstinate. But these two nations were compelled to succumb to political encroachment, under the pressure of the powerful assimilating tendencies of the English nation.

But let us see what means England used to attain her ends. Impartial history tells us, as it

will tell of the means employed today to annihilate our race on this continent. History records, in letters of gold, the names of those who have bravely struggled for the lives and liberties of nations, but it also holds up to execration the memory of those who barter those liberties and those rights for titles, honor, power, or gold.

We now enjoy responsible government, dearly earned by a century of heroic struggles, and before yielding an inch of the ground we have conquered, we should see what we are likely to gain by the proposed constitutional changes. Let us profit by the experience of the countries we now see lamenting the loss of their political rights resulting from constitutional changes similar to those now proposed to Lower Canada.

I find [the following](#) with reference to [the union of Scotland with England in 1706](#)³²:—

Queen Anne carried out, in 1706, a project vainly attempted by William III, the union of England and Scotland into a single kingdom, under the dominion of Great Britain. The uncontrollable character of the Scotch, the mutual antipathy of the two people, and the constantly recurring difficulties resulting from these principles,

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rendered the measure highly useful at the same time that they increased the obstacles.³³

Thus, it is clear that the antipathies between the two races produced many obstacles to the English project, and, in order to remove these obstacles, England had recourse to means precisely similar to those adopted here as a preparation for Confederation, namely, the appointment of a conference of commissioners charged with the preparation of the Act of Union. [Says M. Emile de Bonnechose](#):

These commissioners agreed on the general question, but differences arose as regards the manner in which the English proposed to constitute the new Parliament of the United Kingdom, and while the population of Scotland amounted to a sixth of the population of England, they

allowed that kingdom but forty-six members in the Commons, or a thirteenth of the total representation. Sixteen peers only, out of the whole peerage of Scotland, were to be chosen by election, to sit in the English House of Lords.

The stringency of these latter clauses, by which the people of Scotland felt themselves aggrieved, excited universal discontent; it was to be expected, particularly at the outset, from a treaty of union between the two nations, that there would be a clashing of material interests prejudicial to the welfare of very many persons, as occurs at the outset in every important political connection. The wounding of their national self-love would of itself have been sufficient to render the people of Scotland insensible to the remote advantages of the compact, and all parties—Whigs and Tories, Jacobites and Williamites, Presbyterians, Episcopalians and Cameronians, combined to defeat it.³⁴

Thus we have nearly the whole people uniting to oppose the union it was sought to impose upon them, and yet in face of the all but unanimous opposition of the people of Scotland, England succeeded in forcing them into the union by the use of means she never hesitates to adopt:—

The commissioners of the Government were insulted by the populace, who destroyed the dwellings of many state officials favorable to the union, while they were loud in praise of the Duke of Hamilton, one of the chief opponents of the measure. The Dukes of Queensberry and Argyle, Earls of Montrose, Stair, Roxburgh and Marchmont strove in vain to allay by argument and reasoning, the explosion of patriotic feeling and national fury, and what the best arguments could not obtain was carried by corruption. A portion of the gold promised by the English Commissioners as a compensation for the fresh burdens about to be imposed upon the sister kingdom, was divided amongst their Scotch colleagues and many influential members of the Parliament sitting in Edinburgh; thenceforward all obstacles were removed; the treaty of union, which the Scotch people looked upon as an act of suicide, and which the purest and best men would not have sanctioned, received the assent of a venal majority. In fine, that famous compact, which was denounced as a dishonor to Scotland, which that country looked upon as the yielding up of her interests and her glory, and which was destined to open for her, in subsequent times, an era of unparalleled peace and prosperity, was signed on the 1st May, 1707, and was considered a great triumph by the people of England, already at that time intoxicated with joy at the success of

³² [Union with Scotland Act 1706 \(England\) & Union with England Act, 1707 \(Scotland\)](#).

³³ [François-Xavier Garneau, Histoire du Canada, Quatrième Edition, Tome III \(1882\), p. 386.](#)

³⁴ [Emile de Bonnechose, Histoire d'Angleterre, Tome IV \(1862\), pp. 166-167.](#)

their arms on the continent.³⁵

There, Mr. Speaker, is an instance of the manner in which the policy of England can overcome even the most justifiable resistance, supported by the unanimous wishes of a people. Scotland looked upon a union with England as an act of suicide, and yet the union was carried by a majority in the Parliament of Edinburgh. I need not dwell at length upon these facts; they speak eloquently for themselves.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—There is another fact in this parliamentary history of England, of which it is well to remind the House—I mean [the abolition of the Irish Parliament](#)³⁶. The Honorable Minister of Agriculture (Hon. Mr. McGee) has told us, in that flowery language which characterises the children of his native soil, that he himself, when scarce twenty years of age, struggled to emancipate his country from the tyranny of England, and not succeeding in his noble undertaking, preferred to exile himself to American soil rather than remain to be a daily spectator of the misfortunes and sufferings of his native land. And yet, what is he now doing? He is trying, with the help of a hostile majority, to thrust upon Lower Canada, his adopted country, a union which is repugnant to her, and to revive here the system of oppression over which he wept in Ireland.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—[Let us see](#) what the means were which were employed to impose upon Ireland that union which was destined to entail the wholesale exodus of her population:—

In the case of Ireland, the contest was a longer one, but England was ultimately triumphant. After the crisis of 1798, (says M. Gustave de Beaumont,) England, holding down rebellious and vanquished Ireland, chastised her unrelentingly and pitilessly. Twenty years previously Ireland again came into possession of her political

liberties; England preserved a bitter recollection of this success of Ireland, and took advantage of the depression of the latter to replace her under an absolute yoke. The Irish Parliament, after recovering its independence, became troublesome

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to England; it was necessary, in order to master it, to take great pains in corruption, in spite of which great resistance on the part of the Irish Parliament was met with; the opportunity was favorable to suppress it, and in consequence the English Government abolished it.

On the reception of this news, poor Ireland was in an instant in agitation, just as a body which has just been deprived of life stirs again under the steel which mutilates and rends it. Of thirty-two counties, twenty-one loudly exclaimed against the destruction of the Irish Parliament. That Parliament, from whom an act of suicide had necessarily to be asked, refused to consummate it, and by its vote maintained its constitutional existence.

Indignant at the servility which it was dared to ask for from the body of which he formed part, Grattan vehemently opposed the Ministerial scheme. But all this resistance was in vain. The only resistance which definitively opposed a serious obstacle to the views of England, was that of the Irish Parliament, which would not vote its own abolition. Hitherto its acts had been bought, and now its death was in like manner purchased.

Corruption was at once made use of on an enormous scale; places, pensions and favors of all kinds were lavished in every direction, and the same men who, in 1799, rejected the scheme of union, adopted it on the 26th May, 1800, by a majority of a hundred and eighteen votes against seventy-three, and that majority consisted of either state pensioners or public functionaries. And so, through violence, aided by corruption, was accomplished the destructive act of the Irish Parliament, not without stirring up in Ireland all that remained of national passion and feelings of patriotism.³⁷

Mr. Speaker, when we have such acts as these from which to form an opinion of the politics of England, it is reasonable that those who have not the same reasons for desiring constitutional changes as the hon. members who sit on the Ministerial benches, should, at least, have an opportunity of carefully studying all the details of the measure which is submitted to us. For my part, I am satisfied

³⁵ [Emile de Bonnechose, *Histoire d'Angleterre*, pp. 167-168.](#)

³⁶ [Union with Ireland Act 1800 \(U.K.\) & Act of Union \(Ireland\) 1800 \(Ireland\).](#)

³⁷ [Gustave de Beaumont, *L'Irlande sociale, politique, religieuse* \(1843\), pp. 159-160.](#)

with the present Constitution, and am ready to defend it against every enemy which may come forward to attack our territory. But I am bound to declare that if that Constitution is changed despite the will of the people, we shall no longer find among the Lower Canadians that impulse for which they have always been distinguished in days gone by, and which enabled them to vanquish a hostile force of double their number.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—There would appear to have been no reason why the antagonism between the English and French races, to which I alluded as existing in Europe, should have been carried into America; and yet the strife was continued in the New World, after it had arisen in the old hemisphere. At the present day that strife continues, and despite the protestations of sincere friendship interchanged between Paris and London, we see France and England continually facing each other, sword in hand, feeling for each other that respect which mutual fear alone can inspire. And could it be expected that those feelings of rivalry and antagonism which have always existed, and which still exist at the present day, between the two races, would be effaced from among their Canadian descendants, that we may be fused into one nation? It is an impossibility! Do what you may, the same feelings will always exist. They are blameable, perhaps, but the fact remains—they exist, and form part of the very nature of the two races.

The language, the religion, the institutions and the customs of a people are so many obstacles to its union with another people, whose language, religion, institutions and customs are different from theirs. And is it supposed that these feelings of rivalry and these causes of estrangement will be removed on the adoption of the scheme of Confederation which is proposed to us? For my part, I would wish in Canada to see the two nationalities rival each other in progress in the useful works of peace. This rivalry, not of strife hand to hand, but a rivalry in the laudable

ambition which has for its object the realizing of the greatest prosperity known, the attaining of the highest excellence in the sciences, and of the most profound secrets of art, would confer upon our country a degree of power equal to what has resulted from the combined strength of England and France, which has, up to the present, been employed to impel the world towards the prodigies which have been realized in the nineteenth century.

With equality of numbers, and of sectional representation, the two nationalities cannot fall foul of each other; but with Confederation, as we shall be in a great minority in the General Parliament, which has all the important powers in relation to legislation, we shall have to carry on a constant contest for the defence and preservation of our political rights and of our liberty. Under the union the French Canadians are divided in this House into two camps, opposed the one to the other, because they have nothing to fear in regard to their national interests; but under Confederation, as we shall have but forty-eight

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French members against one hundred and forty-six in the Federal Legislature, those members will have to go together like one man to maintain their influence, and the simple fact of that union of the French-Canadians into a solid phalanx will cause the English element to unite on its side to crush and vanquish it. It is because I fear such a strife that I cannot approve of a Constitution which does not secure our political rights, and the working of which will necessarily entail disastrous consequences to our race.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—The strife of nationalities which has been too long maintained in Europe appeared to have no cause of existence in America. It appeared that there was on this continent room enough and prospects enough to allow everybody, of all principles and of all nationalities, to live in peace upon it, without jostling and falling foul

of each other. It appeared that those who had emigrated from the old world should have at heart the formation of powerful nations on this continent, without introducing the religious and national hatred which had for so long a time divided Europe, and deluged her in blood.

And yet what do we see here? We have seen France, who first of all despatched the apostles of Christianity into the vast solitudes of North America—France, who first planted her noble flag on the Island of Montreal and the heights of Quebec—we have seen France deprived of the last inch of the soil which she had conquered on this continent, bequeathing to her children, abandoned in Canada, but a future of struggles and contests against the encroaching spirit of her powerful rival.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—From the commencement of the French domination in America, we have seen reproduced here the strifes which divided the European continent. Towns and villages were destroyed as though there was not room enough in this new world for the few handfuls of men who came to inhabit it. The first scene of this inexcusable description occurred in Acadia, in 1613. [Garneau makes the following remarks on this subject](#):—

In 1612 La Saussaye began, on the left bank of the Penobscot river, a settlement which he failed St. Sauveur. All went well at first, and flattering hopes were entertained at once of success beyond all expectation, when an unlooked for storm burst over the colony and stifled it in its cradle.

England claimed the country as far as the 45th degree of north latitude—that is to say, all the continent to the northward as far as the heart of Acadia. France, on the other hand, maintained that her boundary ran southward as far as the 40th degree. From this dispute it resulted that, while La Saussaye thought himself within the boundary of New France at St. Sauveur, the English declared that he was deep in their territory. To maintain the claim, Captain Argall of Virginia resolved to go and dislodge him, incited by the hope of obtaining a rich booty, and by his prejudices against Catholics, who had been the cause of

the ruin of Poutrincourt.³⁸

Thus in 1612, in other words only two or three years after the founding of Quebec, we already find religious and national strife beginning their work of exclusiveness on our continent, and that strife we shall again have to engage in, disagreeable as it may be. I proceed:—

He appeared suddenly before it. Sauveur with a vessel mounting 14 guns, and spread dismay among the defenceless inhabitants, who took him at first for a pirate. Father Gilbert Du Thet vainly endeavored to offer a slight resistance; he was killed, and the settlement given up to pillage. Everything was carried off or sacked, Argall himself setting the example.

To legalize this act of piracy (for such it was), he stole La Saussaye's commission, and pretended to look upon him and his people as unaccredited adventurers. Gradually, however, he seemed to soften, and proposed to those who had trades to follow him to Jamestown, from whence, after having worked for one year, they should be sent back to their native land. The offer was accepted by a dozen of them. The remainder, with La Saussaye and Father Masse, preferred to risk themselves in a trail vessel with the object of reaching La Hève, where they found a vessel of St. Malo, which conveyed them to France.

Those who trusted Argall's word were greatly surprised, on their arrival at Jamestown, to find that they were thrown into prison and treated as pirates. In vain they claimed the fulfilment of the treaty which they had made with him; they were condemned to death. Argall, who had not supposed that the abstraction of La Saussaye's commission would have such serious results, did not think that he ought to carry dissimulation any further, and gave up the commission to the Governor, Sir Thomas Dale, and confessed all. That document, and information which was obtained in the course of the enquiry into the matter, caused the government of Virginia to resolve to drive the French from all the places occupied by them to the south of the line 45. A squadron of three vessels was placed under the command of the same man, Argall, in order to put that resolution in execution.

The fleet began by destroying all that remained of the old habitation of Ste. Croix—a useless vengeance, as it had been abandoned for several years; its course was then directed towards Port

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Royal, where nobody was found (all the people being in

³⁸ [François-Xavier Garneau, Histoire du Canada, Tome I \(1845\), Livre Premier, Chapitre I: Acadie.](#) The text doesn't fully match with the quote.

the fields, two leagues away), and in less than two hours all the houses, together with the fort, were reduced to ashes.³⁹

Well, Mr. Speaker, this scene of devastating vandalism on our continent, which at that period contained hardly a thousand white inhabitants, gives the clue to all the events which followed from that date up to the conquest of Canada by the English. This fact is a corroboration of the principle that provides that the stronger nation shall oppress the weaker, unless by special circumstances the one is protected against the other. This is the proof that the sectional equality secured by the system of government which we now possess has alone been effective in Canada to enable different nationalities to live together on terms of equality, and to labor successfully for the advancement of the common prosperity.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But the strife which began in 1613, between France and England⁴⁰, became more deadly after a century and a half of occupation; it spread along the whole frontier of New France. At the instigation of the rival race, Indian tribes fell upon all the French settlements in the country, and an incessant and vindictive war was kept up with the sole object of driving the French off the continent. We know at the present day what the result of that contest was. We are told that we have no reason to complain of the system of government which we now have. That is true. But if we have that government it is because, ever since the conquest, the remnant of the French nation which remained in the land have striven bravely to obtain it. Had it not been for the American revolution, we too would have had our large share of suffering and humiliation, similar to that which the Acadians were made to undergo.

The treatment to which they were subjected by England is an example of what might have happened to us, but for our number, and,

subsequently, but for the vicinity to us of the American Republic. There was in Acadia a nucleus of French people, who lived peaceably and happily, and who had submitted to English domination without a murmur; and yet, because they were weak and had no longer the arm of France to protect them, [they were transported](#), like negroes on the coast of Africa, by philanthropic England⁴¹. This is an important historical fact which must not be forgotten, and the details of which it is well to set before the eyes of our population, at a time when the English element is pursuing, with a persistence worthy of a better cause, the aggressive and encroaching policy concealed under the scheme of Confederation which is submitted to us.

The hon. member for South Lanark (Mr. Morris) told us the other day that we ought to thank England, and be most grateful to her for the system of government which we received from her. But to whom do we owe that system? Do we owe it to the liberality of England? Did we not obtain our political rights only at the time when she could no longer refuse them to us with safety? No, Mr. Speaker, our gratitude and our thanks are only due to those fellow-countrymen of ours who at all times bravely strove to obtain them.

When we see French colonies which still groan under the English colonial system, and which complain to Europe of the treatment to which they are subjected, the conclusion must be come to that we owe nothing to England, but that on the contrary we owe all to those who, after an age of strife, obtained for us that governmental reform which we enjoy. In order that our people may form a correct opinion of that liberality which is so highly vaunted to us, allow me here, Mr. Speaker, to quote a few pages of [the history of the Acadian people](#):—

The war of 1744 began their misfortunes; that of the seven years completed its total ruin. For some time the English

³⁹ [François-Xavier Garneau, *Histoire du Canada, Tome I \(1845\), Livre Premier, Chapitre I: Acadie.*](#)

⁴⁰ French possession Port Royal (in Nova Scotia) was destroyed by British forces in 1613.

⁴¹ [The British Expulsion of the Acadians \(1755-1764\)](#), which took place during the [Seven Years' War](#).

agents acted with the greatest severity; the courts, by the most flagrant violation of the law, by systematic denial of justice, had become to the poor inhabitants an object at once of terror and of hatred. The most subordinate official insisted on obedience to his will. "If you do not supply wood to my troops," said a certain Captain Murray, "I will tear down your houses and use them for fuel." "If you will not take the oath of fidelity," added Governor Hopson, "I will turn my cannon against your villages."

Nothing could induce these honorable men to do an act against which their consciences exclaimed, and which, in the opinion of many people, England had no right to demand from them. "The Acadians," observes Mr. Haliburton, "were not British subjects, as they had not taken the oath of allegiance, and they could not, therefore, be considered rebels; nor were they to be looked upon as prisoners of war. nor to be sent to France, as for nearly half a century they had been allowed to retain their possessions, on the simple condition of remaining neutral." But many schemers and adventurers looked at their fine farms with an envious eye. What fine inheritances, and, consequently, what a bait! It was not difficult for them to find political reasons to justify the expulsion of the Acadians. By far the

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greater number had committed no act whatever inconsistent with nativity, but, in the great catastrophe which was impending, the innocent were to be placed in the same category with the guilty. Not one inhabitant had been deserving of mercy. Their fate was decided in Governor Lawrence's Council, at which were present Admirals Boscawen and Mostyn, whose fleets were cruising on the coast. It was resolved to disperse through the English colonies the remnant of this unfortunate people; and in order that none might escape, the most profound secrecy was enjoined up to the moment fixed for the removal, which was to take place on the same day and at the same hour in all parts of Acadia at once. It was decided also, in order to make the success more complete, to bring together the inhabitants of the principal places Proclamations, prepared with perfidious skill, muted them to meet in certain places under the most severe penalties.

Four hundred and eighteen heads of families, relying on the British faith, so assembled on the 5th of September in the Church of Grand Pré Colonel Winslow went thither with a large attendance. There he showed them the commission which he held from the Governor, and informed them that they had been called together to hear the final decision of the King with respect to them. He declared to them that, although the duty which he had to perform was a most painful one to him, he was compelled, in obedience to his orders, to inform them "that their lands and their cattle, of all kinds, were confiscated to the Crown, together with all their other property, except then money and their clothing, and that they themselves were to be deported from the province."

No motive was assigned for this decision, and none could be assigned. In full civilization and in a time of political and religious quiet, such an act of spoliation was inexcusable, and, like the usurer, had to conceal its criminality by silence. A body of troops which had been kept concealed up to that point, emerged from their ambush and surrounded the church. The inhabitants, taken by surprise and unarmed, offered no resistance. The soldiers collected the women and children, 1,023 men, women and children were collected at Grand-Pré alone.

Their cattle consisted of 1,269 oxen, 1,057 cows, 5,007 calves, 493 horses, 3,090 sheep, and 4,197 swine. A few Acadians having escaped into the woods, the country was devastated to prevent their obtaining subsistence. At Les Mines, 276 barns, 155 other small buildings, 12 mills and one church were burned. Those who had rendered the greatest services to the Government, such as the old notary Le Blanc, who died at Philadelphia of grief and misery, while seeking his sons scattered through the English provinces, were no better treated than those who had favored the French.

No distinction was made. The men included in both classes were allowed, and it was the only consolation allowed them, before their embarkation to visit, in parties of ten, their families, and to gaze for the last time on that country which was once so calm and happy, in which they were born, and which they were never to see again. The 10th was the day fixed for their embarkation. A calm resignation had succeeded to their first despair. But when the time came for them to bid a last adieu to their country, to go and live dispersed in the midst of a people foreign language, in customs, in manners and in religion, the courage of these unfortunate people gave way, and they gave themselves up to the most profound grief.

In violation of the promise which had been made them, and by an unexampled refinement of barbarity, families were separated and dispersed throughout different vessels. In order to put them on board, the prisoners were arranged in sixes, with the young people in front, these having refused to march, and having claimed the fulfilment of the promise made them, that they should be put on board with their relatives, they were replied to by the advance of soldiers with their bayonets crossed.

The road from the Grand-Pré chapel to the river Gaspereaux was a mile in length, it was lined on both sides by women and children, who, on their knees and bathed in tears, encouraged them by calling down blessings on their heads. The sad procession moved slowly along, praying, and singing hymns. The heads of families walked after the youth; at last the procession reached the shore, the men were put into some vessels and the women and children into others, pell mell, without any regard whatever for their comfort.

Governments have committed acts of cruelty under the

impulse of unreflecting anger, but they had been provoked and irritated by aggression and repeated attacks. There is no example in modern days of chastisement inflicted on a peaceable and inoffensive people with so much premeditation, barbarity and coolness as that to which allusion is now being made. On the same day and at the same hour, all the other Acadian settlements presented the same spectacle of desolation.

The vessels, laden with the numerous victims, sailed for the different provinces where they were to be dispersed. They were thrust ashore on the coast between Boston and Carolina, without bread and without protection, and were left to the charity of the inhabitants of the country in which they might happen to be. For many days after their departure, their cattle might be seen collecting around the ruins of their dwellings, and their dogs passed the nights in pitiful howlings at the absence of their masters. Happy even in their grief, they did not know to what extremes avarice and ambition can impel mankind.⁴²

Well, Mr. Speaker, these are facts which it is important to remember. Here is a French colony, situated a few hundred leagues from Canada, deported in a body, and the remnant of which long after returned to the same territory. Still more, it is with the descendants of a small part of these exiles that is now proposed to unite us. But a few months ago, I went among those people, and when I saw the magnificent

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properties of which they had been so brutally despoiled, in order that they might be conferred upon their executioners, in spite of myself, I remembered their moving history, and that sight, I must say, did not tend to induce me to accept the scheme of Confederation without carefully considering all its details. I repeat, Mr. Speaker these are facts which must not be forgotten.

Some Hon. Members—*Laughter, and whispering on the right.*

Joseph Perrault [Richelieu]—To see the manner, Mr. Speaker, in which certain members of this House receive the account contained in one of the saddest pages of the history of New France, one would really believe that the facts which I have cited never

occurred, and do not convey any instruction for the future. However, I am not surprised at such conduct on their part, when they can approve of a plan of a Constitution which contains a clause by which the Imperial Government is enabled even to change our name of Canadians to give us any one they may think proper. The recollection of our struggles cannot be very vivid in their memory, and the love of their nationality must be very weakly rooted in their hearts, to allow of their consenting to lose, with the name of Canadians, the memory of an heroic past.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Under Confederation, Canada will be no longer a country possessing a distinct individuality, and her own history and customs, but she will be a state in the Confederacy, the general name of which will cause the special name of each province of which it is composed to disappear. Look at the states of the American Union; the name of the United States does away with that of the individual states. So with Canada; the name of the Confederacy will be that by which we shall be known in foreign lands. For my part, I am proud of our history and of my designation of Canadian, and I wish to keep it. I am not one of those who can listen without interest to the recital of the heroic struggles of the French race in America, as the hon. member for Rouville (Mr. Poulin) can do; for I am of the opinion that considerations of nationality, of family, of language, and of origin ought to be most dear to a people, although they would appear to possess no importance or interest whatever in the eyes of the hon. member.

Some Hon. Members—Hear, hear.

[It being six o'clock, the House rose, to resume at half-past seven, P.M. At that hour Mr. Perrault continued.]

Joseph Perrault [Richelieu]—Mr. Speaker, at the time when I broke off in my

⁴² [François-Xavier Garneau, *Histoire du Canada*, Tome III \(1845\), Livre IX, Chapitre I: Guerre de Sept Ans.](#)

observations in consequence of the adjournment at six o'clock, I was engaged in showing what was the spirit of antagonism and strife which prevailed on the American continent up to 1755. We saw Acadia made a prey to the attacks of New England, and lastly, we saw her population dispersed over the inhospitable shores of this continent which border on the Atlantic ocean. New France had thus lost the greater part of her territory in America. The seven years' war advanced with the strides of a giant, and every day saw the French element confined within narrower boundaries. After a prolonged contest, during which handfuls of men struggled with armies of ten times their number, when they were without bread, without munitions of war and almost without hope, the battle of the Plains of Abraham struck the last blow to the French power in America.

In the following year the battle of Ste. Foye, which took place on the 28th April, 1760, soon compelled the Canadians to capitulate, although they were the victors in that battle, and the English were compelled to take shelter behind the walls of Quebec. In [the treaty of capitulation](#)⁴³, England guaranteed to the French-Canadians the free exercise of their form of worship, the preservation of their institutions, the use of their language and the maintenance of their laws. After this struggle on the field of honor, which called down upon the French-Canadians a most magnificent tribute of praise from their Governor, we shall find them engaged in a new struggle, a political struggle, yet more glorious than that which had preceded the cession of Canada to England.

But permit me here, Mr. Speaker, to quote the eulogium pronounced on the Canadians by Governor Vaudreuil in a letter which he wrote to the ministers of Louis XIV:—"With this beautiful and extensive country France

loses 70,000 souls, who are of a nature so seldom found, that never yet were people so docile, so brave, and so attached to their prince."⁴⁴ These qualities, for which the French-Canadians were distinguished at that period, still exist in the hearts of the population at the present day. At the present day still they are loyal, brave and attached to monarchical institutions; they love firmly-established institutions, and the guarantees of peace accorded by a great power, and the struggles through which they have had to pass under English domination have been the best proofs of their loyalty. If we study the history of our struggles since the cession of Canada, we

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shall find that our public men were always attached to the Crown of England up to the time when they were compelled by the arbitrary and unjust conduct of the Imperial Government to have recourse to arms to obtain respect for our political rights and our liberties; and it was thus [in 1837](#) that we gained responsible government⁴⁵.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But in order to hold up to view the spirit of aggression and encroachment which has always characterised the English population in America, I shall give an historical sketch of the struggles through which we had to pass, in the course of a century, to attain at last our present Constitution, which it is my wish to preserve, but which our Ministers wish to destroy in order to substitute for it the scheme of Confederation.

This historical sketch will demonstrate to us that we owe no gratitude to England for those political reforms which were obtained for us only through the unyielding patriotism of our great men, who, with intelligence, energy and

⁴³ [Articles of Capitulation, Quebec \(Sep. 18, 1759\). "Documents Relating to the Constitutional History of Canada 1759-1791" in *Sessional Papers* \(1907\), pp. 3-7.](#)

⁴⁴ Letter from Governor Vaudreuil to Minister to Louis XIV. Unconfirmed reference.

⁴⁵ *Supra* footnote 4.

perseverance, valiantly strove for the constant defence of our rights. We shall also see that, if they obtained the system of government and the political liberty for which they struggled, it was because we had for our neighbors the states of the American Union, and that side by side with the evil was its remedy. We shall see that whenever England stood in need of us to defend her power, she made concessions to us; but that when the danger was once over, colonial fanaticism always attempted to withdraw those concessions and to destroy the influence and the liberties of the French race. Each page of the parliamentary history of our country offers a fresh proof of this. But we then had men who knew how to struggle for a noble cause, and who did not shrink from the danger which that struggle entailed.

I hope, Mr. Speaker, that we have still some of those men without fear and without reproach in Lower Canada; I hope the present Ministry are sincere at the moment when they are giving up the guarantees of the existing Constitution. If they can arrive at a happy conclusion with their scheme of Confederation, I shall be the first to congratulate them, and posterity will thank them for having had the hardihood to propose so vast a scheme. But I must say that there are men as intelligent and as devoted to the dearest interests of our country as the hon. gentlemen who are sitting on the Ministerial benches, who are convinced that this scheme, far from being a remedy for existing difficulties, is but a new engine prepared by our natural adversaries more easily to destroy the influence of the French race in America, an influence for the preservation of which we have had to fight step by step ever since the commencement of English domination in Canada.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—The first political struggle between the French and the English elements in the country occurred only a few years after [the treaty of capitulation had been signed](#)⁴⁶. The general then commanding in Canada established a system of military government. There may have been ground for such a system after so long and bloody a war as that which was just over, and which had left behind it so much legitimate animosity in the hearts of the conqueror and the conquered.

However, [the treaty of capitulation](#) declared that the Canadians should be “subjects of the king,”⁴⁷ and as such they were entitled to representative government. The faith of treaty was therefore violated from the commencement of the English domination in Canada, and as I shall have the honor of shewing, this was but the first link in the long chain of arbitrary acts to which we have been subjected since that period.

[The following](#), Mr. Speaker, is the first aggressive act that I shall cite in support of my statement:—

In 1764 General Murray, in accordance with his instructions, formed anew council, uniting the executive, legislative and judicial power, and composed of the lieutenant-governors of Montreal and Three Rivers, the chief justice, the inspector of customs, and eight influential persons. But one obscure man of the country was taken to make up the number.⁴⁸

[This was the first act that had to be complained of](#)—

It was proposed to take possession of the bishopric of Quebec, together with the property attached to it, and to confer it on the Bishop of London, and to grant to the Catholics only limited toleration, to exact from them the oath of allegiance, and to declare them incapable, as Catholics, of holding any public office. Justice was administered by men ignorant of the laws of the country, and in a language with which the Canadians were unacquainted.⁴⁹

⁴⁶ [Articles of Capitulation, Quebec \(Sep. 18, 1759\).](#)

⁴⁷ [Article 41 of the Articles of Capitulation, Montreal, signed by Vaudreuil and Amherst \(Sep. 8, 1760\). Canada, Parliament, “Documents Relating to the Constitutional History of Canada 1759-1791” in *Sessional Papers* \(1907\), pp. 8-29.](#)

⁴⁸ [François-Xavier Garneau, *Histoire du Canada*, Tome III \(1845\), Livre XI, Chapitre I: Despotisme Militaire.](#) The text doesn't fully match with the quote.

⁴⁹ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), p. 11.](#)

It is unnecessary to make any lengthened comments on the entirely unjust manner in which the Canadians were thus treated, and on the flagrant violations of the conditions of the treaty of capitulation of Montreal.

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[But we shall soon see](#) that the fear of impending danger was alone effective to obtain for us political liberty, for at that time the French element alone could sustain the English power in America:—

The English partisans assembled at Quebec in October, 1773, to prepare an address with the view of obtaining a House of Assembly.⁵⁰

[And this was the reply made to them by the Imperial Government through one of the Ministry:—](#)

As to an Assembly of Protestants only, I see no objection to the establishment of one; but the danger of disobliging the Catholics of the Province, who are so much superior in number.⁵¹

This was the sole consideration which was effective to prevent the carrying out of the proposition of 1773, to establish a Canadian House of Assembly composed of Protestants only, and yet out of a population of 80,000 souls, 500 families only were at the time English and Protestants. What greater injustice could be done us? But [the English element made yet other propositions to the Imperial Government:—](#)

Six different suggestions were made in relation to the new forms of government which it was wished to introduce:

1st—The establishment of a House of Assembly composed exclusively of Protestants, as the English understood the proclamation of the month of October, 1763, to provide, was asked for.

2nd—An Assembly composed of equal numbers of

Catholics and Protestants.

3rd—An Assembly composed almost entirely of Protestants, with a limited number of Catholics.

4th—To delegate to the Governor and his council sufficient power to control the province by increasing the number of the members who should be all Protestants; or,

5th—Protestants and Catholics.

6th—Or again, Protestants with a restricted and limited number of Catholics.⁵²

Thus, from the very first attempt made to give to French Canada a political organization, we find the most shameless exclusiveness forming the basis of the propositions suggested. There were hardly 3,000 English colonists against 75,000 French, and already we were denied any representation in the Governor's Council, there to [set forth the requirements of the country and to watch over the defence of our rights.—](#)

The Cursitor Baron (Maseres) prepared a bill by which he suggested the raising of the number of the members of the Council to thirty-one; that the latter should be independent of the governor, instead of being subject to suspension; that the quorum should be fixed at seventeen; and further that it should not have the power of imposing taxes; that it should be appointed for seven years, and should be composed of Protestants; provisions which were calculated to exclude from the management of affairs and from office the French and Catholic element.⁵³

Always exclusion of Catholics, and consequently of the French element. But what resulted? Did the French remain unmoved in view of the danger which was impending over them? No! [On the receipt of the news they signed petitions, and obtained from England the justice which was refused to them here:—](#)

Our unfortunate ancestors, however, did not remain idle under the threats and injustice of their adversaries—the colonies were possessed of men capable of judging and of foreseeing events. Petitions were prepared and signed, in the month of December, 1773, of which the tenor was as

⁵⁰ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), p. 13.](#)

⁵¹ [ibid., p. 13.](#)

⁵² [ibid., pp. 13-14.](#)

⁵³ [ibid., p. 14.](#)

follows:

"In the year 1764 Your Majesty was pleased to terminate the military government in this colony and to introduce civil government into it, and from the date of those changes we began to be aware of the inconveniences resulting from the British laws, which up to that time had been unknown to us.

Our old citizens who had, without cost, settled our difficulties, were thanked; that militia, which considered it glorious to bear that great name, was suppressed. We were, indeed, allowed the right of being jurors, but at the same time we were shewn that there were obstacles to our holding office.

The introduction of the laws of England was talked of— laws which are infinitely wise and useful for the Mother Country, but which could not be made to coincide with our customs without overturning our fortunes and entirely destroying our possessions...

Deign, illustrious and gracious Sovereign, to remove these fears by granting us our ancient laws, privileges and customs, with the limits of Canada such as they used to be...

Deign to distribute equally your benefits to all your subjects, without distinction...

And to grant us in common with the rest, the rights and privileges of English citizens; then ... we shall be always ready to sacrifice them for the glory of our prince and the well-being of our country."⁵⁴

And such has always been the sentiment of the French population in America; it has always been loyal to authority, from the moment of obtaining that protection to which it was entitled. In view of the difficult position in which England was placed, the requests of the Canadians having been favorably received, constituted the basis of the [Act of 1774](#)⁵⁵. Circumstances were indeed difficult. The policy of the Mother Country had alienated her subjects in New England. The idea of taxing the colonies to provide

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for the requirements of the Imperial Treasury

had given rise to deep indignation on this side of the Atlantic. And that ill-advised colonial policy it was that lost to England her American colonies.

Taught by this revolt, England perceived that she must grant greater political liberties to her French colonists in Canada. They would not withdraw themselves from English domination; on the contrary, they wished to remain under her flag, for they feared being drawn into the neighboring republic, the future greatness of which was not at the time foreseen. Impelled by the dread of losing what possessions remained to her in America, England had to yield the concessions which Canada asked for from her at a time when the war of independence called for the cooperation of the French element. Garneau⁵⁶ [says](#):—

When war with the English colonies in America was apprehended, prejudice was overcome in order to make the Canadians favorably disposed, by granting them the Act of 1774, known as the "Act of Quebec." This imperial statute, establishing a Legislative Council, entrusted, together with the Governor, with the duty of making laws, again guaranteed to us the free exercise of our religion, maintained our laws and our customs, and released the Catholics from the necessity, in order to become members of the Council, of taking an oath contrary to their religion.⁵⁷

This was what the war of the independence of the United States was worth to us. England saw that if she dissatisfied the Canadians there would be an end to her power in America, and then only did she grant to French Canada the [Quebec Act](#)⁵⁸, which was a step towards the obtaining of greater liberties.

The other day, the Hon. Attorney General for Lower Canada [George-Étienne Cartier] read us several passages from our history, to prove to us that French-Canadian hands had alone prevented the annihilation of English domination on this continent. But he did not

⁵⁴ [Boucher de la Bruère, Le Canada Sous La Domination Anglaise \(1863\), pp. 14-15.](#)

⁵⁵ [The Quebec Act, 1774 \(U.K.\).](#)

⁵⁶ This passage is from Bruère not Garneau.

⁵⁷ [Boucher de la Bruère, Le Canada Sous La Domination Anglaise \(1863\), p. 16.](#)

⁵⁸ *Supra* footnote 55.

draw all the conclusions which he might have derived from the premises which he adduced, and the facts which he cited. He ought to have told us whether, in the face of those services valiantly rendered, it is just that the English element, supported by its number, should today impose upon us representation based on population; ought the English element, by this aggressive measure, to shake our loyalty to England by creating a system of government which is repugnant to us, and in which the French element will lose its just share of influence in the administration of the affairs of our country?

[At this period it was that an address was sent to the Canadians by the American Congress, calling upon them to unite with them in the insurrection against the Mother Country:](#)—"Seize," said the Congress, "seize the opportunity which Providence itself affords you; if you act in such way as to preserve your liberty, you will be effectually free."⁵⁹ Mr. Speaker, everyone knows the reply made by the Canadians to this appeal. Armies invaded our territory, and took possession of a part of the country. Quebec alone held out, thanks to a garrison composed in part of French-Canadians. And if we are now sheltered beneath the folds of the British flag, it is to French-Canadians that we owe it, and it is them that England ought to thank.

But if it is proposed now to thrust upon us a political system, the sole object of which is to submerge us in a hostile majority, we have to thank the English for it—the English for whom our fathers saved the country in 1775. After the defeat of the Americans before Quebec, Congress did not lose courage. A second manifesto was despatched to Canada, promising fresh reinforcements; eminent men even came into the country; Franklin, Chase and Carroll in vain solicited the Canadians to unite with them. Dr. Carroll, who died in 1815

Bishop of Baltimore, was sent among the Canadian clergy with no better success, and all hope of obtaining possession of this important colony had at last to be relinquished. These facts necessarily tended to enlighten public opinion, and England perceived that it would be better for her to comply with the just demands of the Canadian people, in order that reliance might, be placed upon them in the day of danger, and that they might be used as a rampart against the United States.

Then it was that a more liberal Constitution was granted to us, that of [1791](#)⁶⁰:—

Pitt, taught by the former faults of England in the administration of the United States, and by the great example of his father, Lord Chatham, presented to the House of Commons a bill for granting to Canada a new Constitution, sanctioning the elective principle and dividing the colony into two distinct provinces, Upper and Lower Canada. The bill, after undergoing some amendments (one of which was to increase the representation from thirty to fifty members), passed on a division in both Houses. The celebrated statesman Burke, when giving in his assent to the bill,

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said: "To attempt to unite people who differ in language, in laws and in manners, is very absurd. To do so is to sow the seeds of discord, a thing most undoubtedly fatal to the establishment of a new government. Let their Constitution be adapted to their nature, the only solid basis of every government."

The no less celebrated leader of the Whig party, Fox, opposed to the division of the provinces, spoke to obtain an elective Legislative Council for Canada.

"With such a colony as this," observed that orator, "which is susceptible of progress, it is important that no ground should be given her to envy her neighbors. Canada ought to remain attached to Great Britain by the choice of her inhabitants; it cannot be preserved in any other way. But that this may be so, the inhabitants must feel that their situation is not worse than that of the Americans."⁶¹

This [Constitution of 1791](#)⁶² was a great concession to Lower Canada. At last it had an elective chamber, in which the people might express their views, and through which they

⁵⁹ [François-Xavier Garneau, Histoire du Canada, Tome II, 2nd Ed. \(1852\), p. 423.](#)

⁶⁰ [The Constitutional Act, 1791 \(U.K.\).](#)

⁶¹ [Boucher de la Bruère, Le Canada Sous La Domination Anglaise \(1863\), pp. 21-23.](#)

⁶² [Supra footnote 60.](#)

could convey their wishes to the foot of the Throne. And also at once was seen a generation of eminent men, of whom history will honorably preserve the sainted names, representing the interests which were entrusted to them with wonderful skill and most uncommon success:—

The elections were fixed for the month of July, and the meeting of the Houses for the month of December. Of the fifty members elected sixteen were English, notwithstanding the constant opposition which these latter had displayed to French-Canadian interests.⁶³

Thus on the organizing of the first elective chamber, and in spite of all the opposition which the French-Canadian party had met with from the English party, we find sixteen English members elected in great part by the votes of individuals of our nationality. In this House, some days since, we heard Upper Canadian members, praising our liberality, and acknowledging that never had national or religious fanaticism been displayed by us.

That is true; we are essentially liberal and tolerant, and a sufficient proof of it, is given in the most striking manner, by the number of members of this House who, although of religion and origin differ from ours, yet represent counties in great part or exclusively French and Catholic. This is a subject of pride for us. Unfortunately we have no return in kind made to us, and we do not meet with the like liberality from the English population. Whenever it is in a majority, it closes to us the door of honors and of office; it excludes us everywhere, where it is powerful enough to do so.

From the very first Parliament of Lower Canada, the English, although in an insignificant minority, endeavored to proscribe the use of the French language, and from that day began between the two races the same contests of which we are today witnesses. We are told that times have changed; it is true, but if the attempts at

oppression are less barefaced, if they are concealed under an exterior better calculated to deceive us, it is only because we are more numerous now than we were then, and that greater dread than ever is entertained of the vicinity of the American Union, in which, now more than ever, it would be easy for our population to find a powerful remedy for the evils of which it might have to complain.

But let us see, Mr. Speaker, what occurred at the opening of our first House of Assembly. I quote an author who has always supported the party of the Honorable Attorney General East [George-Étienne Cartier]:—

Parliament opened on the 17th December, in the Episcopal Palace, which had been occupied by the Government since the conquest. A Speaker had to be chosen, and Mr. J. Panet was proposed. Then it was that the English members were found to renew their attempts to obtain the supremacy and to slight the interests of those by whom they had been elected. Without the least delicacy and in spite of their being in a minority, they proposed in opposition to Mr. Panet, Messrs. Grant, McGill and Jordan Mr. Panet's election was carried by a majority of 28 to 18, two Canadians having voted against him.

The hatred which the English party bore to the name of Canadian manifested itself again when a proposition was made that the minutes of the proceedings of the House should be prepared in both languages. A lively and animated debate arose between the two opposite parties, and this very reasonable demand was treated as a species of rebellion against the Mother Country.

The French members were accused of insubordination; the motives which induced the act seemed to be misunderstood, and attempts were even made to intimidate them; but it was in vain. The unassailable arguments upon which the Canadians rested their claim, and their words, like their eloquence, bearing the stamp of dignity, finally triumphed over the attacks of their fanatical opponents.⁶⁴

Thus the French element demanded the preparation of the proceedings of the House in its own language, but we find that the English element opposed it with all the power at its command. This was regarded as rebellion against the Mother Country! It can hardly be believed. Here was a legislative body almost

⁶³ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), p. 24.](#)

⁶⁴ [ibid., pp. 24-27.](#)

entirely French in its composition,

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and at the very first sitting the few English members which it contained, after having attempted to force on the very great majority a Speaker of their own origin, subsequently refused to nine-tenths of the population of the country the imprescriptible right to their language as the official language. But they were counting without taking into consideration the resolute firmness of which the Canadians of old so often gave proof in the defence of their rights; and I can convey to the honorable members of this House no higher opinion of the lofty sentiments of these great patriots of the olden time, than by quoting [the remarks made by one of the members, Mr. DeLotbinière, during the debate in question:—](#)

The second reason, which is to assimilate and attach more promptly the Canadian race to the Mother Country, ought to set aside every other consideration, if we were not certain of the fidelity of the people of this province; but let us do justice to their conduct at all times, and especially let us remember the year 1775. These Canadians, who spoke nothing but French, showed their attachment to their sovereign in a manner which admitted of no doubt being cast upon it. They assisted in the defence of the province. This city, these walls, this very House in which I have the honor to raise my voice, were, in part, saved by their zeal and their courage.⁶⁵

We saw them unite with the faithful subjects of His Majesty and repulse the attacks made by people who spoke very good English, upon this town. It is not uniformity of language, therefore, Mr. Speaker, that makes people more faithful or more united among themselves. To convince ourselves of this, let us glance at France at this moment and at all the kingdoms of Europe. No, I repeat, it is not uniformity of language that maintains and ensures the fidelity of a people; it is the certainty of its present good fortune, and of this our people are at present perfectly convinced. They know that they have a good king, the best of kings. They know that they are under a just and liberal government; and,

lastly, they know that a change or a revolution would entail certain loss upon them, and they will ever be prepared to oppose any such proceeding with vigor and courage.

Joseph Dufresne [Montcalm]—Mr. Speaker, I hope the honorable member for Richelieu [Joseph Perrault] will excuse my interrupting him for a moment. I wish to ask a simple question. Will the hon. member inform me what difference there is between a member who reads his speech and another who reads the history of Canada to the House?

Joseph Perrault [Richelieu]—I reply to the hon. member for Montcalm [Joseph Dufresne], that the speech read to us by the hon. member for Montmorency [Joseph Cauchon], the other evening, was written out from the first line to the last. Not only did he read to us the passages which he took from history or the quotations which he made from the speeches of other members of this House, but also his own remarks on those extracts.

I only read here quotations from authors, which serve as vouchers upon which to base my arguments. If I did not read them, it might be supposed that I only expressed my own private opinions, whereas they are those of a friend of the present Government. Although I coincide in the ideas and opinions which I quote, yet I do not choose to appropriate them as my own, but wish to leave all the merit and the responsibility of them to the author of them.

Joseph Dufresne [Montcalm]—The only difference I can discover between the hon. member for Montmorency [Joseph Cauchon] and the hon. member for Richelieu [Joseph Perrault], is that the former read his own work, and that the latter is rendering himself guilty of plagiarism.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Perrault [Richelieu]—Everyone knows, Mr. Speaker, that the hon. member for Montcalm [Joseph Dufresne] has no reason to fear a similar accusation, for the excellent

⁶⁵ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), pp. 26-27.](#)

reason that his writings and his speeches are nowhere to be found. At the time when the member for Montcalm [Joseph Dufresne] interrupted me so very inoffensively, Mr. Speaker, I was quoting a passage from M. De Lotbinière's speech on the subject of the opposition offered to the publication of the proceedings of the House of Assembly in 1791 in French, in order to demonstrate the spirit of exclusiveness which animated the English element from the commencement of our parliamentary system, notwithstanding the insignificant minority in which they were at the time. But that barefaced attempt was unsuccessful, and the amendment proposed, having for its object the proscription of the French language, was refused by two-thirds of the House. It was finally resolved that the minutes of the proceedings of the House should be in both languages, and that the English or the French version should be the text of the Legislative acts according as they related to the English or the French laws.

Thus opposition to the French element manifested itself from the commencement of our parliamentary system in this country, by the refusal to adopt the French as the official language. But, thanks to our sturdy resistance, the use of that language has always been one of our privileges, a privilege which has

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always been preserved in all its integrity until its introduction into the scheme of Confederation which is proposed to us. Had it not been for the courage and energy displayed by the men of those days, the French element would have lost ground, and its importance would have diminished, so that at last it would have been assimilated by the English element.

At that time, our public men already wished for responsible government, and we shall see that the struggle which they carried on for half a century in order to obtain it, was productive of no important result, until they had recourse to rebellion; and it is since that gloomy period of our history that we have our present

Constitution and responsible government.

Now that we have obtained our most sacred political rights after passing through a century of persecution and through rivers of blood, shed on honorable fields of battle and on the scaffold, are we going to relinquish them in order to accept a new Constitution, the evident object of which is to do away with our influence as a race in this country?

Has not the French majority, for fifteen years, always carried its point in the Executive and in the Legislature, thanks to sectional equality in the representation? Why should we then relinquish the advantages conferred upon us by our present Constitution, for a scheme of Confederation in which we shall be in a minority, and which is fraught with danger to us and to our institutions?

The responsibility assumed by the French section of the Ministry in uniting the whole of Upper Canada with the English minority of Lower Canada is enormous. And now, at this very time, should that section wish to withdraw from the struggle, perceiving the danger for the future, it could not do so; it would be carried away by the torrent of the English element.

It is to show the danger that exists for the future, Mr. Speaker, that I am now presenting a sketch of the struggles of the past. The circumstances which gave rise to them still exist, and will entail the same attempts at aggression; I must say this to stay my countrymen, while there is yet time, on the verge of the abyss towards which they are allowing themselves to be drawn.

From 1809 *Le Canadien* discussed, in an animated manner, the question of responsible government, and took to heart the interests of its fellow-countrymen. A cry of violence and treason was raised. But, [says Garneau the historian:—](#)

We have carefully perused the journal in question, page by page, up to the time of its seizure by the authorities, and we found combined with a demand for rights which were perfectly constitutional, an ever-recurring expression of the most unbounded loyalty and attachment

to the English monarchy.⁶⁶

The important question of the voting of the supplies was also the subject of the most violent debates. Mr. Bédard insisted on this imprescriptible right of every legislative body under the Crown of England. But it was constantly refused by the English minority in the House and by the Mother Country. Led with greater strength by Mr. Bédard, the House by a large majority declared itself in favor of the voting of the supplies by the representatives of the people. In the division which was taken, we find the English element on one side, and the French element on the other.

I ask you, Mr. Speaker, what rights are left to the British subject if that of voting the supplies is taken from him; if he has not the control of the funds levied from the people for the administration of the affairs of state—if he is thus deprived of the most important of the privileges which are secured by constitutional government? Is this great injustice to be consummated? Shall the most precious of their rights be refused to the representatives of the people?

Yes, Mr. Speaker, there will be no shrinking from this infamous proceeding. Our most eminent patriots, those whose eloquent voice on every occasion demanded our threatened liberties, were the first to be accused of treason for having made such a demand, and then confined for fourteen months in the gloomy cells of a prison, regardless of the articles of the capitulation of Montreal, which guaranteed to us the rights and liberties of British subjects.

That proposal to vote our public expenditure, which now appears to us so simple, then raised throughout the country a violent tempest, which was never entirely allayed until the annihilation of the existing Constitution. In spite of the rage and calumny which was displayed, Mr. Bédard's

proposition was carried, and [the following is the division upon it:—](#)

IN FAVOR.—Messrs. Bédard, Durocher, T.L. Papineau, Lee, Borgia, Meunier, Taschereau, Viger, Drapeau, Bernier, St. Julien, Hébert, Duclos, Robitaille, Huot, Caron, C. Panet, Le Roi, Blanchet, Debartzch, and Beauchamp—21.

AGAINST.—Messrs. McCord, Bowen, Mure, Bell, Denechaud, Jones of Bedford, Blackwood, Gogy, and Ross Cuthbert—9.⁶⁷

A single English name, that of Mr. Lee,

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appears among the French-Canadian phalanx, but in compensation we find a French-Canadian name in the list of those who voted for that inexcusable denial of a right which we were to purchase so dearly.

It is not my desire, Mr. Speaker, to null any comments on this division, but I cannot refrain from observing that it demonstrates that on every occasion we have had to struggle against the encroachments and antagonism of the English element in Canada. Yet there was no cessation in the demand for the voting of the supplies so long as it was not obtained, and it is a remarkable fact that during the whole time that the French-Canadians were in a majority in our country England systematically refused us our most just demands and the control of the general administration.

Still more, the most arbitrary acts were thrust upon us by the Mother Country, aided in every way, moreover, by colonial English fanaticism, which lost no opportunity of turning its well-known exclusiveness to our disadvantage. But so soon as their countrymen exceeded us in number, so soon as the English element obtained a preponderance in the House of Assembly by means of [the union of 1840](#)⁶⁸, the English authorities granted us all the political rights for which we had asked in

⁶⁶ [François-Xavier Garneau, *Histoire du Canada, Tome IV, Livre Treizième, Chapitre II: Administration de Sir James Craig \(1852\)*](#).

⁶⁷ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise \(1863\)*, p. 35.](#)

⁶⁸ [The Union Act, 1840 \(U.K.\)](#).

vain for a century. They perfectly well knew that those rights would be controlled, and in case of need utilised against us by an essentially hostile representative majority.

But, thanks to the patriotism of our men of that day, we succeeded in baffling the schemes of the British Government. Up to the union those men had had to keep up a constant struggle, marked by a degree of heroism worthy of the cause which they served, against the English autocracy, which was banded together against our countrymen. We, their descendants, are ready to recommence the same struggle with the same energy, to maintain our rights so dearly purchased, and to proserve the inheritance which we have received and which it is our wish to transmit intact to the children of the soil.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Let us now see what was the condition of the liberty of the press and of the liberty of the subject at this gloomy period of our parliamentary history. The *Canadien* having dared to ask for responsible government, and Mr. Bédard having obtained in the House a majority of twenty-one against nine in favor of the voting of the supplies, the Executive Council resolved at any cost to injure the influence of the Canadian, and to paralyze the efforts of the Canadian leaders. It kept a watch on the *Canadien* to find grounds of accusation, and on the deposition of two individuals, caused the printing office to be seized by a squad of soldiers, its contents to be conveyed to the vaults of the court, and Mr. Bédard to be imprisoned on a charge of treasonable practices. And this act of tyranny was grounded on the fact that these political martyrs had had the courage to demand for Canada the right of voting the supplies!

The *Canadien*⁶⁹ gave an account of this atrocious imprisonment in [the following](#)

[paragraph](#):—

The infamous conduct of the Council did not end here. The latter, with the view of striking terror into the great national party, caused Messrs. Laforce, Papineau (of Chambly), Corbeil, Taschereau and Blanchet to be imprisoned.⁷⁰

Thus, Mr. Speaker, at this period a representative of the people was cast into prison for having asked for the granting of a right which was unjustly withheld, and to crown the act of tyranny, he was left to rot in his cell for fourteen months, and was refused a trial before the courts in which he could have easily justified himself, and proved that he had acted in a constitutional manner. I cannot pass over [this page of our parliamentary history](#) without quoting it:—

The leaders, however, who had been basely imprisoned, did not stoop before the storm, Mr. Bédard, from the depths of his cell, braved the fury of the enemies of his country; his great soul remained calm and undisturbed, and he did not give way to despair. Proud of his rights and confident of the justice of his cause, he in vain demanded from his persecutors a justification of their conduct. The ears of his jailers were deaf to his demand, and refusing the liberty which they wished to grant him, he even insisted on being brought to trial. The new elections caused no change in the national representation.

The Governor, in his speech, made no allusion to the severe measures which he had taken with respect to Mr. Bédard and his companions, and the session passed over without the noble prisoner having been liberated. It was not until after a captivity of thirteen months, and after having contracted a mortal disease, that this great man left the prison to go and rejoin a beloved family, who were deprived of their all and who were indebted for their means of existence to the honorable generosity of the citizens of Quebec.⁷¹

Notwithstanding these crying injustices, Mr. Bédard did not complain; he considered that it was not too high a price to pay for the liberties of the people, and that a few months' imprisonment was a mere nothing in view of

⁶⁹ This is mistaken accreditation. The quote comes directly from de la Bruère's book (see footnote below). Taschereau, for example, was imprisoned on Mar. 17, 1810 and it seems that the newspaper was closed afterwards so they wouldn't have been able to give an account of the arrest.

⁷⁰ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), p. 36.](#)

⁷¹ [ibid., p. 36.](#)

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the great liberties for which he struggled and suffered. Listen to [the noble utterances of that great patriot, in presence of his electors, after regaining his liberty](#):—

The past must not discourage us, or diminish our veneration for our Constitution. Any other form of government would be subject to the same drawback, and in fact to drawbacks far greater; the peculiarity of our present system is, that it furnishes the means of remedying its own defects.⁷²

Joseph Perrault [Richelieu]—And he added:

We must, moreover, be prepared to make some sacrifices for the securing of these great advantages.⁷³

Such was the language of that great patriot; not a word of bitterness, complaint, or recrimination, but dignity of expression and a sincere conviction of the advantages of the Constitution. What a contrast, alas! Between those days of devotedness and civic courage, and the egotism and frigid indifference of our own, in which self-interest overrides everything, and patriotism has ceased to exist.

The page of our history I have just read, is one which certainly should not remain unnoticed; it is a page which our legislators would do well to consult. They would there find an example of patriotism well deserving of imitation. It is well to contemplate and study the great struggles of our forefathers, to see how victory crowned the efforts of those noble patriots—a victory dearly purchased, and of which we have up to our own day preserved the precious fruits.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But the war of 1812 broke out and England—who has never granted us any liberties or privileges except when she needed us for her own defence on this continent—changed her tactics. She trembled for her supremacy in these British

provinces, and immediately she deemed it prudent to secure our good-will, and cooperation in the struggle then about to commence—in the first place, by calling Mr. Bédard to a seat on the judicial bench. She understood clearly that she could do nothing against the United States without the assistance of the French-Canadian element. And the Imperial Government also hoped to recover the control of the influence and the services of the race it had treated so tyrannically.

Thus it was that the man who had been cast into prison, and whom the Government had accused of treason, became the judge of the highest court in the country. The adoption of every base means of gaining adherents constituted the tactics of the Government at that period. They hoped that by thus giving a place to the man who had been the most valiant defender of our right and of our nationality, they would secure the adherence of the children of the soil, and they were not mistaken. In adopting that means, Mr. Speaker, the Imperial Government showed that they understood the character of the nation they thus sought to gain over to their cause.

For it must be admitted—and it is perhaps our misfortune—that it is the peculiar characteristic of the French element, that they very often too soon forget the persecutions of which they have been the victims, and which ought to inspire them with an honest indignation when they reflect on the past. Over-confident of the sincere good will of our adversaries, we are always taken unawares at each new attempt at aggression. And even now, a few years of prosperity has been enough to dazzle us and make us anticipate a brilliant prospect in a measure which involves nothing short of the annihilation of our influence as a race, which is in fact decreed in the scheme of Confederation now sought to be

⁷² [François-Xavier Garneau, *Histoire du Canada, Tome IV* \(1852\), Livre Treizième, Chapitre II: Administration de Sir James Craig.](#)

⁷³ [ibid.](#)

forced upon the people.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But the American army threatened the frontier, and it was necessary to think of defence. With a view of being prepared for an attack, the Governor assembled Parliament twice in 1812, and measures were taken for arming the militia and voting the sums required for the organization and defence of the province. [Sir George Prévost, at the opening of Parliament in 1813](#), complimented the people for their courage and energy⁷⁴, and the proceedings were less stormy than usual; fresh supplies were voted for the war, and a good understanding subsisted between the Government and the two Houses during the session. At that heroic period of our history, we find our French-Canadian fellow-countrymen, to whom fresh concessions had been made, obedient to the voice of their chiefs, rushing to the frontier and driving back the invader.

But in 1812, as in 1775, the devotedness and patriotism of our people were destined soon to be forgotten. The moment of danger had scarcely passed away when those who had saved the power of England in America, at the price of their blood, were once more made the object of incessant attacks on the part of the English oligarchy, as I shall shortly shew. Garneau⁷⁵ gives [the following graphic sketch](#) of the conduct of his countrymen at that critical period of our history:—

A second time was Canada preserved for England by the very people whom it was sought to annihilate; by their bravery the colony was preserved

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from the inevitable woes of a frightful war. For a moment the hatred entertained towards the Canadian name was stifled; the Colonial Office, sensible of the difficulties of the moment, silenced the fanatical yells of its transatlantic minions; but once the danger over and Canada safe, the old antipathies were soon again to burst forth, the war

upon our language, our institutions and our laws to recommence, and ingratitude to take the place of gratitude in the hearts of the children of Albion.⁷⁶

Forbearance, it was evident, had been thus used solely because circumstances rendered it impossible to give grounds of discontent to so important a portion of the population, by whom alone the country could be saved. England has never been liberal except in presence of danger. At this moment she is endeavoring to attain the same end by attempting to destroy our nationality by means of the Federation scheme submitted to us. But she finds at her back now an element of strength which she did not possess before, to aid her in the task—the support of a French-Canadian majority.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—In the following year occurred the glorious battle of Chateauguay [Luther Holton]. On that memorable day a handful of brave men, commanded by Desalaberry, confronted an enemy thirty times superior in number to themselves, arrested the advance of the invader, and by their devotedness and bravery saved this rich province for the Crown of England. Now, Mr. Speaker, what the French-Canadians did in the war of 1812, that they are once more prepared to do under the Constitution as it is at this moment. It was because they felt at that time that they had something more precious to defend than a Confederation which can afford no better protection to their material interests than to their institutions, their language, their laws, and their nationality, that they took no account of the numbers of the enemy, but fought valiantly when they were outnumbered in the proportion of ten to one. And now again, in defending the Constitution as it is, with the rights and privileges it guarantees to us, the Canadians will not hesitate a moment to

⁷⁴ [Governor General Prevost, Legislative Council, Speech from the Throne \(Feb. 15, 1813\). Extracts from the Journals of the Legislative Council of the Province of Lower-Canada \(1821\).](#)

⁷⁵ This passage is from de la Bruère, not Garneau.

⁷⁶ [Boucher de la Bruère, Le Canada Sous La Domination Anglaise \(1863\), pp. 41-42.](#)

sacrifice themselves for the safety of the precious deposit entrusted to their keeping.

Surely, Mr. Speaker, it is not necessary to go far back into our history for an instance of this. In 1862, [at the time of the affair of the Trent](#)⁷⁷, when a rupture with our neighbors seemed imminent, the French-Canadians rushed to arms with the eagerness and irresistible impulse of the heroes of New France. It is not, Mr. Speaker, that the French-Canadian desires war, but he loves to nerve his arm by calling to mind the battle-fields of former days; and if the present generation were called upon to meet the enemy, they would show the whole world that their blood has not degenerated, and that they are worthy in every respect of their heroic ancestors.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—After the war of 1812, which had so greatly imperilled the possessions of England on this continent, the same attempts at aggression were renewed without delay; so true is it that danger alone could interrupt them. The troops having gone into winter quarters, the Governor, Sir G. Prévost, went down to Quebec to open Parliament, and the disagreements between the popular branch and the Legislative Council soon broke forth again little by little.

Stuart again brought up the question of the rules of practice, and made the most serious accusations against Judge Sewell—charging him, for instance, with having attempted to enforce his rules of practice without the authority of Parliament; with having dismissed the Solicitor General from his place in order to instal therein his own brother, E. Sewell; with having violated the liberty of the press, by causing the *Canadien* to be seized without any plausible grounds; and the liberty

of Parliament, by imprisoning several of its members.

These accusations, some of which were true, were transmitted to England, but Stuart having been unable to cross the sea in order to follow them up, Sewell got rid of the charges. The same occurred as regards Judge Monk, who was accused at the same time of sundry malversations; and, as [Mr. F.X. Garneau remarks](#), Judge Sewell determined that the best revenge he could take for the accusations brought against him was to suggest to the Prince Regent the union of all the British provinces, with a view to compass the destruction of French-Canadian nationality⁷⁸.

Such, Mr. Speaker, were the circumstances under which the scheme of Confederation was first proposed. And it must be admitted that, bearing in mind the recommendation of Mr. Sewell, it ought to excite many fears on the part of every true French-Canadian. Who was the first man to pronounce the word “Confederation”? A man who violated the liberty of the press and the liberty of Parliament! A man who had for years longed for the destruction of the French-Canadian race!

At a subsequent period, after [the revolution of 1837](#)⁷⁹, [Lord Durham proposed Confederation](#)⁸⁰ as the political organization best adapted for our annihilation. And at this moment our

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fellow-countrymen in office submit, nay, propose, to the people this scheme of annihilation, specially prepared for our destruction, and which must destroy us, Mr. Speaker, if the people outside this House do not protest in every constitutional way against the political suicide of the French race in

⁷⁷ The ‘[Trent Affair](#)’ refers to the U.S. seizure of the British mail steamer RMS *Trent* and the arrest of two confederate diplomats James M. Mason and John Slidell, and two under-secretaries, in November 1861. Prince Albert demanded reparations, an apology, and the immediate release of the four Southerners. As tense diplomatic notes were exchanged through the autumn of 1861, British North American feared and prepared for possible war. Imperial reinforcements were provided to the colony in December. War was suddenly averted with the release of the southern diplomats and secretaries.

⁷⁸ [François-Xavier Garneau, Histoire du Canada, Vol. III \(1859\), p. 178.](#)

⁷⁹ *Supra* footnote 4.

⁸⁰ [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\).](#)

Canada. At the prorogation of Parliament in 1814, the Speaker, [L.J. Papineau, addressed the Governor, Sir George Prevost, in the following words:—](#)

The events of the late war have drawn closer the bonds of connection between Great Britain and Canada. These provinces have been preserved for England under circumstances of great difficulty.⁸¹

These words are, in many respects, deserving of serious consideration; and I call the attention of honorable members of this House to [this remarkable passage:—](#)

When the war broke out—continued Mr. Papineau—this country had neither troops nor money, and Your Excellency commanded a people in whom, it was said, the habits acquired during more than half a century of peace had destroyed all military spirit. Despite these predictions, you succeeded in deriving from the devotedness of a brave and faithful, though calumniated people, sufficient resources to defeat the plans of conquest of an enemy great in numbers and full of confidence in his own strength. The blood of the children of Canada was shed, mingled with that of the brave men sent here to assist in our defence. The repeated proofs of the powerful protection of England and of the inviolable fidelity of her colonies, constitute for the latter fresh titles, in virtue of which they claim to enjoy the free exercise of all the rights and advantages guaranteed to them by the Constitution and the laws.⁸²

The Speaker of the Legislative Assembly, then twenty-six years of age, who struggled so heroically to secure our political rights and liberties, is the same whose name, during a recent sitting of this House, was ignominiously dragged forward by the hon. member for Montmorency [Joseph Cauchon] and the Honorable Attorney General East (Hon. Mr. Cartier). His name, venerated by the entire country as that of its liberator, has been cast as an insult in the teeth of honorable members of this House, who deem it an honor to own his leadership, and who still continue to carry on his work—the protection of our

political rights against the underhand plots of a hostile majority.

But, Mr. Speaker, that venerable old man, who has grown grey in the service of his country, is sheltered from base insinuations, which can as little penetrate his peaceful retirement as they can the hearts of the sincere friends of our country. In that quiet retreat the great patriot of our evil days, after having nobly fulfilled his task, enjoys in peace and with pride the esteem of those he successfully defended with his powerful voice in the darkest hour of our political history. Gross insults, shameless calumnies, when uttered against such a man, redound with double weight upon those who thus basely vilify a citizen justly admitted to be an honor to our country.

The name of the Hon. L.J. Papineau is surrounded with a luminous halo which malignant calumny can never succeed in tarnishing. His memory is safe from these envious assaults, for it is under the protection of the people whom he rescued from the systematic colonial oppression which I am attempting to describe. Really, Mr. Speaker, the cause of the Honorable Attorney General East [George-Étienne Cartier] must be in very great straits when he is compelled to resort to such means in order to save it.

The Honorable Attorney General East [George-Étienne Cartier] must have very little confidence in the success of that cause, when he endeavors to excite the prejudices of his supporters by heaping insults on one of the greatest names in our history. Such language on the part of the Honorable Attorney General East [George-Étienne Cartier] is the more culpable in that he himself was one of the rebels of [1837-'8](#)⁸³, and one of the most zealous partisans of that great patriot whom he now insults. Did he not himself vote in favor of [the ninety-two resolutions](#)⁸⁴—that imperishable

⁸¹ [François-Xavier Garneau, Histoire du Canada, Tome IV \(1852\) Livre Quatorzième, Chapitre II: Continuation de la Guerre.](#)

⁸² [ibid.](#)

⁸³ *Supra* footnote 4. Cartier joined the rebellion, notably helping [defeat the British at St. Denis](#). He was exiled briefly, but returned to Montreal the following year.

⁸⁴ [The ninety-two resolutions were presented to the Lower Canada House of Assembly on Feb. 21, 1834. Journals of the House](#)

monument of Canadian rights?

Yes, Mr. Speaker, the man upon whose head a price was set, the man [George-Étienne Cartier], who was compelled to fly from his country and to seek from a neighboring country that right of asylum, which he refuses to-day to the Southern refugee, has the audacity, now that he is Attorney General, [to call that great statesman](#) “Old Mr. Papineau,” and the opposition in this House, “Old Mr. Papineau’s tail.”⁸⁵ I do not hesitate to assert, Mr. Speaker, that such expressions are unworthy of this House, and unworthy of the position occupied by the Honorable Attorney General East [George-Étienne Cartier], who has had the questionable courage to pronounce them.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Such expressions, if they are to be tolerated anywhere, find their proper place in the common streets, and the standard of this House must have fallen very low, when such language is permitted here. All sense of dignity must be lost, when the Hon. Attorney General [George-Étienne Cartier] is permitted to insult, on the floor of this House, the name of a man whom every true French

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Canadian holds in veneration. Let the honorable gentleman not deceive himself—opinions and ideas tending to promote the happiness of the people, and the men who sustain and struggle for their interests, will ever be victorious over the assault of calumny and envy.

And what has been the aim of the Hon. Attorney General [George-Étienne Cartier] and the honorable member for Montmorency [Joseph Cauchon], in their attack upon the Hon. Mr. Papineau? Their object, in the first place, was to injure the Opposition, who represent him; and next, to elevate themselves,

by dragging down to their own level one of the great men of our history, beside whom they are but pygmies.

For there are two ways of being great: the first is by rendering to one’s country eminent services, and by exhibiting undeniable superiority; but inasmuch as the Hon. Attorney General [George-Étienne Cartier] and the honorable member for Montmorency [Joseph Cauchon] possess neither the material nor the superiority that go to make great men, they adopt the second mode of attaining greatness. It consists in depreciating and crushing all those who are superior to one’s self. Thus they hope to rise over the ruined reputation of those they enviously calumniate and unceasingly attack. They recklessly carry on their work of demolition; they are not arrested in their course even by the names that personify a whole epoch in our history, and when one of the great figures of the past confronts them in all its dignity, like a statue of glory, their sacrilegious hands are eagerly raised to mutilate it; then, standing alone upon its scattered fragments, they contemplate with pride the prostrate victim of their vandal labors! Such, Mr. Speaker, are the motives which explain the efforts made by those who thus attempt to injure one of the greatest men of our race.

Some Hon. Members—Hear, hear, and cheers.

Joseph Perrault [Richelieu]—But we have not yet reached the termination of our struggles. [At the opening of Parliament in 1816](#), a message was communicated to the House stating that the charges brought against Judges Sewell and Monk had been dismissed⁸⁶. The bitter words in which the message was couched greatly incensed the House, and a proper answer was just about to be adopted, when a dissolution was resorted to in order to prevent a manifestation of the

[of Assembly of Lower Canada \(1834\), pp. 310-338.](#)

⁸⁵ [George-Étienne Cartier, Legislative Assembly \(Feb. 7, 1865\), p. 56.](#)

⁸⁶ [Governor General Drummond, Message to Legislative Council \(Jan. 26, 1816\). Journals of the Legislative Council of the Province of Lower-Canada \(1816\), pp. 2-3.](#)

feelings of the House. And what was the position taken by the Imperial Government with reference to those difficulties? We find it stated in [the letter written by Lord Bathurst to Governor Sherbrooke, who pointed out to them the false step taken by the Colonial Office in oppressing our race:—](#)

Hitherto the Government has found, on all ordinary occasions, an abiding resource in the firmness and disposition of the Legislative Council, and there is no reason to doubt that the Council will continue to counteract the most injudicious and violent measures of the Legislative Assembly.⁸⁷

In truth, the measures of the Legislative Assembly of that day were very injudicious, very violent! They demanded that the people should have a voice in the disposal of the moneys contributed by themselves! And hence it was that the Legislative Council counteracted all the measures demanded by the people. I continue [the quotation:—](#)

It is therefore in every way desirable that you should avail yourself of its assistance to counteract any measures of the Assembly you may deem objectionable, instead of placing your own authority or that of the Government in direct opposition to that of the House, and thus affording them a pretext for refusing the supplies necessary for the service of the colony.⁸⁸

Yes, Mr. Speaker, the nominative Legislative Council was always the stumbling-block in the way of the French-Canadians whenever they endeavored to carry any measure of reform. The elective House invariably met, on the part of that body, a systematic opposition to every measure desired by the people—an opposition it was impossible to overcome. It was in 1856 that we succeeded, after a constant struggle of fifty years, [in introducing the elective principle into the Upper House](#)⁸⁹. At this moment, despite the lessons of the past, recorded unfortunately in letters of blood, an attempt is made to return to the old system; we

are about basely to abandon a privilege, a political right, which was the reward of so many struggles and so many woes.

Yes, Mr. Speaker, such is the scheme of the present Government; they intend that in the Confederation the members of the Legislative Council shall be appointed by the Crown, as in the darkest period of our history. Happily, the people thoroughly understand the value and bearing of life nominations. They know that the great majority of the men so appointed by a General Government, numerically hostile to our race, would ever be ready to reject measures the most favourable to our interests as a nation.

The Legislative Council under Confederation will be what it was in the days of oppression, when [Lord Bathurst, in pursuance of the instructions of the Imperial Government, said to Governor Sherbrooke:—](#) "Be careful to make use of the Legislative Council to counteract the measures of the elective

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body."⁹⁰

That is just it—they shield themselves behind a Legislative Council composed of their own creatures brought back to life, and then while lauding to the skies the colonial liberality of England, they pull the strings and make their puppets play the part of oppressors.

It is precisely the same political organization that is proposed in the scheme of Confederation. In a Legislative Council composed of life-members, we shall have men prepared invariably to refuse the people the measures they require, if such measures in any way affect the privileges of the aristocratic classes. However eager may be the efforts of the members of the elective body, it will be constitutionally impossible for us to obtain such measures. Moreover, these councillors, of

⁸⁷ [François-Xavier Garneau, Histoire du Canada, Tome IV \(1852\), Livre Quinzième, Chapitre I: Question des Subsidies.](#)

⁸⁸ [ibid.](#)

⁸⁹ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

⁹⁰ [Perrault seems to be paraphrasing Lord Bathurst's letter to Governor Sherbrooke \(Jun. 7, 1816\).](#)

whom the majority will be hostile to us, will do everything in their power to gratify the Imperial Government, by whom they are to be appointed—a Government which has ever liberally subsidised its creatures. Such, Mr. Speaker, are the dangers in our path if we return to the old system of life-appointments proposed by the Government in the Confederation scheme.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But [the first instructions given by Lord Bathurst to Governor Sherbrooke](#) were not sufficiently explicit, apparently; for shortly afterwards he transmitted the following—“I strongly recommend you to see that the Legislative Assembly does not dispose of public moneys without the consent of the Legislative Council—”⁹¹ thus unscrupulously violating the very essence of the Constitution, evidently under the impulse of rabid national feelings. It is a principle of the Constitution of England that the popular House, which represents the opinions of the people, has alone the right of voting supplies for the administration of the government, and that moneys levied for that purpose from the people can be expended only with the consent of that House and not otherwise.

Well, Mr. Speaker, what do we find in this instance? We find the Imperial Government expressly instructing Her Majesty’s representative in Canada not to allow the supplies to be voted without the consent of the Legislative Council, appointed for life by the Crown, and whose constant efforts were directed to resisting the just demands of the French-Canadians. This question of the supplies, the chief cause of all the difficulties by which we have been beset, both previous to and since that period, was not to be thus disposed of. We then had men who were not to be baffled by difficulties or rebuffs. And thus it is that we find those noble champions of our rights and liberties coming forward,

year after year, with the same demands; never disheartened by defeat, and struggling on until at last their legitimate claims were acceded to.

In January, 1819, the Houses were opened, and the first question which brought on an animated debate was, once more, the question of the finances. A discussion arose as to whether the Lower House, after having obtained the annual vote of supply, could moreover obtain a detailed civil list and vote on each item separately. The majority desired this in order to assure themselves of the integrity of the public officials, and to hold in check the members of the Executive Council, over whom they had no control. Others opposed it strongly, as a new principle and violating the rights of the Crown.

A committee, appointed to examine into the question, reported in favor of a reduction of the expenditure—which they declared to be far too great in proportion to the revenue—and the abolition of pensions, which tended to grave abuses. Adopting a middle course between the two extremes, some wished to vote the supplies under certain heads, giving a gross sum for each department. But the supporters of a detailed vote carried the day. The bill was passed, sent up to the Council, and, as was anticipated, rejected by that body in [the following terms:—](#)

That the mode adopted for the granting of the civil list was unconstitutional, unprecedented, and involved a direct violation of the rights and prerogatives of the Crown; that if the bill became law, it would not only give the Commons the privilege of voting supplies, but also of prescribing to the Crown the number and character of its servants, by regulating and rewarding their services as they thought proper, which would render them independent of their electors, and might lead to their rejecting the authority of the Crown, which their oath of allegiance bound them to sustain.⁹²

Thus, Mr. Speaker, the Council nominated for life rejected that eminently just measure—the voting, item by item, of the supplies by the

⁹¹ [Perrault seems to be paraphrasing Lord Bathurst’s letter to Governor Sherbrooke \(Jun. 7, 1816\).](#)

⁹² [François-Xavier Garneau, Histoire du Canada, Tome IV \(1852\), Livre Quinzième, Chapitre I: Question des Subsidés.](#)

Lower House; that is to say, the distribution of the moneys levied from the people—and even went the length of declaring the measure unconstitutional. Is it possible at this time to understand how servility could be carried to such an excess? At that period the population of Upper Canada had increased to a proportionately considerable extent, and the British population of Lower

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Canada was sufficiently numerous to suggest the scheme of uniting the two Canadas under one government, and [in 1823 the proposal was made in England](#)⁹³.

It was, therefore, at that period of trouble and agitation, and rivalry between the Houses, that a plot was entered into in England to annihilate at one blow French-Canadian nationality. The war only postponed the scheme for the union of the two provinces; for the assistance of the French-Canadian people was needed. Peace having been established, it was resolved to carry out the measure, and a bill for the purpose was presented to the Imperial Legislature, unknown to the parties whose fate was being decided, and without their being consulted, for it was known that they were opposed to that act of oppression.

Yes, without consulting the people of Lower Canada, it was sought to force upon them a Constitution under which they were to have a smaller representation than Upper Canada; moreover, Lower Canada was to be charged with the debt of the other province, which was a considerable debt, and the language of Lower Canada was to be banished from the Legislature. Happily, the scheme found opponents in the Imperial Parliament, and, despite all the intrigues and efforts of our enemies, the bill was thrown out at the second reading. Then, as at the present day, those who aimed at our destruction were loud in favor of

passing the bill, at any price, before the people had an opportunity of protesting.

At the present moment, those who desire to force us into Confederation, in the face of the petitions against the scheme, tell us that we must accept the new Constitution before the people are made aware of its monstrous details. "I beg of you to pass this bill at once," said Mr. Wilmott; "if you wait until next year you will receive so many petitions protesting against the measure, that it will be very difficult to adopt it; however useful it may be to those who oppose it through ignorance or through prejudice; moreover, it is essential to the removal of the difficulties existing between the Executive and the Assembly."⁹⁴ When the news of those unjust, but happily abortive, attempts reached Canada, the greatest agitation was produced, and the whole Canadian people felt indignant at such proceedings. Several meetings were held at Montreal and Quebec to protest against the bill, and petitions to the English Government were signed by 60,000 persons. At that period, as in this instance, the union was to be carried without consulting the people, and the Imperial Parliament submitted to the Legislature a measure against which 60,000 French-Canadians protested.

Mr. Speaker, I have no hesitation in asserting it, the scheme of Confederation which it is now attempted to force upon the people is destined to be rejected, not by 60,000 French-Canadian signatures merely, but by 100,000. Yes, our people are waking up, and in this united and general protest we shall not lag behind those who showed us the example of an effective protest whenever it was sought to inflict injustice upon them. We will send to England thousands of signatures to protest against the Constitution we do not desire, and if justice is

⁹³ John Robinson's proposal in 1822 was written in response to [the 1822 Bill in the UK Parliament](#), in correspondence to Lord Bathurst on Apr. 23, 1822 in [W.P.M. Kennedy, Documents of the Canadian Constitution 1759-1915 \(1918\)](#), pp. 312-316. John Beverley Robinson also co-authored with Jonathan Sewell, *Plan for a General Legislative Union of the British Provinces in North America* (1824).

⁹⁴ Mr. Willmot (n.d.). Unconfirmed reference.

then refused, well "*fiat justitia ruat coelum*,"⁹⁵ we shall have employed every constitutional means, and the responsibility for the consequences of that refusal of justice will fall on the heads of those who labor to bring about such a state of things.

[The Hon. Denis Benjamin Viger, one of the boldest champions of our rights, said](#) of the bringing forward of the scheme of union in the Imperial Parliament, without consulting the people:—

After fifty years of peace and prosperity, when the generation that witnessed the conquest has passed away; when there remains hardly a living witness of that event among the present generation; when the memory and the impression of it has died out in the breast of French-Canadians; when, in fine, there no longer remains in the Province any but British born subjects, enjoying all their rights in that capacity alone—now it is that a scheme is concocted under which we are to be treated—I will not say as a conquered people, for the public laws of civilized nations no longer permit the vanquished to be robbed of their institutions and laws, any more than of their property—but like a barbarous race to whom the enlightenment and the arts, the principles and the duties of social life, are unknown.⁹⁶

And in truth, Mr. Speaker, those words were not too strong to qualify justly the conduct of the Imperial Government at that period. Blood had to be shed at St. Denis and St. Charles, and heads to fall by the axe of the executioner, before justice could be obtained. It was only then, when it was found that the people did not hesitate to sacrifice the lives of their noblest children, in order to secure their political rights and liberties, that we received responsible government as we now enjoy it and as we desire to preserve it.

At the opening of the ensuing Session it was expected that the debate on the finances would be resumed; but the Governor having separated, in the estimates, the civil list from the other expenses, the supplies were voted.

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Thus it was that whenever the struggle for

rights was persevered in, the result was success; and why is it, I ask, that our statesman who have struggled since the union to preserve the Constitution as it is, with such signal success, now give way to the demands of Upper Canada? Let us, then, maintain our present position, the most fruitful in advantages to French-Canadians. The question of finance had been for some time looked upon as disposed of, but on Dalhousie's return the question arose again in a more threatening form than ever, and the supplies were refused (1827).

The Governor on the following day prorogued Parliament, insulting the dignity of the Commons and eulogizing the Legislative Council. This act of tyranny caused great excitement amongst the people. The press attacked the Government, and in order to show the exasperation of men's minds at the time, I quote [an extract from one of the newspapers of that period](#):—

Canadians, chains are being forged to bind you; it would seem that we are to be annihilated or ruled with a rod of iron. Our liberties are invaded, our rights violated, our privileges abolished, our complaints despised, our political existence menaced with utter and complete ruin. The time has now come to put forth all your resources and to display all your energy, so as to convince the Mother Country and the horde who for half a century have tyrannized over you in your own homes, that if you are subjects you are not slaves.⁹⁷

The elections resulted favorably for the popular party. At the meeting of Parliament, Mr. Papineau was elected Speaker, but the Governor refused to sanction the choice, and told the Legislative Assembly to elect another. What was the proper course for the House of Assembly to pursue in the face of such conduct? To give way? No, Mr. Speaker; there were at that time men in our House of Assembly, men who did not shrink from their duty, nor from the responsibility of their just opposition.

⁹⁵ i.e. "Let justice be done though the heavens fall."

⁹⁶ [Boucher de la Bruère, *Le Canada Sous La Domination Anglaise* \(1863\), pp. 41-42.](#)

⁹⁷ [François-Xavier Garneau, *Histoire du Canada, Tome IV* \(1852\) in *Livre Quinzième, Chapitre III: Crise de 1827.*](#)

On motion of Mr. Cuvillier, it was resolved that the election of the Speaker must be made freely and independently of the Governor; that Mr. Papineau had been so elected; that under the law, no confirmation was needed, the latter being, like the presentation, a simple matter of form and usage. Mr. Papineau having been reinstated in the chair, the Governor refused to approve the selection made, and the same evening [Parliament was dissolved](#)⁹⁸.

Thus, Mr. Speaker, Parliament existed but one day, because the Speaker was a man who valued his independence too highly to submit to the dictates of an ill-advised government. In truth, if these are the liberties we owe to the colonial system, I need not stop to prove their utter hollowness. The people understood the position in which it was sought to place them, and took steps to repel these fresh attempts at aggression. The question created increased agitation; public meetings were held in city, town and country; the speeches made betokened the disturbed state of the public mind; proceedings were taken against the press, and Mr. Waller, editor of the *Spectateur*, of Montreal, was arrested for the second time.

Addresses, bearing over 80,000 signatures, were forwarded to England in the hands of Messrs. Nelson, Cuvillier and D.B. Viger. Mr. Gale took the petition of the partisans of the oligarchy. A great meeting of the inhabitants of the counties of Verchères, Chambly, Rouville and St. Hyacinthe was held at St. Charles; the people protested energetically against the existing state of things, and in fact it was broadly declared that the natural consequences must be expected to follow upon so flagrant a violation of the most sacred rights of the French-Canadians.

Mr. Speaker, the Canadian people, in the person of their leaders, at that period

traversed the ocean in order to obtain justice from the British Government, and laid at the foot of the Throne the protest of 80,000 of our fellow-countrymen, a people who, in the trying days of our history, had not hesitated to sacrifice their lives to maintain British power on this continent; and once more, in this instance, when an attempt is made to force upon us a Constitution we have never asked for and which the people of Lower Canada energetically condemn, the same means of protesting is open to us, and the Government may rely upon it that we shall be as firm in defence of our political rights and liberties as were the representatives of the people in former days. Our protest will be, if anything, still more energetic against the proposed scheme of Confederation which it is sought to impose on us.

The Houses met in 1831, and the Governor, in the course of the session, communicated to Parliament the reply from England relative to the question of the supplies. The Imperial Government gave to the representatives of the people the control of the revenue, with the exception of the casual and territorial items, consisting of the Jesuits' Estates, the King's Posts, the *droit du quint*⁹⁹, the *lods et ventes*¹⁰⁰, woods and forests, &c., for a civil list of £19,000 voted for the lifetime of the king.¹⁰¹

In 1831 power was granted for voting, item by

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item, a part only of the supplies. The restriction was not consented to by those who represented the people in the Legislative Assembly. Such a state of things could not continue without leading to a collision; and the [events of 1837](#)¹⁰² justified the apprehension of those who had all along warned the Government that it was impossible for the people any longer to endure so flagrant a violation of their rights, and that there was

⁹⁸ See [Journals of the House of Assembly of Lower Canada \(Nov. 22, 1827\), pp. 18-21](#). Papineau is elected speaker, followed by the immediate prorogation of Parliament by Governor Dalhousie.

⁹⁹ These are seigneurial taxes.

¹⁰⁰ *ibid.*

¹⁰¹ [Boucher de la Bruère, Le Canada Sous La Domination Anglaise \(1863\), p. 57.](#)

¹⁰² *Supra* footnote 4.

imminent danger of exhausting their patience. Events followed each other rapidly, and the clergy then, as at this time, were opposed to any energetic demonstrations. [Monseigneur Lartigue, Bishop of Montreal, published a pastoral letter, in which he said:](#) "Who will dare assert that the whole people of this country desire the destruction of the Government?"¹⁰³

Mr. Speaker, no one desired it; but the minority at that period, like the minority at present, complained of the injustice they suffered, and the clergy were opposed to them. The minority of that day struggled for the political rights of the people as they are struggling now, and they found arrayed against them every powerful influence and all established authorities. This contrast points to a fact deserving of notice. Today the Government constantly insult us by crying out: "You represent nothing in this House; public opinion is against you!"

Well, Mr. Speaker, I ask the Hon. Attorney General for Lower Canada [George-Étienne Cartier] whether he himself and his honorable colleague the Prime Minister [Étienne Pascal Taché], had the majority of the Lower Canada people and clergy with them when, in 1837, they protested energetically against the injustice done to their fellow-countrymen? No, Mr. Speaker, at that time they formed part of the little phalanx who went so far as to raise the standard of rebellion on the plains of St. Denis and St. Charles! How times are changed!

At the present moment the same men, the revolutionists of former days, strain every nerve to deprive the people of the right of pronouncing for or against the constitutional changes sought to be forced upon them. So complete a forgetfulness of their own past is extremely deplorable. Mr. Speaker, for weighty reasons, I do not desire to dwell on the events of 1837. In 1838 there remained to be brought on the trials of those who had been implicated in the troubles. Lord Durham found himself placed in an embarrassing

position, for it is always difficult for a government to carry on political prosecutions; by such a course it frequently loses its strength and its popularity.

To escape from the difficulties of the moment, the Governor resolved to adopt a great measure. On the day of the coronation of Queen Victoria he proclaimed a general amnesty, and granted pardon to all the Canadians, except twenty-four of the most earnest of the revolutionary party. It is important, Mr. Speaker, to know who were the twenty-four daring revolutionists against whom the British Government displayed so much severity, and against whom the clergy had pronounced so strongly.

These men were Messrs. Wolfred Nelson, R.S.M. Bouchette, Bonaventure Viger, Simon Marchessault, H.A. Gauvin, T.H. Godin, Rod. Desrivières, L.H. Masson, Louis J. Papineau, C.H. Côté, Julien Gagnon, Robert Nelson, E.B. O'Callaghan, Ed. Et. Rodier, T.S. Brown, Ludger Duvernât, Ed. Chartier, Ptre., G.E.T. Cartier, J. Ryan, Jr., Ls. Perrault, P. L. Demaray, J.F. Davignon, and Ls. Gauthier. Thus, Mr. Speaker, among those sanguinary men I find the Honorable Attorney General for Lower Canada (Hon. Mr. Cartier).

Some Hon. Members—Hear! Hear!

Joseph Perrault [Richelieu]—Far be from me the thought of reproaching him with his conduct at that period. I have always looked upon it as that of a patriot and of a true friend of his country. Besides, that honorable member has declared to us on many occasions that he did not regret the struggles which he had formerly maintained in order to claim the political liberties of his country, and I can perfectly understand that he does not waver in those sentiments, for it is now an historical fact that all those who took part in those struggles nobly staked their lives for their convictions, and the minority then, like the present minority, could expect nothing but misinterpretation of their opposition to power.

It is not for me to decide how far this

¹⁰³ [Bishop Jean-Jacques Lartigue proclamation \(mandement\) \(Oct. 1837\).](#)

insurrectionary movement was excited by the deplorable circumstances of the time, but I am perfectly satisfied that those who were at the head of it were impelled by sentiments of patriotism, by the generous desire of obtaining for their fellow-countrymen the political liberties which were refused them. They have therefore laid their country under a great debt of gratitude for the sacrifices which they made.

Now see, Mr. Speaker; the men who, twenty years ago, constituted a revolutionary minority, braved the clergy and raised the standard of revolt against Great Britain, are today in a majority and supported by the powerful influence of England and of the clergy, whose entire confidence they possess. They have their

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little entries to Windsor, they fill the highest and most lucrative offices in our country, and are even decorated with the titles with which Her Majesty is used to reward Her most loyal subjects. Today, [as in 1837](#)¹⁰⁴, the minority do not wish to have recourse to the means furnished by revolutions, after having exhausted those which the Constitution affords, but they have an inward conviction that in twenty years, when the people have succeeded in appreciating what that minority is doing for them today, they will feel for the opposition to which it is devoting itself, a sentiment of gratitude, the result of which will be, that on it they will confer their entire confidence, after having refused it in the day of trial.

Yes, Mr. Speaker, as the minority of 1837 constitutes the majority of today, so will the present minority constitute the majority at some day which is more or less near. I will not, Mr. Speaker, follow the victims of that melancholy period of our history to the scaffold. With their lives they paid the price of their devotion to the cause of their country, and if, to make a people deserving of the rights of existence, life's blood and devotion are

necessary, we have theirs to show that French Canada freely and nobly sacrificed her noblest descendants to the genius of Liberty.

Some Hon. Members—Hear! Hear!

Joseph Perrault [Richelieu]—But before concluding this sketch of our struggles, from the conquest to the melancholy occurrences of 1837-38, it is important to show that it is to our heroic resistance in the Parliament and to force of arms that we owe the political liberties which are secured to us by the present Constitution. I am unwilling to leave this review of the colonial system of England in Canada without destroying the false impression which exists, that that colonial system was sensibly improved by the liberality of the views of the statesmen of Great Britain, that the struggles through which we passed were owing to the ideas of other days, and that now all the liberties which we enjoy extend to all the English colonies, to which the colonial system of our day secures the advantages and the benefits of responsible government.

I believe, Mr. Speaker, that I shall be able easily to controvert these erroneous arguments, and to do so I have only to consider the colonial system of England at the Mauritius. That French colony, which is not of such old standing as ours, and which became a conquest of England, fell under the yoke of Great Britain in 1810. It was then the Isle of France; since the conquest its name has been changed to the Island of Mauritius. It contains a population which is almost entirely French, but unfortunately for their political rights it has not, as we have, the advantage of living in the immediate vicinity of a great republic, like the United States, serving, so to say, as a guarantee for the protection of its liberties. The Isle of France, in consequence of its isolated position, is precisely in circumstances which allow of our forming an opinion of what the pretended liberties of the colonial system are worth when there is nothing to fear from the weakness of the colonists or the intervention

¹⁰⁴ *Supra* footnote 4.

of a neighboring power in favor of the oppressed.

Thus, Mr. Speaker, we have a splendid opportunity of judging whether the colonial system, applied under such circumstances, possesses that liberal character which is attributed to it. Well, I say it with regret, we see there, as we saw in Canada, the same aggressive and tyrannical policy against which we had to strive for a whole century. The colonial system gave rise here to deep dissatisfaction.

I shall enumerate the grievances which are complained of, grievances for which there is but too great foundation. When the Isle of France was ceded to England, it was stipulated, as in the case of Canada, that the French population should retain the use of their language and their religious institutions, together with the laws under which they had up to that time been governed, three liberties of great value to the descendants of old France.

Well, Mr. Speaker, we shall now see whether England respected these three articles of the treaty. I hold in my hand a correspondence of no older date than the 6th May, 1862. It is written by a French colonist in the Mauritius, and contains an account of the colonial system under which his countrymen are governed. Before reading this correspondence, I must premise that the population of the island consists of two hundred thousand souls; that population is governed by an Executive Council and a Legislative Council appointed for life, consisting of eighteen members, eight of whom are public officers appointed and paid by the Government of the colony. The other ten are nearly all of English origin. Thus the French element in the Legislative Council of the Mauritius is in the proportion of about one to five, although the population is nearly entirely French:—

To the Editor of the *Economiste Français*.

You promise to the ancient colonies of France aid and

protection in your columns; it is therefore natural, that relying on that promise, I should apply to hold up to the view of your readers, and to lay before an intelligent public,

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before impartial judges, the acts of a government which, since 1810, has exercised the most absolute despotism over us, concealed under the great name of liberty. We have indeed the liberty of the press, but it is not listened to. Vain are all cries; the Government “stop their ears and let us cry.” Then they tell us that we shall never have a more wise, a more paternal, a more liberal government. “What would you have more than the liberty of thinking and writing?” they ask.

What we would have is that the liberty of the press should be of some use to us; that the Government should listen to the mouthpieces of public opinion; that they should not waste our funds in spite of the protestations of the press;¹⁰⁵ that they should cause the laws, as they were made, to be observed, and by all alike; that among other laws, that of quarantine should be faithfully observed, and that no exception should be made in favor of H.B.M.’s ships of war and transports with troops; that more attention should be paid to the subject of communication with the ships arriving from India; that we should be more effectually protected from the epidemics which decimate our population; that the cholera should be prevented from becoming endemic in the country, so that the French and Creole population of the Mauritius may be preserved; that enquiry should be made as to the causes which may have brought the cholera upon us; that insufficient laws may be revised; that our reserves should be kept at home instead of being lent to the Mother Country or to other colonies; that our treaty of capitulation should be respected; that no attempt should be made to introduce here English laws, when it is agreed that by the French codes only are we to be governed; that the use of the French language, of which we have been deprived in defiance of sworn faith, should be restored to us; that no flagrant injustice should be committed in favor of the English and to the detriment of the Creoles; that the latter may be appointed to the different offices, and that these should not be conferred on incapable favorites; we would have the Legislative Council and self-government, etc, etc. This is what we would have. You see that we wish for a great many things. But are they not all just and reasonable?

Let us now proceed to the enumeration of some of them, and, in chronological order, let us begin with the French language. The deed of capitulation, signed in 1810 by the representatives of France and England, contained the following articles, which we, the conquered people, imposed on our conquerors:—

¹⁰⁵ Original edition footnote: *This demand is in fact perfectly just, as of the five papers published in the Mauritius, four are French; but the single English journal on the island was always right, in opposition to the four French journals.*

- 1st. Respect for our religion.
- 2nd. The maintenance of our laws.
- 3rd. The guarantee that we should be allowed to speak French.

Well, of these three principal articles (inscribed in large characters in our deed of capitulation, accepted and promised under the faith of an oath, signed and approved by England), one has been already violated, and the work of undermining another is going on! Setting at naught all scruples, the English Government first robbed us of the use of the French language before the high courts of justice.

We have expressed our claims, but a deaf ear has been turned to them. This first step taken, what bounds will be set to this great work of destruction of all that we hold from France? On the application of a few English, the revival of our code is already being considered; and when the whole population apply to the Mother Country for the revocation of an order which renders the transaction of business impossible, without the very costly intervention of legal men and translators, and which, moreover, inflicts a deep wound on the Creole heart, they are told to hold their tongues! When they loudly call for the revision of insufficient laws which facilitate the propagation of mephitic miasmata they are not listened to! When they demand an enquiry into the circumstances which have caused the introduction into their midst of the cruel epidemic, which for more than four months has carried death into their ranks, they are told that they are indulging in idle fancies!

At the same time, and as though to turn the public mind from this fixed idea, there is a semblance of bringing up a question already decided upon and voted—that relating to railways! Another grievance. Whilst the epidemic is raging among us, and whilst our municipality stands in need of money for the relief of the poor classes, the Government has none to lend, because the financial reserves of the colony are lent to the Cape, to India, to Ceylon, and to the Mother Country itself.¹⁰⁶

Thus, Mr. Speaker, the Mauritius, which, by the terms of her treaty of capitulation, was to have preserved to her the use of her language, her peculiar institutions and her laws, has soon found herself deprived of the use of her language; her laws have been changed, and her institutions have been subjected to oppression. This, Mr. Speaker, is the sort of liberty which a French colony may enjoy under the colonial system of England, when the colony is weak and is not situated, as

Canada is, in the vicinity of a powerful republic such as the United States.

I think, Mr. Speaker, that I have now shown what has ever been the spirit of antagonism between the two races of English and French origin, on the two continents, and what has been the spirit of aggression of the English element against our population, from the founding of the colony up to our own time; we have seen colonial fanaticism attacking our institutions, our language and our laws, and we have seen that our annihilation as a race has been the evident

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object of those constant efforts. Can we today believe that the case is otherwise; and ought not the unanimity of the English element in favor of Confederation to fill us with terror? Is not our loss concealed under this outward semblance of conciliation? Yes, let us consult the history of our country before effecting so radical a change in our Constitution. Let us remember with terror the strife and antagonism which prevailed in days gone by, and let us endeavor to judge with certainty what will be the necessary consequences of a constitutional change of such serious importance as that which is proposed to us.

Let us now consider, Mr. Speaker, the disastrous consequences of the adoption of the scheme of Confederation. The members of the Government have told us that Confederation would constitute us a military power of the first class, and would enable us to resist the aggressions of the American Union. The defence of our frontier is certainly a question of the highest importance, for no one is unaware that our relations with our neighbors are in a position of extreme tension. They have established a passport system, the sole object of which is to hamper our trade. A resolution has been adopted by Congress, almost unanimously, for the repeal of the [treaty of](#)

¹⁰⁶ Letter to the editor of the *Économiste Français*. The letter appeared no later than May 6, 1862. Unconfirmed reference.

[reciprocity](#)¹⁰⁷ which exists between the two countries. In a few months the waters of our lakes will be ploughed by vessels of war, the armaments of which can only be directed against Canada.

Such, Mr. Speaker, is the position of the United States with respect to us, and to meet this danger the Government proposes to form a Confederation which will, they tell us, constitute a first class power, able to maintain on this continent the supremacy of Great Britain. But will the object proposed be attained? Shall we be stronger under Confederation than we are now? Cannot the Governor General of the Provinces of British North America raise troops throughout the whole extent of the provinces placed under his jurisdiction? Is not the militia of all those provinces under his immediate command?

We are told, Mr. Speaker, that Confederation will give us a more uniform military organization than that which we now possess. But there is nothing to prevent the formation of that organization under the present Constitution, and I have no hesitation in saying that under that Constitution the several provinces will defend themselves to better advantage than under Confederation. Is it not precisely by creating here a military power, hostile to the adjoining powerful republic, that we shall bring on war and its attendant calamities?

The moment the United States perceive in this Confederation an organization, the object of which is the establishing of the balance of power in America, they will not wait until our fortifications are constructed, or until the Intercolonial railway is built, but they will attack us at once. On another hand, we offer defiance to the American republic by creating here a political organization which is contrary to the principles of the democratic government which prevails there, and contrary to the famous [Monroe doctrine](#)¹⁰⁸, which, as is well

known, is opposed to the establishment of monarchical governments on this continent.

The plan of the present Government is, therefore, to establish here a political system which is essentially hostile to the United States, as it will be essentially monarchical, and instead of proving to us a means of defence, it can entail nothing but war and the disastrous consequences attendant upon it. To promote the security and prosperity of our country, the Government, instead of bleeding the people as they propose to do, to erect here and there ruinously expensive, and after all insufficient fortifications, ought to apply the revenues of the treasury to the establishment of new industries, the improvement of our public highways, and the colonization of our wildlands. These inexhaustible sources of wealth, if wisely managed, would double our numbers, our revenue and our power, and would in that way confer upon us means of defence much more effective than those which we should receive from Confederation, which would crush the people under taxes imposed to meet the expense of imperfectly defending our frontier.

And is it supposed for a moment that when we have in so urgent a manner decreed the fortification of our frontier, the arming of our militia men, and the establishment of a fleet on our inland seas, that the United States will do the same and that they will follow the example set them of such ruinous folly? Is it supposed that the American statesmen will not immediately perceive, as we are desirous of raising ourselves up as an enemy on their frontier, and of entailing upon them an enormous outlay in order to hold us in check, that it will be for them a mere question of economy to attack us now and to take possession of the country, before it is in our power to oblige them to keep up that

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ruinously expensive war footing?

¹⁰⁷ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

¹⁰⁸ [U.S. foreign policy doctrine that saw any imperial incursion into the Western Hemisphere as a hostile act.](#)

And what could we do against an invading army of two or three hundred thousand men, with our treasury exhausted by the fortifications, and with hardly any assistance from England, whose policy at this moment is anti-colonial? I cannot understand how, in face of the danger which is impending over us, and for which we are so little prepared, the Government can thus cast defiance in the teeth of the powerful nation who are adjacent to us, and whose armies now in the field could set at naught any resistance to immediate invasion.

I assert it positively, Mr. Speaker, the United States have not the least intention of attacking us, so long as we remain peaceable spectators of their fratricidal struggle, and so long as we continue to confine ourselves to peaceful occupations. But if, on the contrary, we create here a hostile military power, if we establish here the throne of a viceroy or of a foreign monarch, in defiance of the principles which form the groundwork upon which rests the political system of the United States, we may then rest assured that the neighbouring republic will sweep away that monarchical organization, established in rivalry to its own democratic system.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Such, Mr. Speaker, is the question in its most serious aspect. I shall not enlarge upon the details of the scheme of Confederation, which have been so ably criticised by the hon. members who have preceded me; and besides I shall have an opportunity of discussing them when the amendments to the scheme are submitted to the House. But I may now say that those details cannot be accepted by the people. We have already received numerous petitions praying for the rejection of the measure, and those petitions continue to reach us every day.

Now, I ask you, Mr. Speaker, what the sentiments of the people will be if that scheme is adopted, and if in the course of two months it is returned to us from England, after having received the sanction of the Imperial Parliament, without its having been possible for us to alter the most trifling of its details? Is

it supposed, after a Constitution shall have been forced on the French-Canadians, which they have opposed to the utmost, that they will be very enthusiastic in the defence of that Constitution which shall have deprived them of a part of the political rights which they enjoyed? And, it cannot be denied, by adopting the proposed Confederation, we yield up some of the privileges which we now enjoy have not our Ministers themselves told us that under the pressure of the demands of Upper Canada it was necessary to make concessions at the Quebec Conference, in order to ensure the adoption of the present scheme?

The hostile majority of Upper Canada have obtained representation based on population, against which Lower Canada has so energetically struggled for fifteen years, because she saw in that concession the annihilation of our influence as a race. Under these circumstances, Mr. Speaker, is it supposed that reliance is to be placed on the assistance of the French-Canadians, who were formerly so terrible in the attack, and who fought, without hesitation, one against ten, a proportion in which we shall again find ourselves opposed to the Americans in the probable event of a war? To hope that they will fight with the same impulse now, when they are being deprived of the surest guarantees of their natural existence and of their most sacred political lights, is greatly to deceive ourselves, and to betray ignorance of what has always been the cause of their heroism in the conflict.

Under the Constitution as it is, they would again fight with similar courage, regardless of numbers, because they love that Constitution which secures to them all that they hold most dear, and because they wish to preserve it. Under Confederation, on the contrary, we have nothing left to defend; our influence as a race is gone, and sooner than be absorbed in a Confederation, the existence of which will prove a source of constant strife without bringing with it compensating advantages, the people dissatisfied will seek other and more advantageous political and commercial

alliances, and for this reason it is that I consider that the scheme of Confederation will lead us directly to annexation to the United States.

When the commissioners from the North and the South recently had an interview in order to decide the possible conditions of an honorable peace, one of the three propositions submitted by the North was to the effect that the two armies should not be disbanded after the cessation of hostilities, but should be united for the purpose of earning on a foreign war. Now, Mr. Speaker, what does the expression, "foreign war," when used by the United States, mean, except war upon Canada? And what could the fifty battalions which England could send us do against the combined armies of the North and the South, the strength of which amounts to a million of

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men? Situated at a distance of a thousand leagues from us, Great Britain, with all her material of war and our militia, could not defend Canada against so powerful an enemy, except at the cost of the greatest sacrifices.

It is not, therefore, at a time when we are placed in such great straits, that we should exclaim loudly that we do not fear the struggle, and that we are ready to measure our strength against that of the States of the American Union. It is equally absurd to give umbrage to their institutions by creating beside them a political organization to which they are fundamentally opposed. Is it believed that our monarchical pretensions and our threats are of a nature to intimidate the American statesmen?

In their eyes we are but pygmies hurling threats at giants. Let the war come with the Constitution as it is, and we shall find a hundred thousand volunteers ready to defend our frontier. But if the Government impose on the French-Canadians the scheme of Confederation, from which they have so much fear, and which may prove to be productive of the most disastrous consequences to their institutions, their language and their laws,

then, I am bound to say, there will be hesitation in our ranks at the time when every man will be marching towards almost certain death for the defence of a flag which will no longer confer upon our race the guarantees of protection which it today secures to us.

I say, then, that the time is ill-chosen to make such serious changes, and to lay the foundation of an Empire the existence of which, threatened both from the interior and from the exterior, will be of but a few days' duration. For with dissatisfaction among the French-Canadians, deprived of their rights and privileges, it is impossible for England to maintain her power here against three hundred thousand men invading our territory at ten different points along our frontier. The wisest policy which we can pursue, at this critical moment, is therefore remain peaceable spectators of the struggle between our neighbors, to open our forests to colonization, to turn to account our mines and water-powers, to clear our wild lands, and to labor without ceasing to recall our unfortunate countrymen who are now scattered over American soil.

Let us construct railways, let us double our manufacturing industry, let us enlarge our canals, let us extend our network of railways to the Maritime Provinces; and when we have attained great proportions as a people, when our prosperity shall have increased fivefold, and, above all, when the terrible hurricane which threatens to destroy everything in North America shall have terminated its work of ruin, and finally when we shall be strong enough to protect ourselves from external attacks, and the French-Canadians especially shall have obtained sufficient power to have nearly equality of representation in the General Parliament, it will be time enough to lay the foundation of a great Confederation of the British North American Provinces, based on the protective principle of the sovereignty of the states.

Under these circumstances Confederation will produce abundant fruits, and will be welcomed by the people of this country, and

especially by the French-Canadians, who, having doubled in number in the interval, will be in a position to demand infinitely more advantageous conditions than those which are forced upon them today. We shall not then have our present political rights, which were so dearly obtained by the struggles of a century, replaced by local governments, which will be nothing more than municipal councils, vested with small and absurd powers, unworthy of a free people, which allow us at most the control of our roads, our schools and our lands; but we shall then obtain local governments based on the sovereignty of states, as is the case under the Constitution of the United States.

The fact is not to be denied: the American Constitution was created by great men in face of a crowd of considerable and opposite local interests, and it cost them several years of deep study to reconcile those various interests, and finally to build up that admirable Constitution which, as the hon. member for Brome [Christopher Dunkin] has so well said, defies the most severe criticism in relation to its most important bases. With a Constitution like that of the United States, based upon state sovereignty, Lower Canada would elect her own governor and her representatives in the Federal Parliament and Legislative Council, and also all the Executive Ministers.

Joseph Dufresne [Montcalm]—We should also appoint the judges.

Joseph Perrault [Richelieu]—If the hon. member for Montcalm [Joseph Dufresne] had listened attentively to the remarkable speech of the hon. member for Brome [Christopher Dunkin], he would have learned that in the majority of the states composing the American Union, the judges are not appointed

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by the people, but by the Executive branch of the local government, in precisely the same way as in Canada, and that they are in every respect as upright and as distinguished as our own judges. If our French-Canadian Ministers had not been in so powerless a minority in the

Quebec Conference (four to thirty-two), they would certainly not have accepted a scheme of Confederation so fraught with danger to the French race as that which has been submitted to us. They would have obtained more favorable conditions than those which are imposed upon us, among which is the appointment for life of the legislative councillors, by the Executive branch of the General Legislature.

For my part, Mr. Speaker, I am not in favor of the appointment for life of men taken from the crowd to be converted into the instruments of oppression, and too often to serve to cast impediments in the way of the most important liberties and rights of the people. The appointment for life of the legislative councillors by a majority which is hostile to our race is as dangerous today as it was in the most evil days of our history, and to accept it is to place our most precious liberties at the mercy of the enemies of our race.

With such provisions in the Constitution which it is proposed to force upon us, it is impossible that the French element should be protected in the Legislative Council. It is equally impossible that the aggressive tendencies, of which I gave an historical sketch in the first part of my remarks, will not produce their effect in the Federal Executive, when the question of the appointment of those members is being settled. We have been told, "The French Canadian section will resign if the Federal Executive attempt to practice injustice to the detriment of their fellow countrymen."

Well, Mr. Speaker, I would willingly believe that they would resign, and that no successors could be found for them, which is still more improbable, and I should like to know to what such a resignation would lead, and what sort of a remedy it would provide for our humiliating position. We shall have forty-eight members in the Federal Parliament against one hundred and forty of English origin; in other words, we shall be in the proportion of one to four. What could so weak a minority do to obtain justice? Evidently the resignation of the French section would make

it still more powerless, and it would have to accept the tyrannical dictates of its opponents. The French members of the present Government themselves give as the ground of the necessity of the proposed changes, the fact that the existing Constitution does not afford us sufficient guarantees.

But then, what sort of guarantees shall we have under the Confederation which it is proposed to force upon us and under which we shall be in a minority twice as great? Let us suppose the very probable contingency of a collision between our Local Legislature and the Federal Government, in consequence of the rejection of a measure passed by the Province of Lower Canada and thrown out by the General Parliament; in what position shall we be? Let us remember that the Federal Executive appoints the Legislative Council, presides over the criminal legislation of the country, and appoints the judges who administer it; in a word, that in the Federal Government are vested all sovereign powers, to the exclusion of the local governments.

Well, Mr. Speaker, I say without hesitation that in the case of a collision, we shall find ourselves completely at the mercy of the hostile Federal majority, and that it may oppress us, assimilate our laws; suspend our judges, arm the militia against us, and send us to the scaffold or into exile in any way they may think proper, notwithstanding our protestations and those of the French-Canadian minority in the Federal Parliament. Such has already been found to occur; the past is there to prove the fact, and everything leads us to believe that the same attempts at fanatical aggression will be renewed in our day, if the scheme of Confederation is adopted.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—The hon. member for Brome [Christopher Dunkin], whose loyalty will certainly not be called in question, himself declared in this House that this scheme would give rise to difficulties and entail deplorable collisions. Supposing, Mr. Speaker, that those collisions and difficulties

arise, what shall we do? Will not all power be in the hands of the Federal Government and of a hostile majority? Is it not because the people understand it that they reject this measure with threats on their lips and in their eyes; that every day they send us numerous petitions in which they prophesy the most serious dissatisfaction? How long will the eyes and the ears of the members of this House remain closed, that they may not be cognisant of this protest of their alarmed fellow-countrymen?

The Hon. Attorney General East [George-Étienne Cartier] himself refuses to communicate to us a single one of the details of the scheme of

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Confederation, and he would have us give up all the rights which the existing Constitution confers upon us, by voting in favor of a Local Legislature of which the powers will be naught, and of a General Parliament in which we shall be in the proportion of one to four. Mr. Speaker, it is not surprising that the French-Canadian population of Lower Canada is unanimous in rejecting a Confederation which presents to us so gloomy a future—

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—and I do not fear to declare that our Ministers are committing an act of very great imprudence in forcing upon the people constitutional changes of so serious a character, and so loudly denounced as an attack on their rights and their privileges. Never, at any period of our history, have there been seen such changes of constitution under such extraordinary circumstances.

And exactly at the moment when we are preparing to resist the invading army of a powerful neighbor, we are deprived of the liberties which we enjoy after having secured them by a century of struggles. But it seems to me that new guarantees of security ought rather to be given us, in order to induce us to fight with warlike antagonists ten times more numerous than ourselves, and whose political

organization is perhaps less hostile to our race than the proposed Confederation. Have not the present Ministry taught us to look upon the semblance of local government, which they propose to us, as a sufficient protection for all that we hold most dear, and to accept the position of a powerless minority in the General Government, because commercial interests only will be brought in question there?

If this proposition is a just one, the Constitution of the United States, with the recognized sovereignty of Lower Canada, affords much greater security for our institutions, our language and our laws. For the sovereignty of the state implies their preservation in the state, which yields up nothing to the General Government except a very restricted number of powers.

Yes, Mr. Speaker, in proposing a change of Constitution the Ministry have committed a serious fault, and they have no right to endeavor to prevent the people of this province from examining the question of possible changes in all its bearings. Scarcely six months ago the French-Canadians lived happily, relying upon the security given them by the existing Constitution. Now such can hardly be the case, when the proposed changes threaten their existence as a race. Impose these changes upon them, and then let danger come, and England will find out, but too late, that her most loyal subjects are lost to her.

Our people will have learned that of two evils they must choose the least, and that on a comparison between Confederation and annexation, the least evil will not, unfortunately, be found to be Confederation. Before marching on to certain slaughter, the soldier will ask himself for what he is going to fight, and whether the Constitution which he is going to defend is worth the sacrifice of his life's blood. The day upon which the French-Canadian soldier puts this question to himself, will be the last day of the English power in

America.

I hope I may be mistaken, Mr. Speaker, and I would wish to believe that the views of the Government are sounder than mine, at a time when they propose a measure so full of danger as that which is submitted to us. I would wish to believe, above all, that they have no intention of skilfully leading us into a collision with our neighbors, which would tend to carry us directly into annexation, and would strike a mortal blow at English domination on this continent.

I shall conclude, Mr. Speaker, by summing up my remarks. The union of the two Canadas has not yet done all its work. There is still room for progress under it, and it must be continued. The Hon. Attorney General for Lower Canada (Hon. Mr. Cartier) maintains on the contrary that it has no longer any grounds of existence, and that we must have a new political organization. Well, Mr. Speaker, I venture to hold an opinion different from that of the hon. member for Montreal East [George-Étienne Cartier], and I have no hesitation in saying that under the union we can yet double our prosperity and our numbers, if we introduce into the administration of affairs a little less party spirit and a little more patriotism.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—I say, further, that the demand for representation based on population has no cause of existence, that it was repudiated by Upper Canada, at first by the Conservative party, and afterwards by the Liberal party under the Macdonald-Sicotte Administration¹⁰⁹. When we have seen the most energetic and most sincere partisans of representation based on population abandon that principal basis of their politics, and make of it, in their government, a question against which they engaged to vote, I say that it is very wrong to use it as one of the reasons to compel us to accept the scheme of Confederation. That cry, raised by fanaticism

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¹⁰⁹ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

in the west, will naturally be stifled by the more rapid increase of the population of Lower Canada and the annual diminution of immigration. With the assistance of these two causes our population will, in ten years, equal that of Upper Canada.

I say, Mr. Speaker, that the scheme of Confederation is not expedient. But even if the scheme of Confederation was expedient, I maintain that the object of it is hostile. I gave an historical sketch of the encroaching spirit of the English race on the two continents. I pointed out the incessant antagonism existing between it and the French race. Our past recalled to us the constant struggle which we had to keep up in order to resist the aggression and the exclusiveness of the English element in Canada. It was only through heroic resistance and a happy combination of circumstances that we succeeded in obtaining the political rights which are secured to us by the present Constitution.

The scheme of Confederation has no other object than to deprive us of the most precious of those rights, by substituting for them a political organization which is eminently hostile to us. The hostility of the scheme of Confederation being admitted, I maintain that its adoption will entail the most disastrous consequences. To impose upon the French-Canadians this new Constitution, which they do not want, is to tempt their anger and to expose ourselves to deplorable collisions.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—It must necessarily be submitted to them before it is adopted: if they accept it, then will be the time to send it to England to be sanctioned. But the Government, and especially the Hon. Attorney General East [George-Étienne Cartier], cannot ignore the petitions which are presented to us against the scheme, and especially so imposing a petition as that from the city of Montreal, which contains 6,000 French-Canadian signatures, and which is the most numerous signed petition which has ever been presented to our legislature by a

city.

I say, further, that those who vote for the scheme of Confederation take the shortest way to lead us into annexation to the United States. I am not the first to express this opinion; several hon. members from Upper Canada have expressed it before me within the precincts of this House, and it is because those members from Upper Canada desire annexation to the United States that they vote in favor of the scheme of Confederation. The hon. members from the west, whose words are so loyal, will be the first to pass over to the enemy with arms and baggage, should an invading army ever appear on the frontier. Such, Mr. Speaker, is the position as it is. If His Excellency the Governor General [Viscount Monck] thinks he ought to follow the advice of those who look to Washington, let him even do so; but I think it is high time to speak plainly here, and to warn him of the danger.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Mr. Speaker, I am not an old man with one foot already in the grave, and on the verge of eternity, and I adopt my course in view of the future. Our Ministers, who, in the course of a long career, have exhausted the supply of honor and of dignity in our country, are perhaps tempted to risk the future of their country for titles, honors and larger salaries under Confederation, perhaps for the sake of being governor of one of the Federated Provinces. We know that England nobly and royally rewards those who serve her without scruple. Besides, the prospect of founding a vast empire is well worth the sacrifice of some months of a worn out career, at the risk of not succeeding entirely in so gigantic a project.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—But for my part, Mr. Speaker, I who belong to the coming generation, and who have twenty years of future before me, cannot approve, by my vote, of a scheme of Constitution which presents itself to us in such a gloomy perspective as regards our nationality, and all that we hold most dear as Frenchmen. If I am thus severe in

my remarks, Mr. Speaker, I hope it will be understood that they proceed from profound conviction; and it is well known that those who have honey on their lips are not always the most sincere at heart. I know also that sometimes those who state boldly what they think pay very dearly for their boldness and independence, but no dread of this, Mr. Speaker, shall ever cause me to shrink from expressing my convictions, when I consider that my doing so may be of any use to my country.

Some Hon. Members—Hear, hear, and prolonged Opposition cheers. Cries of "Adjourn, adjourn!" from the Opposition.

George-Étienne Cartier [Montreal East, Attorney-General East]—No, no! Call in the members.

Antoine-Aimé Dorion [Hochelaga] said he had moved the adjournment of the debate last evening, to have an opportunity of replying to the honorable member for Montmorency (Hon. Mr. Cauchon). But as that honorable gentleman was not in his place in the afternoon, he

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had yielded the floor to the honorable member for Richelieu (Mr. Perrault). The honorable member for Montmorency [Joseph Cauchon], he observed, was still out of the House, and he should like to defer his remarks till the honorable gentleman should be in his seat.

Some Hon. Members—Cries of "Adjourn." and "Go on."

Frederick Haultain [Peterborough] then rose to address the House. He said—If the House will permit me, I shall relieve the honorable member for Hochelaga (Hon. Mr. Dorion).

It is not surprising to me, Mr. Speaker, that there should be this hanging back on the part of honorable members with regard to expressing their views on this subject, as so much has been said about it, that it is now, I won't say thoroughly, but very nearly worn out. And for my own part, in common, I suppose, with all who will have to speak at this stage of the debate, I feel reluctant to

trespass on the time of the House. At the same time, I cannot properly call it a trespass, but must rather consider it a duty. On a matter of this very great importance, involving the interests of so large a portion of this continent, I think it behooves most of us to express our opinions with the best ability that we can bring to the subject.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—We have had this question discussed from so many points of view, and, I presume, by the ablest men who occupy public positions in Canada, that a humble individual like myself must feel great diffidence in saying another word on the subject. But it is no small encouragement to know—at any rate I feel it to be an encouragement in speaking in advocacy of the scheme—that I am in such good company, that the leading men in this province, the leading men in the British Provinces generally, and I may even say the leading men in the British Empire, are all agreed as to the desirableness of what is now proposed, and as to the wisdom which has been displayed in the framing of the scheme now submitted for our adoption.

I do not expect to say anything new, and the fear of repeating what has already been said makes me reluctant to say anything at all; and were I to consult my own feelings, I have no doubt I should be silent, and would rise only when you call on us, Mr. Speaker, to give our votes either for or against the resolutions in your hand. I think every honorable member who has spoken in this debate has expressed his sense of the responsibility resting upon him, when addressing the House and the country on a matter of such vast importance to us all. I feel equally with others how great is this responsibility, and have endeavoured to bring the best powers of my mind to the consideration of the question.

The more we consider it, the more we look into the future in connection with our present movement, the larger the importance, I believe, it must assume in our minds. It not only affects the interests of Canada, but of all

the British Provinces of this continent. Its probable results will materially affect the future, both of the British Empire and of the neighbouring republic, and, therefore, more or less the future of the world at large. I do not think that I am using language at all exaggerated.

From the best consideration I have been able to give to this subject, I believe there are underlying the question now before us principles of the greatest importance to the world. I believe there are principles involved in our present action that must very much determine the character of the institutions that will generally prevail. The impression upon my own mind is, that if successful, we shall give greater stability and a more permanent foothold to the principles that obtain in the British Constitution; but that failing in our present object, we shall see the decadence of these principles on this continent, and the advance of those principles which obtain in the neighbouring republic.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—The more I consider it, the stronger am I of the opinion, that at the present time the principles of democracy and of monarchism—if I may so express it—are at stake; and, considering it in this view, I look upon the scheme before us as calling for the most cordial and earnest support of every man who has learned to value the stability, the moderation, and the justice which have characterized the British nation as compared with any other nation that exists on the face of the globe. The great question before us is that of union—a practicable and attainable union—a union of provinces showing allegiance to the same Crown, possessing, generally, similar institutions, similar systems of government, the same language, the same laws, the same dangers, the same enemies.

Our institutions are generally similar, although, no doubt, from having been isolated for so great a length of time, and having had no intercourse one with the other to speak of, there is an idiosyncrasy attached to each of the

provinces as they now exist, and the longer we remain separate the greater the divergence must be, and the more difficult union between us will be of accomplishment. The advocates of this scheme propose the union of all these provinces. It is a trite

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proverb that “union is strength, and division is weakness.” So universally accepted is this statement, that no man can venture to deny its correctness. And I feel, as an advocate of union, that our position is one which is unassailable, and the arguments must indeed be strong which would convince me that we are not going in the right direction when moving towards union and consolidation.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Apart from the intrinsic force and power of union, which would be in itself sufficient to call us in that direction, Canada has special reasons for desiring that the British provinces should draw together more closely than they have yet done. By such a step we may remove one great cause of our own political difficulties. I do not think that this is at all a necessary part of the argument for our uniting together. But it so happens that by our union we hope to remove these difficulties, and that is an additional argument for union, although not at all necessary to induce the adoption of the scheme.

I believe that if we had no difficulties whatever in Canada, if we were perfectly satisfied with our political position, union would still be desirable on the broad ground of the advantages we would derive from it. But, in addition to those advantages, and the force and strength which union will give us, it will assist us in surmounting and removing those great difficulties under which we labor; and it is a most happy circumstance that, while we are carrying out a principle so excellent in itself, we are at the same time enabled to remove difficulties which might prove most disastrous to our prospects. And, in addition to these reasons, we have evidently the wishes

of the Mother Country for the success of this scheme.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—No one can with reason question the reception which the scheme has met with from the press and from men of all shades of political opinion in the Mother Country. It has met with universal approbation there.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—There has been no jealousy of it that I know of. There has not proceeded from any quarter one word of disapprobation or of doubt as to the prudence and the wisdom which have dictated our advances towards union. The good wishes of Great Britain are thoroughly with us.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—An additional reason, I may say necessity, for union exists in the hostility of the United States so palpably manifested during the past few months. In fact, sir, looking at all our interests—our interests socially and commercially—our interests of defence—our internal harmony—our very existence as an independent people—all bid us go forward in the direction of union. I shall allude but briefly to the political difficulties of Canada, as this part of the subject has been most ably handled by honorable gentlemen who have preceded me.

Our difficulties, I had fancied, were palpable to all, and yet we have heard honorable gentlemen who are opposed to the scheme, almost ignoring their existence, or treating them as though they did not weigh in the scale of the arguments on this question at all. I am sorry my hon. friend from Brome (Mr. Dunkin) is not here, as I will have to refer to some of his remarks.

That honorable gentleman, as well as others, intimated to the House that our difficulties had disappeared; that since 1862 Upper Canada had been satisfied with her position;

that agitation had been laid aside; that there was no more mention of any sense of injustice on the part of Upper Canada. This line of remark only shows me how ignorant those honorable gentlemen were of the subject on which they were speaking; how entirely they had remained in the dark as to the feelings which existed in the minds of the people of Upper Canada; manifesting a degree of ignorance on one very important feature of our position, that rendered them to a great degree incompetent to deal with this question.

From much that I have heard relative to the cause of the dissatisfaction known to prevail in Upper Canada, I think it well not to be altogether silent about it. We must look deeper than the displeasure felt and manifested at the passing of certain measures obnoxious to the majority of that section, or at the unjust principle of an equal distribution of the public revenues between the two sections. It is true that these tended to draw attention to, and make more prominent the real cause of discontent. It lay deep in the chafing of the minds of men whose national characteristic is impatience of intolerance and injustice. It dwelt in the abiding sense of the unfair position that the terms of [the union of 1840](#)¹¹⁰ now imposed upon them, and obeying their national instincts, they could never cease to insist upon a representative reform.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I suppose there are no people on the earth who feel more strongly or who will resist more determinedly the perpetration and continuance of any injustice. It was that sense of injustice, weighing heavily on the minds of the people of Upper Canada, that rendered our position one of difficulty and of danger so long as relief was denied them. I have been surprised, therefore, to hear the statement

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which has been made by some hon. gentlemen in this House, that the feelings of

¹¹⁰ [The Union Act, 1840 \(U.K.\)](#).

dissatisfaction which existed in Upper Canada have disappeared. The formation of the Macdonald-Sicotte Government¹¹¹ has been mentioned as a proof that we have become indifferent to the question of representation by population, which had been so repeatedly and so strongly urged, and that the people of Upper Canada were quite willing, for the sake of some small material advantages, to cast aside that for which they had been agitating for so many years.

In opposition to this, I must state that there was the strongest disapprobation felt and expressed throughout Upper Canada at the formation of that Government. The only excuse made for it was, that it was simply a provisional government, and that its formation was nothing more than a temporary measure. I would not hesitate or fear to appeal to any constituency in Upper Canada, where the question of representation by population had been agitated, and ask them to say whether they did not cherish the strongest feelings of disapprobation that that question should have been ignored at the time of the formation of that Government.

Matthew Cameron [Ontario North]—North Ontario elected a member of that Government.

Luther Holton [Chateauguay]—They were all elected.

Matthew Cameron [Ontario North]—But in North Ontario a member of the Government came who had not been the member for that constituency before, and defeated one who was in favor of representation by population.

Frederick Haultain [Peterborough]—In alluding to this matter, I would wish to guard myself against rousing anything like party questions or party feelings.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I desire, in dealing with the important subject now under debate, to remember that the question before us now is not who was right or who was wrong in 1862 or 1863. The question is, are we right in advancing towards

union, or are we making a great mistake; but where it is necessary for me to allude to the course pursued by either party, it is for the purpose of argument alone, and not in any way to raise the question who was right or who to blame. I stated, sir, that there was the strongest disapprobation, I might more correctly say disappointment, felt in Upper Canada that the question of representation by population should have been laid aside by the Macdonald-Sicotte Government.

I felt as strongly as any man could have done the unfortunate position in which we were then placed; but giving it the best consideration I could, and believing that a change of government was desirable under almost any circumstances, I most unwillingly consented. I believed nothing else could have been done at the time. It was the opinion of most, though not of all, with whom I then voted—we might have been wrong, that is not the question.

Believing, therefore, that we could not then secure the success of the measure for which we had been agitating and which we had been seeking, we thought it necessary to form and acknowledge and support a provisional government, for I do say that the Government then formed was in my estimation, and in the estimation of Upper Canada generally, a provisional government—nothing more; a Government which was simply tolerated, and which could not possibly exist for any length of time. It was a government formed for a certain purpose, and Upper Canada sanctioned it only because of that purpose, which was regarded at the time as of primary importance.

He knows little of the mind of Upper Canada who sees in it any indifference to the question of parliamentary reform. It was a position that neither party has anything to boast of; the apparent inconsistency of the one resulted from the felt misgovernment of the other. It is no small pleasure to be able cordially and consistently to act with

¹¹¹ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863). The administration was formed on May 24, 1862.

honorable gentlemen whom I strongly opposed before, and I so acted because I thought it my duty under the circumstances so to do.—

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Well, sir, how long did this provisional government last? Within one year it was defeated, and before it could show itself to Upper Canada, there was an entire reconstruction of the Cabinet—and why? Because the principal measure which Upper Canada had demanded was lost sight of.

George Brown [Oxford South, President Executive Council]—Hear! Hear!

Frederick Haultain [Peterborough]—There can be no stronger evidence of this fact, than that it was necessary to bring into the Cabinet men who truly represented the views and wishes of Upper Canada, and men also in Lower Canada who were thought to be more friendly to Upper Canada demands. Had that government, without reconstruction, gone to Upper Canada, where would they have been? Had they gone to Upper Canada as they were, and without admitting other elements into the Cabinet, they would have met with a very general hostility. The Premier himself was made fully aware of this, and he wisely bowed

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to the wishes of Upper Canada.

There cannot, therefore, be a stronger evidence than this of the fact that the question of reform in the representation was not laid aside, neither had it lost one iota of its importance in the minds of the great majority of the western section. The Government that had ventured to lay it aside was virtually swept away, and another formed who made it an open question. This, sir, lies at the very foundation of our difficulties. It has been the source of our difficulties, and no doubt would have continued to be, had no remedy been provided.

I have said before on another occasion, and I repeat it, that the minds of men in Upper Canada were filled with foreboding as to the

future. They feared that Lower Canada would resist their demands; they feared that Lower Canada would continue to deny to them what appeared to them to be palpably just and right, and what the end of it all would be they did not know. I confess that I shared this feeling in common with others; and it was a matter of common conversation that things could not continue as they were; that it was impossible for Upper Canada, with her superiority in numbers and in wealth, to consent to remain in the united Legislature in the inferior position she then occupied. If the attempt had been persisted in to deny to that section what was so reasonable and just, no man could have foretold the serious difficulties which might have followed.

Hon. gentlemen from Lower Canada, who have expressed an opinion that this question had ceased to be considered as of importance in the west, manifest a very great ignorance of the character, the feelings and the intentions of the men they had to deal with. My hon. friend from Brome [Christopher Dunkin] was one of those who wished to make light of our present difficulties. He said, towards the close of his speech, that it only needed a little patience, that very little was wanted to make everything quite smooth. But, sir, even he was obliged to admit that a slight measure of parliamentary reform was necessary in order to remove the difficulties by which we were surrounded, and he evidently intimated his willingness to concede it. And there have been hints thrown out by certain Liberal members from Lower Canada that it would not be such an impossible thing, if we would give up this scheme of union, for Upper Canada to obtain her right position, and what she has so justly claimed. But if this be their feeling, I ask them why they did not come boldly out before and avow it?

I would ask my hon. friend from Brome [Christopher Dunkin]—and I regret extremely that he is not in his place—why did he not, in 1862, speak of concessions to Upper Canada, instead of, by vote and by argument, do his best to convince us that we could expect no

relief from him and from those acting with him, from the same section. Very different language is now used by Lower Canada members of all shades of opinion, to that we have been accustomed to hear. Those who now admit the justice of the demands of Upper Canada, and yet in time past have resisted them, ought to be the last to oppose this scheme, which settles the difficulty on a basis accepted by all.

The honorable member for Brome [Christopher Dunkin] and the British members from Lower Canada, who resisted the reform asked for, ought to be foremost in supporting the scheme before us; and I am sorry to find that my hon. friend appears to me to occupy a very inconsistent position. Had he always advocated parliamentary reform, he might with consistency have opposed the proposed union.

In some such position, and even in a stronger point of view, do the French Liberal members appear to be. They were the professed allies of the Reform party in Upper Canada, and were, of course, aware that no reform government could stand that did not deal with the representation question. Now, it appears to me, sir, that the Liberal French party have been singularly untrue to their Upper Canada allies—

Luther Holton [Chateauguay] (ironically)—Hear! Hear!

Frederick Haultain [Peterborough]—I repeat, sir, that the Liberal French members have pursued a course that if continued in, could only have terminated as it has done. I speak of what has come under my own observation since 1862. A new Parliament had been convened. The question of representative reform had attained great prominence. The Reform party had spoken distinctly on that question. Had their Lower Canada allies contemplated a continuance of the alliance, we might suppose that they would have forborne raising unnecessary difficulties. But, sir, what

was the course pursued?

It will be remembered that an amendment to the address was moved, asserting that the principle of equal representation was essential to the union. This was a gratuitous though most significant expression of the divergence that was inevitable. This was made more palpable

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still, when, at the formation of the Macdonald-Sicotte Government¹¹², the Reform party were obliged to pay, as a price for their alliance, the surrender of the principle most prominent in their political creed¹¹³. An alliance based upon such terms could not possibly last. And what must we think when we hear hon, gentlemen intimating that this principle might now be conceded? Had the same principles been then enunciated, had a bold, straightforward course been adopted by the Liberal members of Lower Canada, they might now be occupying the position of settling our very serious difficulties.

I have alluded, sir, to the wishes of the Mother Country relative to the movement upon which we have entered, and I assert that the feeling there is one of universal approbation. Still, so much has been said relative to the opinions existing in the Mother Country as to the connection with her colonial dependencies, and especially with those in British America, that I think it right to remark on this branch of the subject rather more fully than I should otherwise have done, for I feel the great importance of it. I know of nothing that would so much tend to discourage the people of this country as that an impression should go abroad that the Mother Country was intending to cast us adrift—to sever the connection. I have no doubt myself, sir, that did such an opinion really exist in the Mother Country, and were it to be carried into effect at the present time, or within any short period of time, the only alternative—I fear, the only

¹¹² Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863). The administration was formed on May 24, 1862.

¹¹³ Meaning Representation by Population. *Supra* footnote 19.

alternative—would be our annexation to the United States.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Therefore, I feel it to be too great an importance that no doubt should exist in the minds of the people of this country relative to the feelings entertained towards us at home. My hon. friend the member for Brome [Christopher Dunkin] dwelt at considerable length on the subject. He expressed, and I am quite sure he entertains the strongest desire for the perpetuation of this connection; yet it did seem to me that he dwelt with peculiar satisfaction upon every word he could extract from speeches and pamphlets, which appeared to him to point to a desire to sever that connection, and I cannot but remember that he was frequently cheered with “Hear, hears” corresponding with the sentiments he expressed.

[The remarks made by the hon. member from Brome \[Christopher Dunkin\]](#) were, to my mind, most extraordinary. The deductions he drew from the speeches of certain noblemen and gentlemen in the Imperial Parliament¹¹⁴, were so directly opposite to what appeared to me the design and tendency of those speeches, that I cannot account for it in any other way, than by presuming that my hon. friend was not in his usual health, and that his mind did not possess that degree of clearness which he generally brings to bear on every subject he investigates.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—It seemed to me that he looked at everything relating to this question through a distorted medium. I listened with the greatest pleasure to the dissection the hon. gentleman made of these resolutions, and to the microscopic analysis to which he subjected the smallest part of their provisions. It shewed the great acuteness of his observation, as well as the

large and extended information of his mind. But I could not help feeling that he was looking at this subject through the discoloured lens of a powerfully microscopic mind.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—I have no doubt whatever that this also was the impression made by his speech on other hon. gentlemen. His talents and his ability I fully recognize, and I have no doubt that every hon. gentleman listened, equally with myself, with pleasure to what I may call the excruciating dissection to which he submitted these important resolutions.

Some Hon. Members—Hear, hear, *and laughter.*

Frederick Haultain [Peterborough]—But I must at the same time say that the result of all his analysis, and the summing up of all his observations, only proved to me that the ground on which the advocates of this scheme stand is well nigh immovable and unassailable, and convinced me of the smallness of the objections which have yet been urged against it.

Of course my hon. friend from Brome [Christopher Dunkin], considering the temperament of his mind, [dwelt at length](#) and with much force upon [the article which lately appeared in the *Edinburgh Review*](#)¹¹⁵. I must acknowledge that in that article there are passages of extreme offensiveness, such as I regret to see in any British publication, and which were uncalled for and imprudent. If I thought that the article reflected the views of either of the parties now dividing the political world in Great Britain, I should indeed say that our connection with the Mother Country was precarious, and that it behooved us to ask with pertinacity what really was the intention of the statesmen and the people at home with regard to us.

But, sir, we have happily the most conclusive evidence that could be afforded,

¹¹⁴ [Christopher Dunkin, Legislative Assembly \(Feb. 28, 1865\), pp. 532-40.](#)

¹¹⁵ [ibid., pp. 537-539.](#) For the *Review* article see, [“The British American Federation,” The Edinburgh Review, January - April, 1865, Vol. CXXI \(1865\).](#)

that

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article does not represent the views of either of the great parties in the British Parliament. It may be the mind of a few isolated individuals; it may represent what is called the [Manchester School](#)¹¹⁶; and I am not surprised at all that they should utter sentiments of that character.

I believe that the Manchester School, being in a measure republican in their political tendencies, would not be sorry to see us joining the great republic to the south, and that it would not be a matter for much sorrow to them to see us forsaking our allegiance to the British Crown, and joining our fortunes with those of our neighbors. It behoves us to see if there are not some grounds of complaint—if there is not some reason why the Manchester School should wish to get rid of us.

It has been well observed that the remarks made upon us by our enemies are generally more valuable than those emanating from our friends. We cannot very well afford to despise the opinions of our enemies, and we would do well to consider, if we desire to perpetuate the connection with the Mother Country whether we cannot consistently with our interest and honor conciliate every party in Great Britain.

Believing as I do that our independence and prosperity depend upon preserving the connection with the Mother Country, I would be willing to remove every just cause of complaint which may be found to exist, I believe, further, that no man should take part in the government of these provinces who is not alive to the importance of this question. And what is the ground of complaint made by those who hold loosely the connection of the colonies with the Crown?

The complaint is that they are taxed with our defence, while we tax the industry of the

Mother Country, and go directly in opposition to the policy adopted by that country; and surely there is some force and truth in this complaint. There is no doubt that, as we are growing in wealth and numbers, these men feel it as an oppression that they should continue to be taxed as heavily in order to provide means for our defence, and especially as, in times past, we have done so little ourselves in that direction. As from year to year, or decade to decade, we grow in numbers and wealth, we ought to consider, if we value the connection, in what manner we can relieve the Mother Country of the expenses entailed upon her for our defence.

I also hold that, in so far as our financial position admits of it, we should seek to adapt and assimilate our financial policy to that of Great Britain. If we would continue an integral part of that country, we ought not to have high tariffs intervening as so many barriers to that commercial intercourse which should exist between the two countries, for these must be provocative of soreness and dissatisfaction.

I am, however, well aware that there are circumstances which, at the present time, do not admit of such a commercial policy with the Mother Country. I merely say we ought constantly to keep the matter in view, and that those who desire to maintain the connection should consider it their duty to decrease the tariff as much as it can be done with justice to our own position, and thus remove the great cause of complaint on the part of the people at home.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I have alluded, sir, to the *Edinburgh Review* and to the extreme offensiveness of some of its passages referring to the colonies. But at the same time, there are sentiments enunciated in the very same article, which seem to me to contradict

¹¹⁶ Goldwin Smith was a British historian who advocated anti-imperialism. Smith held, “a conviction that ‘colonial emancipation’ should take place as rapidly as possible because it was – except for India and Ireland – inevitable. This conclusion appeared in a series of articles published in the *London Daily News* in 1862–63 and then in pamphlet form as *The Empire* in 1863. There he presented a distillation of the opinions of his friends John Bright, Richard Cobden, and others of the so-called Manchester school who believed that Britain’s economic power, under free trade, was so great that the formal, political empire could be disbanded without economic loss.” [Ramsey Cook, “Smith, Goldwin,” *Dictionary of Canadian Biography* \(2003\).](#)

the drift of the article itself. As we have heard so much of this article, and as it has been made the ground on which to base the supposition that there is a growing desire in England to bring to an end her connection with the colonies, I beg to call the attention of hon. gentlemen to this suggestive paragraph, as I find it in [the same article](#):—

The people of England have no desire to snap asunder abruptly the slender links which still unite them with their transatlantic fellow-subjects, or to shorten by a single hour the duration of their common citizenship. On the contrary, by strengthening the ties which still remain, they would convert into a dignified alliance an undignified, because unreal, subserviency.¹¹⁷

This is a remarkable passage to find in such an article, because, as I said before, the whole drift of the article seems to imply a desire on the part of the writer to see the connection severed; and yet, while expressing this sentiment, he says there is no desire to shorten by a single hour the duration of our common citizenship! Why, this article which has been made so much of, which has been dwelt upon so forcibly, and which has been sent forth to the country as indicative of the future policy of England—I say this very article has strong language

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manifesting a desire for the maintenance of the connection.

John Sandfield Macdonald [Cornwall]—What does the concluding part of the article say?

Frederick Haultain [Peterborough]—That a stronger alliance is desired.

John Sandfield Macdonald [Cornwall]—I mean the concluding part of the article altogether.

Frederick Haultain [Peterborough]—I do not mean to say that there is nothing in the latter part which contradicts the former. But the article points to a position the writer would desire to see us occupy.

John Sandfield Macdonald [Cornwall]—A position of independence.

Frederick Haultain [Peterborough]—Of alliance, not independence.

John Sandfield Macdonald [Cornwall]—No; the latter part of the article expresses the satisfaction felt by the writer at the prospect of our becoming independent.

Frederick Haultain [Peterborough]—I have not the *Review* by me, and it may be as my honorable friend says. But the general drift of the article is as I have stated it to be. I do not mean to say that there are not apparently contradictory sentiments therein expressed—sentiments which are absolutely and altogether contradictory.

To resume my argument, it seems to me that if we evinced a desire to remove the existing causes of complaint, even the [Manchester School](#)¹¹⁸, even such men as [Goldwin Smith](#), would not be unwilling to see the connection between these provinces and the Mother Country continue.

My honorable friend the member for Brome [Christopher Dunkin], not only alluded to this article in the *Edinburgh Review*, but he thought there were speeches uttered by certain noblemen and gentlemen in their places in the British Parliament, from which, looking at them through his discolored lens, he could extract sentiments of a similar character.

The hon gentleman would admit nothing whatever in favor of this scheme, and seemed determined that England, whether she liked it or not, should cut the connection. He said the Mother Country eulogised the scheme, but—that Lord Granville approved, but—that Lord Derby spoke in favor of the connection, but—All the virtue to his mind was in the “buts.” Nothing would satisfy him, and nothing would satisfy England whatever was done, and the sooner she got rid of us as a bad bargain, the better she would be pleased.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—But

¹¹⁷ [“The British American Federation,” *The Edinburgh Review*, p. 199.](#)

¹¹⁸ *Supra* footnote 116.

what was really the tone of the speeches from which the hon. gentleman quoted? [Lord Houghton in seconding the motion for the Address in the House of Lords, on the 7th of February, said](#), “He hoped and believed that these colonies would still recognize the value of the British connection, and that their amalgamation would render them more safe, without in any way weakening their fealty.”¹¹⁹

Some Hon. Members—*Cheers*.

Frederick Haultain [Peterborough]—What language, I ask, could more clearly express the feelings of the person speaking than this, and, as the seconder of the Address, the desire also of the party connected with him, that “our fealty to the British Crown should in no manner be weakened.” And yet my honorable friend from Brome [Christopher Dunkin] thought, with that discolored view he took of it, that he detected some uncertainty—some “but.”

Some Hon. Members—*Laughter*.

Frederick Haultain [Peterborough]—[Lord Derby was even more strong and emphatic in his language:—](#)

If I saw in this Confederation a desire to separate from this country, I should consider that a matter of so much more doubtful policy; but I see it with satisfaction—perhaps, however, it is too soon to discuss resolutions which have not yet been finally adopted—but I hope I see, in the terms of this proposed Confederation, an earnest desire to retain the blessings of the connection with this country—an earnest feeling of loyalty, and a determined and deliberate preference for a monarchical form of government over republican institutions, and a desire to maintain, as long as it can be maintained peaceably—and no human being can wish to see it maintained longer—the amicable connection which at present exists between this country and the colonies.¹²⁰

Some Hon. Members—*Cheers*.

Frederick Haultain [Peterborough]—I notice that on both occasions when Lord Derby and Lord Houghton expressed these sentiments of attachment to the colonies,

cheers were given in the House of Lords; and yet the hon. member for Brome [Christopher Dunkin], laboring under some extraordinary mental hallucination—

Some Hon. Members—*Laughter*.

Frederick Haultain [Peterborough]—thought he could detect evidences of a desire to abandon us to our fate—a willingness on the part of the two great parties represented in the House of Lords by Earl Granville and Earl Derby, that this connection should cease! When we consider the position Lord Derby occupies; when we consider that he spoke from his seat in Parliament—and we all know the significance attached to the utterances of even the men of least note, when they speak from their places in the Legislature, how their words will be noted down and become a matter of record to be referred to five or ten years hence perhaps, as I dare say has more than once been found to be the case with regard to honorable gentlemen

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occupying seats on the floor of this House—when Lord Derby, I say, the leader of the greatest political party in Great Britain—and I do not hesitate to assert that it stands today the most numerous party—gives utterance in the strongest terms to his desire to see perpetuated the connection with the Mother Country, I hope we see in that an evidence, that so long as we discharge the duties properly devolving upon us, England will never fail us in our hour of need.

Some Hon. Members—*Cheers*.

Frederick Haultain [Peterborough]—[Lord Granville said:—](#)

It was gratifying to see the good feeling which existed between this country and the North American colonies, which, while they strove to carry out their own wishes, desired to continue the connection with England.¹²¹

Why, sir, if my hon. friend from Brome (Mr.

¹¹⁹ [UK, House of Lords, “Address to Her Majesty on the Lords Commissioners’ Speech” \(Feb. 7, 1865\), vol 177, cc7-38](#). The wording is slightly different in the official UK Hansard.

¹²⁰ [ibid.](#)

¹²¹ [ibid.](#)

Dunkin) was right, Earl Granville, so far from saying that he desired to see this connection perpetuated, should have expressed his regret that we were desiring to maintain this connection. Notwithstanding the strength of the language I have quoted, my hon. friend from Brome [Christopher Dunkin] was determined to see in it some desire in the minds of these noble lords that the connection should cease—some desire on the part of the people of England that they should no longer hold, as appendages of the British Crown, these valuable Provinces of British America. [He said](#) even, with reference to the language of Lord Derby, that his lordship “hoped” and “trusted”¹²² that so and so would be the case—and that the very fact of Lord Derby’s expressing a hope that we were not going to sever the connection, was in his mind tantamount to saying that a separation was inevitable.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—What would happen, sir, if my hon. friend were to carry out these extraordinary views in the common intercourse of life? It struck me, while he was speaking, that in his state of mind, there might be danger in the interchange of the casual civilities of social intercourse. He is unfortunately laboring under a severe cold. Suppose I were to meet him tomorrow morning, and in the exercise of that friendly regard that I cordially feel for my hon. friend, I were to express a hope that his malady was decreasing. If he were to interpret my “hope” in the same strange manner in which he has taken the “hope” of Lord Derby and others, he would very likely tell me that he was not so near his dissolution as I imagined, and that he had no intention yet of ordering his grave to be dug. For it must be evident, that acting under the mental delusion that has characterized his remarks on this

subject, he would interpret my “hope” that he was better, to a persuasion on my part that he had but a precarious tenure of his life.

Some Hon. Members—Hear, hear, *and laughter.*

Frederick Haultain [Peterborough]—And to illustrate farther how incapable his mind had become of dealing impartially and correctly with the important subject before us, I would call the attention of the House to the fact that when [Lord Derby expressed](#) “a hope,” he was not speaking at all of the feeling in England, but he was speaking of the feeling in this country. He said he hoped we should continue the connection. But when he spoke of the feeling in the old country, he did not even use the word “hope,” but spoke positively and with assurance, saying: “I am sure”¹²³ that the aid of Great Britain will never fail them when they require it.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—We have had his remarks quoted to us before, but I make no apology at all for extending the discussion upon it, for I feel strongly how important it is that this country should understand what the feeling in England is with regard to us. We have also had quoted to us the [words used in Her Majesty’s Speech](#), at the time that Columbia was formed into a British province. I will read it again:—

Her Majesty hopes that this new colony on the Pacific may be but one step in the career of steady progress by which Her Majesty’s dominions in North America may ultimately be peopled in an unbroken chain from the Atlantic to the Pacific, by a loyal and industrious population of subjects of the British Crown.¹²⁴

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—These utterances from high official quarters, which are generally very reticent, are remarkable for their force, and for the unmistakable language

¹²² [Christopher Dunkin, Legislative Assembly \(Feb. 28, 1865\), p 536.](#)

¹²³ [UK, House of Lords, “Address to Her Majesty on the Lords Commissioners’ Speech” \(Feb. 7, 1865\), vol 177, cc7-38.](#) The wording is slightly different in the official UK Hansard. Lord Derby says, “...with the aid of this country, which I trust may never be withdrawn from those provinces.”

¹²⁴ [UK, House of Lords, “Speech of the Lords Commissioners” \(Aug. 2, 1858\), vol 151 cc22369-73.](#)

in which they are couched. But, if there was any doubt as to the feeling which existed among the leading men of the political parties of the Empire, ought not that doubt to be removed by the visit of His Royal Highness the Prince of Wales to this country? Was that a mere sham, a make-believe, on the part of England and the English Government, that Her Majesty desired to retain, and Her Government and the people of England desired to retain, the allegiance and the homage of Her people in the west? I do not believe it for a single instant.

I have had recalled to my mind the language used by the Prince of Wales, which I remember struck me very forcibly

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at the time. It occurred in his address to the Canadian regiment in the year 1858, or the beginning of 1859. After its arrival in England, colors were presented to that regiment by H.R. Highness. It was his first public act, after he had been appointed to a commission in the British army. I will read the words which fell from the lips of His Royal Highness on that occasion, and which made a most gratifying impression on my mind, having spent, as a British officer, previous to that time, many years of my life in these provinces. [His Royal Highness, in presenting the colors to the regiment, used these words:](#)—

The ceremonial on which we are now engaged possesses a peculiar significance and solemnity, because in confiding to you for the first time this emblem of military fidelity and valor, I not only recognize emphatically your enrollment into our national force, but celebrate an act which proclaims and strengthens the unity of the various parts of this vast empire under the sway of our common Sovereign.¹²⁵

While on this subject, I may refer to one or two of the answers which His Royal Highness made to the various addresses presented to

him in passing through this country. One of the most gratifying to my own mind, and to the mind of every man who desires to see our connection with the Mother Country perpetuated, is [his answer to the Address from the Legislative Council, in which he said:](#)—
“Most heartily do I respond to your desire that the ties which bind together the Sovereign and the Canadian people may be strong and enduring.”¹²⁶

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—But it is not necessary for me to quote further from the answers made by His Royal Highness. The whole aspect of his visit to this country—the utterances of the leaders of the two great parties in the British Empire—the well-known wishes of our Sovereign and of the Heir-Apparent to the Throne—all these intimate (so far as acts and language can intimate anything) that there is still an unanimous desire on the part of the British people for the continuance of the connection of these provinces with the British Empire. And I believe it rests with us—altogether rests with us—whether that connection shall be perpetuated.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I have no doubt that this prevailing desire for the perpetuation of the connection is one main ground of the satisfaction with which the people of England view our movement towards union. They are well aware—not looking at it from the view of our sectional jealousies and party conflicts, but looking at it from a broader point of view—that our union must tend to the consolidation of our power and our strength, and to the development of our resources. I see no absolute necessity why, as we grow in strength, we should think, for many long years to come, of severing the connection; but as we increase in wealth and

¹²⁵ Prince of Wales speech to Canadian 100th regiment in 1858. [Henry James Morgan, *The Tour of H.R.H. The Prince of Wales Through British America and the United States* \(1860\), p. iii.](#)

¹²⁶ [Address to the Prince of Wales from the Legislative Council of Canada \(Aug. 21, 1860\). Duke of Newcastle, *Addresses presented to H.R.H. the Prince of Wales During his State Visit to British North America...* \(1860\).](#)

in numbers, we ought gradually, in the time of peace, to relieve the Mother Country of the expense to which we now put her for our defence.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Another reason why we should earnestly desire a union of the British provinces, in order to develop our nationality, in order that we should become better acquainted, in order that new channels of commerce should be opened up, is because of the hostility of the United States, evidently manifested to this country during the past few months.

What has been the policy of the United States towards Canada during that time? We have seen adopted the passport system—a remnant of despotism which even the despotic governments of the old world have abolished. We have seen that democratic people embarrassing and restricting the intercourse between us; they have given notice of the termination of the convention limiting the lake naval force; they have, I believe, given notice of the abrogation of the [Reciprocity treaty](#)¹²⁷; we have seen the committee of ways and means reporting a bill for putting the frontier defences in order, and recommending the expenditure of upwards of a million of dollars on those defences. They have given notice, or propose to give notice, of the abrogation of the Extradition treaty. They have proposed the construction of a ship canal around the Niagara Falls for gunboats and vessels of war. This is the policy of the United States towards Canada.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—And it makes us consider what steps they will take next. It must make every man consider the position of this country, should she be cut off from a communication with the ocean through the United States by the bonding system being suddenly terminated. It makes us feel the humiliating position we occupy, that our very national existence at the present time is in a

great measure dependent—most humiliatingly dependent—upon a foreign and an unfriendly power.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—The people of the United States have recently manifested no good-will towards us, and the steps that have been taken to exhibit their ill-will are perhaps only a foretaste of what we may expect before long. But whether they take extreme measures or not at the present time, does our

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present position offer any guarantee for independence, or for the continuance of our connection with England? Rather, do not the condition of this continent and the earnest advice of British statesmen call aloud upon us to be prepared, unless we intend to form part and parcel of the great republic? I can readily understand how men with annexation tendencies, and who are inclined towards republican institutions, would rejoice at our present position. I can understand how men who wish to see the whole continent converted into one great republic, are pleased at difficulties being created between the Empire and the provinces.

But those who entertain different views see plainly that some steps must be taken, that we must go to work earnestly to build up a nationality independent of the United States, though not in hostility to it, to counteract the tendency so evident on every hand to drive us into their arms. We know very well what must be the result of the stops which they are now taking—unless we ourselves take measures in another direction—unless we find another outlet to the ocean—unless we find some other channels for our trade and commerce, they know that we must inevitably fall into their arms.

That is another reason why I wish to see no delay in the union and in the amalgamation of the British provinces, in order that we may at

¹²⁷ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 107.

once consolidate ourselves into one people, and at once endeavor to abolish those barriers which now exist between us, and develop the feeling that we have common interests, and that we are dependent the one upon the other, which can never be the case so long as division walls exist. It seems really astonishing to my mind that any man who really desires to see built up on this continent a nationality independent of the United States, should offer any opposition to the proposal now before us.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—So much has been said with regard to our financial and commercial position and prospects, that I think it is quite unnecessary for me to say anything further on the subject. I am quite sure that I could not place the matter before you as well as it has been submitted by those who have preceded me. But it is natural that each speaker should dwell upon that which most impresses his own mind. I am persuaded that in every point of view—in view of our dependence upon, and precarious relations with the United States, in view of a desired union with the British provinces; in view of our connection with the Empire—we should be culpably lacking in our duty, did we any longer delay to seek and to create new channels for our trade and commerce. It is well known that at the present time our productions are actually passing through the hands of the New York merchants before they reach the Maritime Provinces. These merchants are deriving all the benefits of that trade, which, with all our disadvantages, does exist to a considerable extent, and is evidently capable of an enormous extension.

It is only necessary to refer to the position and characteristics of the different provinces, to see at once how exactly they supply the wants and deficiencies of each other. Suffice it to say that we are agricultural and manufacturing, whilst they are, and must remain, principally a maritime population, requiring for consumption that with which we

can supply them. I know it is said that these channels of commercial intercourse may be opened up without union. But we need to feel ourselves to be one people, with identical interests, dependent upon each other; and what can do this as well as a political union, bringing us together into one legislature and under one government? Perhaps it is not too much to say that our commercial interests would be furthered more in ten years under a political union, than it would be in thirty years without it.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—In connection with this subject, I am naturally reminded of the Intercolonial Railway. Now, sir, it appears to me, although the Intercolonial Railway has been dragged into this question—although the expense of that undertaking has been dwelt upon by the opponents of this scheme as if it were part of the scheme and of this scheme alone—I believe that whatever the event, whether there be a Confederation of the provinces or not, the Intercolonial Railway is an indispensable necessity. The expense of that railway is, therefore, a question altogether apart from this scheme, and cannot be allowed to enter into the arguments pro or con. I do not look upon the Intercolonial Railway, at the present time, in the light of a profitable commercial undertaking, neither, to any great extent, as a valuable military undertaking.

Some Hon. Members—*Opposition cries of* “Hear, hear.”

Frederick Haultain [Peterborough]—There is not the least doubt that when we are not actually engaged in hostilities, it would be of the greatest advantage in furnishing us with an outlet at all seasons of the year. Before actual hostilities, as in the [Trent affair](#)¹²⁸, we need it to secure our independence of the United States in bringing rapidly troops and munitions of war into the provinces. When actually at war, we are aware that railways are easily destroyed, and

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¹²⁸ [Supra footnote 77.](#)

rendered of little use, unless we have the means of protecting them. But as a great social and political engine, it seems to me absolutely necessary, if ever we are to have a union; and if a union does not come to-day, but is looked forward to ten years hence, I still hold that we ought at the present time, and without unnecessary delay, to commence its construction. Union, sir, is desirable, because undoubtedly it will add to our means of defence. It is true we shall not have any territory added to us which will increase our strength; neither shall we add to the number of battalions in the provinces generally. But it does not, I apprehend, require a military man, or a man with military experience or military education, to be aware that there is no combination which so much needs one head and one guiding mind as the management of military organizations, and the guidance of military operations.

What, I ask, would be our position in the event of war, should there be no union? We have at present five distinct provinces, with as many independent governments. The people are but little known the one to the other, and consequently have but the slightest possible interest in each other. In the event of war, circumstances might frequently occur where concerted action on the part of two or more of the provinces might be required. Immediate cooperation might be essential to the success of the proposed project. Should we not have the most serious difficulties thrown in the way of the undertaking, simply from the fact that so many independent governments must be consulted, each jealous of its own rights, and concerned only about its own safety.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Such a state of things demands a change, were there no other argument in favor of it. If we are to remain independent of the United States, we must unite, in the most effective manner possible, our available means of defence. We must become acquainted with one another, and do all we can to call into existence a feeling

of oneness, and of interest not only in one section or province, but in British America generally. Canadians should cease to think that they are interested alone in the defence of Canada, and Nova Scotians must learn to look beyond the limits of Nova Scotia. If we are to offer anything like a united resistance, we must have a common interest in the whole country. And how can we so surely effect this, how effect it at all, without union?

But let us carry out the scheme that is proposed for our adoption, and in course of time we shall all learn to feel interested in the integrity of every part of the Confederation. If we are united we shall find the people of the Maritime Provinces admirably suited for the work required to be done on the lakes—the key to the defence of Upper Canada. If, therefore, we can be united as one people, if we are brought under one head and one mind, we shall have Nova Scotians assisting in our defence, and very likely we shall assist in the defence of Nova Scotia.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I cannot too strongly impress on the minds of those who hear me the strong convictions of my own mind with reference to the importance of immediate and thorough union. Our own interests demand it, the interests of the Empire require it, that we may be able to hold our own against the strong and energetic power to the south of us. For these important objects we must learn to throw aside all our sectional disputes, and to place ourselves in the hands of men who would have to guide us when the time of difficulty may arrive.

No one more earnestly desires the continuance of the blessings of peace; but should the reverse come, we must all learn to obey orders with zeal and promptitude, to stand in readiness for service in any part of British America where our presence may be required. This can never be done so long as Nova Scotia is building up a nationality for herself, and New Brunswick, Newfoundland and Prince Edward Island are each remaining in a state of isolation, and Upper and Lower

Canada are far removed in sentiment and feeling from either. So long as this is the case, we are diffusing our strength and are weakening ourselves.

From no point of view can union be more strongly urged as a necessity than in the case of our defence. The defence of Canada, although we have such an extended frontier, is not so difficult as might at first sight appear. There are a few prominent points which must be defended, and which we must make up our minds to hold.

It is true we have an extensive frontier, but the frontier of the United States is not the less so. It is true also that we have many towns on the frontier, but they are not to be compared to the wealth and importance of those of the United States, and therefore we are not placed at so great a disadvantage in that respect. There are certain points which are the key or the gates to Canada, and which, if properly defended, we may reasonably hope to hold the country, without fear of any number that may be brought against us, and it is of the first importance that the people of Canada should

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awake to the necessity of having these posts defended.

If we are to remain independent, if we really desire a nationality apart from that of the United States, it is necessary that we should think of these things, and look them fully in the face, to consider it well, and to see the absolute necessity of coming to some arrangement with the Imperial Government as to the proportion we are mutually to bear. If we are really in earnest in our professed desire to maintain our independence, I believe we shall be willing to tax ourselves and submit to the necessary sacrifices.

The very fact that there is an uncertainty existing in the minds of many whether Canada will consent to be taxed for her defence, is one of the strongest grounds, to my mind, why we should lose no time in completing the union of the British American Provinces. I feel that so long as Canada is separated from the rest of

British America, so long will she be without any feeling of nationality. She cannot exist here alone. We need to feel that there is a nationality on this continent to which we are attached; and I know of nothing more likely to extend our ideas and views, so as to embrace the whole of British America, than the present project.

We are likely to view a country such as the Confederation would include, as something worth struggling for and defending. All other countries of the world are satisfied to tax themselves for their defence, and we find countries not so numerous in population, and with revenues and commerce inferior to ourselves, maintaining comparatively large standing armies. And yet when we talk of our defences—when we speak of the taxation which will be necessary in order to erect and defend these works and to instruct the militia, we hear doubts expressed, uncertainties floating about, whether Canada will really consent to bear her share of it. It shows to me that there is among some a want of a deep-seated feeling of nationality, and that that necessary sentiment has yet to be called out and developed. Where this does exist the people do not hesitate to make any sacrifice necessary for the maintenance of their independence. Other countries have manifested their attachment to their nationality and their flag by the sacrifice of almost everything they possessed.

Sometimes, however, it is urged that when the time arrives Canada will show to the world that she is willing to spend her last drop of blood in defence of the soil. This is a very proper sentiment, and sounds exceedingly well, but I cannot help thinking that if those who give expression to it wish to shew that it can stand the test of trial, they would now urge the expenditure necessary to give effect to it. They would then be doing some real practical good, and not be so liable to be regarded as mere sentimentalists. The question is an eminently practical one, and the sentiment that has no practical issue may be regarded as spurious and useless. We may be sure of this,

that if we are not willing to spend the money that is necessary for our defence, when the time comes there will be a great unwillingness to spend the blood.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—We ought to consider that it is not sufficient that we should be willing to spend our lives, for these alone cannot defend us. If we make no preparation, what will the destruction of life avail us? It is unreasonable and foolish to say that we will leave everything undone—the training of our men, and the strengthening of our positions—until the very time when our only chance must depend upon our having trained men and fortified positions ready to our hand. It would be as reasonable for a man to say, “I will learn to swim when I am drowning.”

Every reasonable man exposed to drowning would certainly take every means to learn to swim beforehand, so that when exposed to the danger he would be able to extricate himself. It seems to me quite as reasonable for us to say that when the time comes we will spend our lives in defence of the country, and neglect all precautionary measures beforehand. I have no sympathy with such a sentiment, and very little confidence in it. I should like rather to see a little practical sense manifested in a question of such vital importance.

I have read with attention the report of Col. Jervois, who was sent out by the Imperial Government, and, I presume, most other hon. members of this House have also seen it. That officer points out certain places which must be defended, and he [closes his report with this remark](#): “That unless these works are constructed, it is worse than useless to continue any British force in Canada.”¹²⁹

Joseph Perrault [Richelieu]—Hear! Hear!

Frederick Haultain [Peterborough]—The hon. gentleman says “Hear! hear!” Of course, sir, I cannot pronounce absolutely what may be passing in his mind, but I have noticed

this—the hon. gentleman will know whether it justly applies to himself or not—that when the expenses of our defence were mentioned by my hon. friend the member from North

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Ontario (Mr. M.C. Cameron), in a manner deprecating the expenditure, there was a very significant “Hear! hear!” intimating a hearty concurrence in such sentiments. But, sir, when my hon. friend in his usual forcible manner, expressed his willingness, when the time arrived, to spend the last drop of his blood in the defence of this land, we heard no more of the responding and concurring “Hear! hear!” I alluded to.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—My hon. friend, if I understood him rightly, deprecated the idea that any expense should be entailed upon us for defensive works. But, sir, he spoke like a true Briton, and I am quite sure that he was in earnest, and did not utter a mere barren sentiment, when he said that he would spend his last drop of blood in the defence of his country. And I am sure he would do so. But I would put it to my hon. friend if it is more reasonable that he should spend this blood, or spend a few pounds? Who can tell the thousands, ay, the hundreds of thousands of human lives that may be spared by the judicious and timely expenditure now of a few hundreds of thousands of pounds?

I wish to impress upon my hon. friend what is the clear conviction of my own mind, that in every point of view it is economy—economy of treasure, and economy of useful lives, to spend some money now to place our country in a state of defence. I think a great change has taken place within the last few years in reference to this subject. The ventilation of the subject has drawn men’s minds towards it, and we are beginning to feel that here we are a people considerable in numbers and considerable in wealth, and it is incumbent

¹²⁹ [Letter from Lieutenant Colonel Jervois to the Secretary of State for War with Reference to the Defence of Canada \(Jan. 1865\), p. 7.](#) Quote is a loose summary.

upon us to do more than we have been doing in times past.

I would call attention to a very important work which can scarcely be overestimated. I allude to the Ottawa canal. I regret that the state of our finances will not permit us to think of its construction at the present time, but I refer to it that we may think of it; that the representatives of the people may think of it; that the statesmen of the country may think of it. In order to secure the future defence of the country, and especially the western section of it, and to maintain its independence, the Ottawa canal must be built. The Ottawa canal would be worth 50,000 men to us. With that canal, and the aid of the Mother Country, which we are assured will never be wanting when we require it, we will be able to maintain and hold our own on the lakes, and thus make our own territory secure, and threaten our opponents at many important points.

At the present time we are in a sad condition as regards our canal communication, looked at from a defensible point of view. Our St. Lawrence canals are almost entirely useless. I am glad to see that the American Government have given notice of their intention to terminate the convention for not keeping armed vessels on the lakes. I am glad to see that this is to be put an end to, for it was decidedly prejudicial to our interests, and I have no doubt we shall have gunboats on our lakes before the end of the present year. Had it continued otherwise, we might have been very much at the mercy of the United States. There is no question that, should they determine upon going to war with us before the opening of navigation, we might not be able to get a British gun-boat on our waters by the St. Lawrence canals, as they are so easily accessible to our opponents, and, without much difficulty, could be rendered useless for navigation. As regards the Rideau canal, how are we to get gun-boats through it? There is a certain class of gun-boats that might pass through it.

Hope Mackenzie [Oxford North] was understood to express doubt on this point.

Frederick Haultain [Peterborough]—Yes; the locks of the Rideau canal are, I believe, 130 feet long, and would admit a certain class of gunboats. But, as my hon. friend seems to remark, the Rideau canal would, nevertheless, be useless, because the only way by which we can reach it is through the Grenville canal, and the locks of the Grenville canal are only 70 feet long. Therefore, we should be entirely at the mercy of the United States, because, unless we held Lake Ontario, the Upper Province would be inevitably gone.

Well, sir, it appears to me that all our interests—commercial, political and defensive—and the peculiar circumstances in which we are placed, urgently call for the union of the British Provinces. The reasons are of that force and the interests of that magnitude, that it is surprising to me that any hon. gentleman, who really desires that these provinces should be independent of the United States, should hesitate for a single moment about adopting the scheme, not that it is perfect, but because it is the only one within our reach.

Some Hon. Members—Hear, hear.

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Frederick Haultain [Peterborough]—I have now to make a few remarks on the character of Her Majesty's loyal Opposition. The composition of that Opposition strikes me as somewhat remarkable. It is certainly heterogeneous. The great difference between the Opposition and the Government seems to me to be this, that while the Government are anxious to build up, to consolidate, to strengthen, the only object of the Opposition, the only object which keeps them together, appears to be to pull down, to weaken, to divide.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Many of the remarks which have fallen from the various members of the Opposition, they might have made with equal force against each other as against the Government. To use a military phrase, they seem to have been

firing at one another, but as it is only a war of words and arguments, they may still fire away, although logically hors de combat. One says it is necessary we should have a change. Another says he desires no change, but wishes us to remain as we are.

A third is against Confederation, because he thinks the Federal principle is one which in all time past has been proved to be weak and powerless. Another member of the Opposition bases his hopes of the world's future on the principles of Federalism. Another says he will have nothing but a legislative union; while, I believe, there are not a few of those with whom he acts who would threaten fire and sword if a legislative union were attempted to be carried. We have surely here an extraordinary display of anything but unanimity. As I said before, they present the spectacle of a most heterogeneous company, with power only to destroy.

Thomas Wallbridge [Hastings North]—What sort of a spectacle do the Government present in that respect?

Frederick Haultain [Peterborough]—The members of the Government have a common object—they have come together, not to assail one another with their opposite principles and views and opinions, but they have come together to combine, they have come together, like reasonable men, for the accomplishment of a great common object—and they have considered how best they can meet one another's views by mutual concession, which is the law that binds society together, without which society would be at an end. They have united in this way and in this spirit to strengthen the position of these provinces, and the position of the Empire to which they belong.

But I do not hear one word of this, with regard to the hon. members forming the Opposition. I do not hear that they have met together, and are prepared to propose to the country some scheme that will be better than the one that is now offered for our adoption. I do not hear a word of anything of the kind, and this I do most seriously complain of. I

maintain that the importance of this matter is such, that it is their duty not to avail themselves of what is ordinarily called the latitude of parliamentary opposition.—The circumstances of this country are too grave for us to trifle with such a question. If we present to the House and to the country something to meet the difficulties of our position, then I say that honorable gentlemen who oppose that scheme are wanting in their duty to their country, and are wanting in the appreciation they ought to have of those difficulties, if they do not on their part present something to us, and ask us to accept from them what they suppose better than is offered to them by us. I cannot but express my regret at the course they have pursued.

Some Hon. Members—Hear.

Frederick Haultain [Peterborough]—I will now allude, sir, to an opposition to this scheme, which has been very decidedly expressed by a certain section of the Protestant minority of Lower Canada. I am aware, from personal intercourse with many gentlemen belonging to that section of the community, that they do feel a very strong aversion to this scheme, because, as they say, it will place them at the mercy of the French-Canadians. On this point I desire to assure my honorable friends from Lower Canada, that whilst I consider that our present circumstances require us all to speak openly and honestly one to the other, it is and will be my earnest desire to speak with all kindness of feeling towards them.

I feel compelled to say that there is no part of this scheme that I feel more doubt about, than the effect it will have upon the education and political interests of the Protestants of Lower Canada. It has been said that there is and always has been a spirit of toleration and generosity on the part of the French-Canadians towards their Protestant fellow-countrymen. I have heard it said that they have on every occasion furthered to the utmost of their ability, and in the fairest and most just manner, the educational interests of the Protestant minority. But on the other hand, gentlemen who have paid a great deal of

attention to the subject, have

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also said that, in time past, although there has not been an open hostility to the education of the Protestant minority, there has been a very decided under-hand obstructiveness. This is stated by gentlemen who have taken a particular interest in the matter, and who, I am confident, would not make such a statement if they did not think it to be the case.

And I must say, for my own part, that I do think the Protestant minority have some grounds for this fear. And this is my reason: the religious faith of the majority in Lower Canada is, as we know, Roman Catholic, and they receive from the head of the Romish Church their inspiration; they are guided by the principles that are laid down, and that are from time to time publicly promulgated by the head of that Church. Now, I do not think that my Roman Catholic fellow countrymen can be surprised—and I would ask their attention to what I am saying, I desire to speak honestly, but, of course, courteously—I do not think they can be surprised at these suspicions and fears of their Protestant brethren. And why? Because they must themselves be aware what are the principles of the Roman Catholic hierarchy.

Charles Alleyn [Quebec City West]—What are they?

Frederick Haultain [Peterborough]—They are not tolerant.

Some Hon. Members—*Murmurs of disapprobation from various parts of the House.*

Charles Alleyn [Quebec City West]—Are Presbyterians more tolerant? The hon. gentleman has stated that the principles of the Roman Catholic hierarchy are not tolerant. Will he explain whether he means that they are not tolerant with regard to civil liberty, or with regard to religious liberty. We wish to understand precisely what the honorable gentleman means.

Frederick Haultain [Peterborough]—And

that is precisely my object. I believe that civil and religious liberty are so bound up that you cannot separate them.

Charles Alleyn [Quebec City West]—You believe they are intolerant on both points?

Théodore Robitaille [Bonaventure]—It is not well to discuss such matters here.

Frederick Haultain [Peterborough]—I think I have only to refer to the letter recently issued from Rome, to find a complete and absolute answer to the question which the hon. member for Quebec [Charles Alleyn] has put to me. I see in that letter, which is invested with all the gravity and authority that necessarily surround [a message from the head of the Roman Catholic Church](#),—I see, amongst other things, that it is there stated as an error to be condemned, “that emigrants to Catholic countries should have freedom of worship.”¹³⁰

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I do not think there can be any one more anxious than myself to avoid anything like religious discussion in this House, or to avoid rousing anything like religious animosity. But when we are discussing a scheme of the greatest importance, involving the interests of various sections of the community, I do think it behoves every man to speak honestly.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I have said that the Protestant minority in Lower Canada fear lest they should not have full justice done to them. They know the great power of the Romish hierarchy in Lower Canada. They know how much everything is shaped according to the wishes of that body. They know that that hierarchy receives its inspiration from Rome, and within the last few weeks we find what is the character of that inspiration.

Some Hon. Members—*Renewed murmurs of disapprobation.*

Frederick Haultain [Peterborough]—Now I ask my Roman Catholic friends to consider this candidly. When there comes from the

¹³⁰ [Pope Pius IX, The Syllabus \[Of the Principal Errors of our Time...\] \(1865\), Section X, Clause LXXVIII.](#)

Pope, the head of the Roman Catholic Church, a letter clothed with all the authority that we know the French Canadians attribute to that source, and when we have it declared here that it is an error to say that in some countries called Catholic, emigrants should enjoy the free exercise of their own worship—

Some Hon. Members—Hear! Hear!

Frederick Haultain [Peterborough]—I hear some of my honorable friends say “Hear, hear,” in rather a jeering tone. But I ask you to think honestly about it. Suppose it were possible for the Protestants of Canada to speak in a manner similar to that in which the head of the Romish Church has spoken, and that we were to declare it to be a principle that should guide us, that we ought not give to those who differed from us the freedom of religious worship, would not the Roman Catholics in Upper Canada have good reason to be alarmed?

Now, I ask you to do me the justice, my hon. friends, to think of it in a just light, and not in the light of an attack upon your religion. I ask you to think of it fairly, especially at such a time as this, when the Protestants of Lower Canada are called to put themselves into the power of the Roman Catholic hierarchy; for I believe it is simply tantamount to that. I ask you to think what must be their feelings when they read, as emanating from the head and ruler of the Romish hierarchy, such a

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sentiment as that contained in the passage I have quoted.

George-Étienne Cartier [Montreal East, Attorney-General East]—Will the hon. gentleman allow me to say a word? The Protestant minority of Lower Canada have always lived in harmony, not only with the Catholics, but with the Catholic clergy of Lower Canada. And I may say also, on behalf of the Protestants of Lower Canada—the majority of them at all events—that they are so convinced that there is true liberality in the hierarchy, in the Catholic clergy of Lower Canada, as well as in the great majority of the

Roman Catholics of Lower Canada, that they have no such fears as the hon. gentleman entertains.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Of course, it must be perfectly obvious, that in a matter of this kind, what emanates from my hon. friend the Hon. Attorney General East [George-Étienne Cartier] will have very little weight, in comparison with what emanates from the head of the Roman Catholic Church. Now, I do not accuse my French-Canadian fellow-subjects of anything like intolerance. But what I say is this, that there is ground for suspicion on the part of the Protestants of Lower Canada, knowing what is the position in which they will be placed, with regard to the Roman Catholic hierarchy, when they find emanating from the head, the very inspiration and fount of that hierarchy, the intolerant sentiments I have alluded to.

Why do I mention this? Is it with the view of raising any difficulty about the scheme now before us? Quite the reverse. I speak in time—I speak to assure my coreligionists in Lower Canada—to elicit the declaration of tolerant and generous sentiments on the part of Roman Catholic members; I speak in earnest warning now, that there may be no necessity for it hereafter. I need scarcely declare what are my own sentiments—those of every British Protestant; we grant cheerfully to our Roman Catholic fellow-countrymen that which we also demand, the freest liberty of conscience, the freest exercise of every political right.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The Hon. Attorney General East [George-Étienne Cartier] rose and spoke for the Protestants of Lower Canada. My hon. friend from Peterborough (Col. Haultain) also speaks for them. How shall we decide between the two?

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The hon. gentleman from Cornwall [John Sandfield Macdonald] is like the blank leaf between the Old and New Testaments,

belonging neither to the one nor to the other.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—I really think this is a very important matter. The hon. member for Peterborough [Frederick Haultain] speaks for the Protestants of Lower Canada, and the Hon. Attorney General East [George-Étienne Cartier] also says he speaks the feelings of the same class. What shall we say between them?

George-Étienne Cartier [Montreal East, Attorney-General East]—I can say this. I have seen, as the hon. Mr. Tiber is aware, a considerable amount of political life, and during all that time I have always stood by the cause, when it was attacked, of the Catholic hierarchy of Lower Canada; but at the same time I have always stood up on behalf of the rights of the Protestant minority, and it has been my lot always to have the confidence of that body.

John Sandfield Macdonald [Cornwall]—Not as a body.

Charles Alleyn [Quebec City West]—I propose that this part of the discussion be postponed till Sunday.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—And sing the doxology before we begin.

Frederick Haultain [Peterborough]—I think, sir, this is a matter too serious to be made the occasion of unmeaning jokes. I speak what I know when I say there is a feeling of distrust on the part of a great many of the Protestants of Lower Canada. And I speak what I know, when I say that what I have quoted as emanating from the head of the Roman Catholic Church, has tended to increase that distrust. It must be evident, that if we are in the future to progress amicably and well, it is better we should speak honestly before we enter into this compact, and that we should all strive to guard against any system being carried out, or any course pursued, that would tend to create difficulties in the future. What do my hon. friends from Lower Canada

say with regard to what I have quoted? One hon. gentleman rises with a jeer about deferring this discussion till Sunday.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I should like to know what the hon. gentleman thinks of the passage I have read. Does he agree with it?

Charles Alleyn [Quebec City West]—Upon my word, I have not read the whole letter.

Frederick Haultain [Peterborough]—Does he agree with the portion I have read?

Charles Alleyn [Quebec City West]—I am in favor of liberty of conscience to the fullest extent.

Frederick Haultain [Peterborough]—I think, in justice to themselves, hon. gentlemen of the Roman

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Catholic faith should make themselves acquainted with what has emanated from Rome. I feel there is ground for the remarks I have made, and that I would have been failing in my duty to the Protestants of Lower Canada, had I not made them—had I not stated on their behalf the grounds of their fears for the future. I hope hon. gentlemen will make themselves acquainted with what I have alluded to. I do not know whether the long list of errors was read out in the Roman Catholic churches, but I do know that [the Encyclical letter](#)¹³¹ which accompanied it was communicated to those who attend church. I do not know whether my hon. friend is in the habit of going to church.

Charles Alleyn [Quebec City West]—Oh!

John Sandfield Macdonald [Cornwall]—I would like to know how my hon. friend from Peterborough [Frederick Haultain] will satisfy those for whom he speaks, if he votes for this Confederation scheme.

Frederick Haultain [Peterborough]—I have sufficient confidence that my honorable friend the Attorney General East [George-Étienne Cartier] would oppose anything like an

¹³¹ [Pope Pius IX, The Syllabus \(1865\).](#)

oppression of the Protestant population of Lower Canada. I am quite satisfied he will faithfully carry out the assurances he has given from his seat in Parliament, with reference to the amendments to the [Education Act of Lower Canada](#)¹³².

George-Étienne Cartier [Montreal East, Attorney-General East]—And I may say that my fulfilment of those pledges will be easily performed, because it has never entered the minds of the Catholic clergy in Lower Canada, or of the majority of the Catholics of Lower Canada, to oppress their fellow-subjects the Protestants.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—What happened before the union should be proof of that.

Frederick Haultain [Peterborough]—Well, after all that has been said to me, I ask honorable gentlemen of the Roman Catholic persuasion to look at what the head of their Church has written and published to the world, and then to say either the one thing or the other—either that they have no confidence in what the head of their Church says, or that they have confidence in it, and will act accordingly.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—I hope the honorable gentleman will be found willing to extend to the Roman Catholic minority of Upper Canada the same privileges which we are ready to extend to the Protestant minority of Lower Canada.

John Sandfield Macdonald [Cornwall]—The honorable member for Peterborough [Frederick Haultain] admits that the intentions of the Hon. Attorney General East [George-Étienne Cartier] are sincere, and says he relies on them. But, on the other hand, he reads to this House an edict which supersedes any promises which the Hon. Attorney General [George-Étienne Cartier] can make. That is the

difficulty in which the honorable gentleman is placed.

George-Étienne Cartier [Montreal East, Attorney-General East]—I recommend the honorable member for Cornwall [John Sandfield Macdonald] to read [the Encyclical letter](#)¹³³.

John Sandfield Macdonald [Cornwall]—I have read every word of it.

Joseph Bellerose [Laval]—Then you didn't understand it.

John Sandfield Macdonald [Cornwall]—All I wished to say was, that I think the honorable member for Peterborough [Frederick Haultain] has put the case very fairly.

Frederick Haultain [Peterborough]—Whether I put it fairly or not, or whether honorable gentlemen approve of what I have said or not, matters not in the least to me. I have simply discharged what I conceived a duty to my fellow-religionists in Lower Canada. I bring to the knowledge of honorable gentlemen of the Roman Catholic persuasion what many of them seem to have been ignorant of. And it is all nonsense to endeavor to ignore the fact that I have brought before them. We know that in some Roman Catholic countries absolute intolerance prevails. In Spain, for instance, not a Protestant church is allowed to be erected throughout the whole length and breadth of that country.

It is of no use, therefore, for honorable gentlemen to jeer at what I say; and when an edict of intolerance is again promulgated and sent out to the world, emanating from the very head of the Romish Church, is it surprising, when the Protestants of Lower Canada are in a small minority, and know that they will be at the mercy of the hierarchy entertaining those views, that they should feel some reluctance to be left in that position. I know this very well, that the generality of Roman Catholics in this country would avow, as they have done, their

¹³² [An Act respecting Provincial Aid for Superior Education, —and Normal and Common Schools, c 15 \(Consolidated Statutes of Province of Canada, 1860\).](#)

¹³³ [Pope Pius IX, The Syllabus \(1865\).](#)

opposition to the sentiment I have quoted. I call upon them practically to disavow it, and I have confidence that they will do so. Whether they like the dilemma in which they are placed, or not, is another matter.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—Composed, as our society is, of those different elements, when we have to discuss matters similar to that before us, when we have to adopt a scheme involving the interests of minorities and sections, it is right that we should do so frankly and honestly one to the other, and face to face. I have spoken with every desire to avoid being

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offensive, uncourteous and unkind, and I have done it, I trust, in a manner befitting the occasion and my own character.

Paul Denis [Beauharnois]—Will the honorable member allow me to put to him a question? Since the honorable member has referred to this letter from the head of the Church, does he entertain the opinion that any honorable member has a right to come here and criticise in a similar way the mode of procedure of Protestant clergymen? If so, how are we to get along at all? The honorable member may have his own opinions in regard to this letter, but he ought not to state them on the floor of the House, for if he does so any other honorable member has the right to come here and criticise the conduct of respectable clergymen of the Free Church, of the Episcopal Church, or of any other Protestant Church, and make such comments as he thinks fit.

This ought not to be. Then, the honorable member said the letter ought to be looked upon with suspicion. Well, all I can say is, that if we go into a chapter on suspicions, every man ought to be suspicious. We might bring suspicions to bear upon everything, however respectable it may be, and in this way it would be impossible with frankness to deal with anything.

My hon. friend uses the word "hierarchy." Well, a word even does damage sometimes.

My honorable friend may have his opinion upon these things, and that opinion ought to be respected, because I believe it to be an honest opinion; but if he has a right to speak of "Romish" and all that sort of thing in connection with our Church, we will have a right to speak in a disrespectful manner of ministers of the Free Church, of the High Church, of the Low Church, and of all the other kinds of churches, and bad feeling will be created to no purpose.

Frederick Haultain [Peterborough]—Mr. Speaker, whenever any one who has the right or authority to speak for Protestants enunciates such a doctrine as that which has emanated from the Pope of Rome, I am quite willing it should be thrown in my teeth on the floor of this House. I will tell my honorable friend who has just addressed me, what he ought to have been aware of, that there is no analogy whatever—no similarity whatever—between the Pope of the Church of Rome and any minister of any other body of Christians. I would dismiss this subject, sir, by simply stating that I have used terms ordinarily employed, and have been anxious to do so in no offensive manner. Some of the reasons given for the opposition which has been offered to the scheme now before the House are, that it is not perfect, and that it embraces principles which would endanger the working of the projected Constitution. Now, of course, sir, the scheme in one sense is not perfect.

Luther Holton [Chateauguay]—Hear, hear.

Frederick Haultain [Peterborough]—Any Constitution drawn up to meet the circumstances under which the five, I may say the six, provinces were situated must necessarily present apparent inconsistencies. Concessions and mutual compromise must inevitably be consented to if we are to have union at all. It does not manifest any extraordinary degree of acuteness in order to be able to discover the possible difficulties that may arise from it. Honorable gentlemen who have spoken against it have magnified the dangers of collision, and especially has the honorable member for Brome [Christopher

Dunkin] done so.

I am of opinion, sir, that if the same rigid and hostile analysis were made of any form of government, or of any constitution, monarchical or republican, originated for uniting separate and distinct peoples together, it would not be difficult to foresee dangers of collision as likely to flow therefrom. Were the British Constitution itself subjected to the same kind of dissection, flaws and compromises might be detected, and possible dangers be foretold. In the Constitution proposed for our adoption, as with all others, the successful working of it must mainly depend upon the characters and principles of the men who have to work it.

The honorable member for Brome [Christopher Dunkin] certainly attempted to make the worst of these resolutions, and endeavored to point out, in almost every feature, defects which he thought might endanger the interests of the people. He dwelt particularly upon the apparent facilities for the development of what is called in this country "log-rolling." He said we might find the Maritime Provinces working with each other, and with Lower Canada against Upper Canada, and vice versa. Well, it must be obvious, sir, that the honorable gentleman's objections in this respect applied with as much force to a Legislative union as to a Federal union, and yet my honorable friend is himself in favor of a legislative union.

Luther Holton [Chateauguay]—I must set my hon. friend right. My honorable friend from Brome [Christopher Dunkin]—who is now absent—said he was opposed to any other union than that at present existing between the provinces; and his whole argument went to show that he was opposed to any other tie than that now existing.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—If the honorable

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gentleman will permit me, I may say that I followed the honorable member for Brome [Christopher Dunkin] very closely, and that according to my understanding he expressed himself in favor of Federation, but without a union such as that now proposed. His argument was that we should federate with the Imperial Government, and that there should be a Council in London.

Luther Holton [Chateauguay]—That was another point.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—No, it was this point: His proposal was—and he is the only member on the other side who has ventured to put forth a counter-proposition to that now before the House—[that we should have a Council similar to that for the East Indies](#)¹³⁴. I intend to reply to this proposition when the proper time comes. But my honorable friend from Peterborough [Frederick Haultain] is quite right in what he has stated.

Frederick Haultain [Peterborough]—I am of opinion that the honorable member for Brome [Christopher Dunkin], if he did not desire it at the present time, at any rate expressed himself in favor of union at some future time.

Luther Holton [Chateauguay]—A legislative union, if a union at all. But he really did not want any other than that now existing.

Frederick Haultain [Peterborough]—That is precisely what I said, and I maintain that the very same arguments which I have alluded to as used against a Federal union, might likewise be urged against a Legislative union—that there would be the same amount of "log rolling" in the latter as in the former.

George Brown [Oxford South, President Executive Council]—And a great deal more.

Frederick Haultain [Peterborough]—Certainly as much. I think my honorable friend from North Ontario (Mr. M.C. Cameron) used the same argument, and yet I

¹³⁴ [Christopher Dunkin, Legislative Assembly \(Feb. 28, 1865\), pp. 526-527](#). He suggested something along the lines of the Council of India, which was a 15-member body created in 1858, which advised the Secretary of State for India.

believe he is in favor of a legislative union.

Matthew Cameron [Ontario North]—I am.

Frederick Haultain [Peterborough]—But my honorable friend must see that this argument against the Federal union might be urged with equal cogency against any union at all.

Matthew Cameron [Ontario North]—I may, perhaps, be allowed to say that my position is just this, that a legislative union would be preferable, because the people would enter into it with the design of working for the harmony and advantage of the people; whereas, if a Federal union were entered into, the local interests of each province would predominate over the interests of the whole.

Frederick Haultain [Peterborough]—I think in this point of view that argument is rather in favor of the Federal principle, which does remove some of the causes of the difficulty, in so far as local matters are removed from the jurisdiction of the General Government, and are left to that of the local governments. But looking at it in every point of view; considering the greater expense, the danger of collision between the governments, and the comparative division of sovereignty under the Federal system, I am decidedly in favor of the closer and more simple form of government secured by a legislative union.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—But I would remark to those who oppose the former because of their professed desire to see the adoption of the latter, that in attacking the Federal scheme in the manner alluded to, they are only putting arguments into the mouths of those who are opposed to any union at all. They should also take into consideration, that it is admitted on all sides that a legislative union is unattainable, and therefore, practically, we need not now discuss their comparative merits. It appears to me but a useless waste of time to advocate a certain system of union with others, and to make such advocacy the ground for opposing a practicable union, when those with whom we are to unite, and who are free to make their

own choice, pronounce against it.

Some Hon. Members—Hear.

Frederick Haultain [Peterborough]—We have to consult the wishes of six independent provinces; and if five of them oppose a legislative union, what sense or justice is there in making our preference for it an argument against the only union that all will consent to, unless indeed it is urged that no union is better than a Federal one. In again referring to the remarks of the honorable member for Brome [Christopher Dunkin], I feel bound to say that I listened with great pleasure to the microscopic analysis to which he subjected the proposed scheme.

He was, however, only satisfied with picturing all the possible dangers to which we might be exposed in the working of it. He dwelt with a certain kind of satisfaction on the succession of knaves and fools to whom might be committed our future destiny under it; the possibility that its very adoption would call into existence a race of public men devoid of all moral worth and ordinary intelligence.

But, sir, I wish to take a practical, common sense view of this question, and I think the country will be inclined to do the same. Were a similar dissection made of the provisions or institutions regulating human society in any of its diversified combinations, dangers and difficulties might be magnified, and all patriotism, virtue and justice consigned to the grave of the past; this would apply

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equally to all associations, whether of a commercial, political or national character. Apply it to our own position at this moment.

We meet here to conduct the affairs of the country; the forms and rules laid down for our guidance are the result of the wisdom and experience of centuries, and yet half a dozen unprincipled men, if so determined, might obstruct all business and prevent the working of our system of government. The only practical conclusion I can draw from such an analysis would be to abolish all government and abandon all association.

My honorable friend went too far; he strengthened the position of those it was his avowed object to assail. It was obvious to my own mind that every day experience, under approximately similar circumstances, swept away the array of dangers and disasters he conjured up, and happily gave us hope that men might arise equal to the occasion that in the future might arise. Our own political difficulties may be pointed to as the opposite to this experience.

The essential difference lies in this. Felt injustice creates our present difficulties, whereas, with all the supposed defects of the scheme before us, palpable injustice to any section cannot be charged against it; and in our dilemma have we not had the men equal to the occasion? If we have men at the head of our affairs, desirous of acting justly and uprightly, there is nothing that I have heard from the honorable member for Brome [Christopher Dunkin], the chief opponent of the measure, to create apprehension for the future. It certainly is incumbent upon the Opposition, if they are dissatisfied with this scheme, considering all the circumstances of our position, to lay before the House and country some proposition in lieu of it.

Luther Holton [Chateauguay]—What do you say to the maintenance of the *status quo*?

Frederick Haultain [Peterborough]—I need hardly remind my honorable friend, who is now one of the leaders of the Opposition, of his own admissions that it is neither just nor possible to remain in *statu quo*. He has before said that the union, as at present constituted between Upper and Lower Canada, could not continue. And he is quite right. We cannot remain as we are.

So said also my honorable friend the member for Hochelaga (Hon. A.A. Dorion), the present leader of the Opposition. He has expressly stated that some change was necessary. So far we are agreed. A new political combination has been accordingly

devised, and the advocates of it say to the Opposition that if they do not like the scheme, then they are bound on their own admission, as patriotic men, to submit something else. Then only will they have a sufficient excuse for rejecting what is proposed as a solution of our difficulties.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—The only honorable gentleman who has offered anything in substitution for Federal union is the honorable member for Brome [Christopher Dunkin]. I confess, sir, that it was with surprise and something akin to disappointment, that I heard the conclusion, the summing up, of my honorable friend's very able speech. No one can deny to him acuteness of intellect and great analytic powers of mind, and it was without doubt an intellectual repast to which he for some hours treated us. But, sir, what a waste of mental energy, how fruitless his intellectual toil! What has his country profited by his exertions? Has he proposed something worthy the elaborate dissection we had listened to? Did he address himself to the difficulties in which his country is placed, and propound a Constitution harmonious and faultless?

What did he, sir, propose for drawing together these isolated fragments of the British Empire, consolidating them into one, and thereby adding to their future strength and prosperity? To meet all those urgent wants and diversified interests, [he proposes](#) to appoint "a Colonial Council in London, something like the Indian Council, to which our Ministers from the various colonies might be sent to consult with Her Majesty on affairs concerning those provinces."¹³⁵

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—And what is this Indian Council¹³⁶ that my honorable friend would prefer to the broad union we propose in order to bring those provinces together, which have been too long

¹³⁵ [Christopher Dunkin, Legislative Assembly \(Feb. 28, 1865\) pp. 526-527](#). Quote is a summary.

¹³⁶ *Supra* footnote 134.

separated? What is the position of India, and what the object and composition of the Council of India? That vast country is a conquered appanage of the British Crown. It is governed by a Governor in Council, who acts under the orders of the Secretary of State, the president of the Indian Council in London. The revenue and expenditure of the Indian Empire are subjected to the control of the Secretary in Council, and no grant of such revenue can be made without the concurrence of a majority of the Council. Such, sir, is the Council that my honorable friend proposed for our consideration, and in the adoption of which "we would be taking the best means of developing our relations in a proper connection with the Mother Country."

He further says that "in the present

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scheme there was no step of the kind contemplated."¹³⁷ And who, sir, in his sober senses would venture to propose such a step? It is difficult to conceive that my honorable friend was serious when recommending it for our adoption.

A more crude and ill-digested scheme (using his own words) could scarcely have emanated from his mind. What had become of all the acuteness and microscopic power he brought to bear upon the resolutions of the Quebec Conference? "A Colonial Council in London, something like the Indian Council!" Does he mean that we ought to have a Council in London which is to direct us as to our proceedings; which is to send out governors general to this province from time to time to dictate the course of our legislation, and instruct us in regard to the expenditure of our money?—because the Indian Council, under the presidency of a Secretary of State, has control of the whole expenditure of the means of the East India Company, and the Governor General of India acts under their direct supervision and command. I mention this to shew what position the opponents of the

resolutions now before us are in, what they are reduced to in order to provide something as a substitute for what is proposed for their acceptance.

Luther Holton [Chateauguay]—Surely my honorable friend does not wish to misrepresent the honorable member for Brome [Christopher Dunkin]—to say that he purposefully meant to substitute for our present governmental machinery a council similar to the India Council. My honorable friend surely does not want to impute to the honorable member for Brome [Christopher Dunkin], in his absence, such an idea as that.

Frederick Haultain [Peterborough]—I find it difficult to impute anything at all.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—I have given his own words and their legitimate meaning. I could not understand what was passing in my honorable friend's mind, which certainly appears to have been in a most extraordinary state.

Some Hon. Members—*Renewed laughter.*

Frederick Haultain [Peterborough]—From beginning to end my honorable friend seemed to be labouring under some hallucination.

Some Hon. Members—*Laughter.*

Frederick Haultain [Peterborough]—And I cannot help thinking that my honorable friend from Chateauguay (Hon. Mr. Holton) is also labouring under the same hallucination.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—I confess I cannot see the point of the joke.

Frederick Haultain [Peterborough]—In making these remarks I do not seriously wish to impute to the honorable member for Brome [Christopher Dunkin] a desire that we should put ourselves into the hands of a Secretary of State and a council at home. I do not suppose that his mind had quite deserted him. But applying something of the same kind of analysis to the remarks of that honorable member, which he applied to the scheme now before the House, it would be quite legitimate

¹³⁷ *Supra* footnote 134.

and fair to conclude that such was his meaning.

I do not think my honorable friend from Brome [Christopher Dunkin] or the Opposition have any reason to pride themselves on the scheme he has suggested for our guidance. And it is most extraordinary that a man of his acuteness of mind, and of his extended information, should so far forget himself as seriously to propose for our acceptance, in his place in Parliament, after a labored, lengthened and able analysis of these resolutions, this animalcule which he announced as the result of his protracted incubation of eight hours' duration.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—I am sorry my honorable friend is not here to listen to what I have thought proper to reply. I need not say that I have made these remarks in the most friendly spirit, befitting the friendliness and respect that I cordially entertain towards him. When, Mr. Speaker, I think of the smallness of the objections and of the greatness of the subjects involved, I cannot help seeing that it is much to the interest of the British Empire, as certainly it is altogether to our interest, that the scheme now before us should go forward to fruition. I should have liked, had time permitted, to have said a few words as to the remarkable concurrence of circumstances which has taken place in connection with the present movement, and to the no less remarkable unanimity which on the whole prevailed at the Conference.

At the time of the assembling of that body, we heard from all quarters of the extreme difficulty—the almost impossibility of getting so many men of widely different opinions, and representing so many diverse interests, to come to a mutual understanding. It could only have been accomplished by the unanimous desire that seemed to prevail to accomplish the object that brought them together.

And now that we have secured a scheme, to which the leading men of all the provinces have assented, are we to throw it on one side, and adopt some such miserable thing in its

stead as that proposed by my honorable friend the member for Brome [Christopher Dunkin]? We have yet to learn what other members of the Opposition may be able to produce; but I hope, for their own credit's sake, they will submit something more suited to the gravity of our position.

As between the two schemes yet suggested, I can have no difficulty in making, my selection.

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Much has been said, and I believe felt also, about the uncertainty of our future. We are forcibly reminded that the future is not in our own hands; neither by any prudence or wisdom of our own, can we determine it. We are from day to day debating upon our present position, devising new arrangements for the future, and discussing the probabilities of their success or failure. It proclaims our own impotence and our absolute dependence upon a higher Power. I feel deeply, sir—and I make no apology for expressing it—that we ought to look above for Divine guidance; and I regret that our religious differences should so operate as to prevent our performing together a public act of invoking God's blessing on our proceedings, without which all our deliberations will fail of success.

Some Hon. Members—*Cheers.*

Charles Alleyn [Quebec City West] *moved*

| That the debate be adjourned.

George-Étienne Cartier [Montreal East, Attorney-General East] *moved in amendment,*

| That the debate be adjourned, and be resumed immediately after routine business on Monday.

After discussion, the amendment was carried on a division.

The House then adjourned.

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



MONDAY,
MARCH 6, 1865

John A. Macdonald [Kingston, Attorney-General West]—Before the debate on the resolutions in your hands, Mr. Speaker, is continued, I wish to say a few words. The Government is well aware that the House must naturally feel anxious and desirous of

information—and that no doubt questions will be asked, as to the course which the Government will pursue in consequence of the news that has been received from the Province of New Brunswick, with reference to the result of the elections in that province¹.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—The Government are quite prepared to state their policy on the question before the House, in view of that information. Although we have no official information as to the result of those elections, and would not be justified, constitutionally, in making up our minds as to that result, until the Legislature of New Brunswick has declared itself either for or against the Confederation scheme; yet we know, as a matter of fact—and we cannot shut our eyes to the fact—that the Premier and several of his colleagues in the Government of New Brunswick have been defeated, and that so far there has been a declaration against the policy of Federation.

Of course, in a general election, it is not to be supposed that the question of Confederation is the only one discussed at the polls. Being a general election, there was the usual fight between the ins and the outs, the Ministerialists and the Opposition; and, of course, a lot of other influences were at work, such as questions between the Intercolonial Railway on the one hand, and lines of railway to connect with the United States on the other. Still, we should not be treating the House with candor if we did not state that we must consider the result of those elections as a check upon the Confederation project. The Canadian Government however, I may say at once, do not consider that the result of these elections should in any way alter their policy or their course upon this question.

¹ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley's Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—They wish it to be most decidedly understood, that instead of thinking it a reason for altering their course, they regard it as an additional reason for prompt and vigorous action.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—We do not consider that in these events to which I have alluded, there is any cause whatever for the abandonment of the project, or for its postponement. In fact, the only reason why we should consider them to be a matter of grave import is, that they form the first check that the project has received since the question was submitted to the people of these provinces, at the time of the formation of the present Government of Canada. If we only look back to June last, and then regard the present condition of the question, we cannot but feel surprise at the advance which has been made. In June last we would have been satisfied if we could have contemplated that so soon as this the question would even have been favorably entertained by the governments of the different provinces.

But, within the short period which has since elapsed, a conference has been held, and the measure framed by that conference has received the sanction of the governments of all the provinces, and each of the governments of the five colonies is pledged to submit, not only the question of Confederation, but the scheme as prepared by the Conference, to the legislature of each of those provinces. And we have gained more than this. Not only has every government of every colony been pledged to the scheme, and pledged also to use all its legitimate influence as a Government to

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obtain the endorsement of the project by their respective legislatures, but we have also

obtained the sanction and approval of the Government of the Mother Country.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—That approval has been conveyed to us by [a formal dispatch from the Colonial Office](#)², and in addition, we have had, subsequently, the approval of the British Government as expressed in Her Majesty's own words in [the Speech from the Throne in opening the Parliament of Great Britain](#)³. And not only this, but we know that it has met, or will meet, with the unmistakable approbation and sanction of the Parliament, the press and the people of England.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Therefore, instead of being at all surprised that the whole scheme should not have been begun, carried on, and ended without one check, we should be well satisfied that we have only received one such check from the commencement. The obligations under which the Canadian Government entered at the time that the Conference was concluded, and those resolutions finally agreed to, still remain in full force, and we feel that force. We feel it our duty to call upon the Legislature of Canada, and to use all the legitimate influence of the Government to obtain from the Legislature of Canada a favorable opinion upon the resolutions that have been submitted for its consideration.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—And, sir, in view of the intelligence that has reached us from New Brunswick, we think it of more importance than ever that the scheme should be carried out as a whole—that it should be dealt with as a treaty, to be endorsed without one single amendment or alteration.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-

² [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\). Correspondence presented to the Legislative Council on Jan. 27, 1865, p. A:4.](#)

³ [UK. House of Lords, "The Lords Commissioners' Speech" \(Feb. 7, 1865\). vol 177, cc1-6.](#)

General West—As every hon. member of the House who is desirous of carrying Confederation must see, it is now more especially necessary that that course should be taken, so that no other province shall have the opportunity of saying, “Why, even the Province of Canada itself, through its Legislature, does not approve of the scheme as settled by the Conference.” We must give no excuse to any one of the colonies to say, “It is open to us to deal with the question as we like; for even the Province of Canada, which pressed the subject upon us of the Lower Provinces, did not express its approval of the scheme, but propounded a new one of its own, which it is open to us either to accept or reject.”

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, not only do we feel that the obligation and expediency of pressing this measure upon the attention of the Legislature remain as before, but we feel it all the more necessary now to call for prompt and immediate action. The Government will, therefore, at once state, that it is our design to press, by all proper and parliamentary modes of procedure within our power, for an early decision of the House—yes or no—whether they approve of this scheme or do not.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—One great reason, among others, calling for promptness, is to provide as much as possible against the reaction which will take place in England from the disappointment that will pervade the minds of the people of England, if they get the impression that the project of the union of the provinces is abandoned.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I believe that if one thing more than another has raised British America, or the Province of Canada, its chief component part, in the estimation of the people and Government of England, it is that by this scheme there was offered to the Mother Country a means by which these colonies

should cease to be a source of embarrassment, and become, in fact, a source of strength. This feeling pervades the public mind of England. Every writer and speaker of note in the United Kingdom, who has treated of the subject, says a new era of colonial existence has been inaugurated, and that if these colonies, feeble while disunited, were a source of weakness, they will, by forming this friendly alliance, become a strong support to England. The disappointment of the corresponding reaction would be great in the Mother Country, if they got the idea that the project was to be given up; and we appeal to honorable gentlemen not to fall away from the position we have obtained by the mere submission of the scheme to the Government and the people of England, and not to allow Canada and the whole of British America to lose all its vantage ground by showing any signs of weakness, any signs of receding on this question.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Another reason why this question must be dealt with promptly and an early decision obtained, is, that it is more or less intimately connected with the question of defence, and that is a question of the most imminent necessity.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—No one can exaggerate the necessity which exists for the Legislature of this country considering at once the defences that are called for in the present position of affairs on this continent. I need not say

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that this subject has engaged our anxious attention as a Government. The Provincial Government has been in continued correspondence with the Home Government as to the best means of organizing an efficient defence against every hostile pressure, from whatever source it may come. And, as this House knows, the resolutions themselves speak of the defence question as one that must immediately engage the attention of the

Confederation.

We had hoped that the Confederation scheme would have assumed such an aspect that the question could have been adjudged of as a whole, and that one organized system of defence could have been arranged between the Federal Government and the Imperial Government at an early day. But we cannot disguise, nor can we close our eyes to the fact that the course of events in New Brunswick will prevent an early united action among the provinces on the subject of defence; and, therefore, that question comes up as between Canada and England, and we feel that it cannot be postponed.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—In fact the subject has already been postponed quite too long.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—It is time, high time, that it was taken up and dealt with in a vigorous manner.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—These are two of the reasons which, the Government feel, press for a prompt decision of the House upon the resolutions before it.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Then there is a third reason, which is found in the state of the commercial relations existing between Canada and the United States. The threatened repeal of the [Reciprocity treaty](#)⁴, the hazard of the United States doing away with the system of bonding goods in transit, and the unsatisfactory position generally of our commercial relations with the neighboring country—all this calls for immediate action. And the fact of the union of these provinces being postponed, and of the

construction, therefore, of the Intercolonial Railway being put off indefinitely, renders this all the more imperative. It is, therefore, the intention of the Government—and they seek the support of this House and of the country to the policy which I now announce—first, to bring this debate to an end with all convenient speed, with a view to having a declaration of the House upon the question of Confederation. The Government, to this end, will press for a vote by every means which they can properly use. Then, secondly, as soon as that is obtained, it is the intention of the Government to ask the Legislature for a vote of credit, and prorogue Parliament at the earliest possible date.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—It is their intention to provide that all the unfinished business of the present session shall be so arranged, that it can be proceeded with next session, from the point where it is dropped at the close of this session. Upon the prorogation of Parliament, the Government will send [a mission to England](#) at once⁵, for the purpose of discussing and arranging these important points to which I have alluded—the question of Confederation, under its present aspect—the question of defence—and all matters bearing upon our commercial relations with the neighboring country; with instructions to press their work forward with the least possible delay, with the view of enabling the Government to submit the result of the mission—which we hope will be satisfactory, to this House at an early summer session.

Some Hon. Members—*Loud cheers.*

John Sandfield Macdonald [Cornwall] said—The manner and spirit in which the Government have made the announcement of their decision is so far satisfactory. They have, however, adopted a new policy and

⁴ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

⁵ The Canadian delegation would consist of John A. Macdonald, George-Étienne Cartier, and Alexander Galt. [Their report can be found later in the volume on Aug. 9, 1865, p. C:15](#), where they presented their discussions in London to the Legislative Assembly.

announced a change of tactics, and one which this House is to be called upon to enforce. They have departed widely from the policy that they decided upon not long since. I beg leave to call the attention of the House to [the words used by the Hon. Premier of the Government himself \[Étienne Pascal Taché\], at the opening of the session.](#) He says:—

They had assumed the charge of affairs with an understanding that they would have a right to appeal to the country; and while they were consulting about it, they received an intimation from the real chief of the Opposition, through one of their own friends, to the effect that he was desirous of making overtures to them, with the view of seeking to accommodate the difficulties.

The hon. gentleman and some of his friends then came into contact with the leaders of the Government, and it was agreed between them to try to devise a scheme which would put an end to the misunderstandings, and at the same time secure for Canada and the other provinces a position which would ensure their future safety, and procure for them the respect and confidence of other nations. They arranged a large scheme and a smaller one.⁶

And now, Mr. Speaker, I wish to call the attention of the House to [this point](#). “If the larger failed, then they were to fall back upon the minor, which provided for a Federation of the two sections of the province.”⁷

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The larger scheme, Mr. Speaker, is evidently a failure.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—And I will tell you why I think it a failure. This scheme was to be agreed to by all the provinces, and the different Governments were to bring it down for the consideration of their several Houses of Parliament. The leaders of the Opposition in New Brunswick, as well as the Government of that province agreed to a treaty, as it is called, and went back to submit that treaty to their Legislature for approval. But being defeated in New Brunswick⁸, it is not possible for the

arrangement to be carried out. What reason has the Government for believing that those who have been just elected in New Brunswick as opponents of the scheme will allow it to be brought down for the consideration of their Legislature? How can it be expected that a free people will agree to a scheme, from the terms of which they entirely dissent?

It seems to be the idea of honorable gentlemen opposite, that if this Legislature adheres to the scheme, it will be forced upon the unwilling people of New Brunswick—that some process will be found by which the Government of that province will be induced to submit it to their Legislature. They seem to imagine that the rejection of the Tilley Government, and, consequently, of their Confederation scheme, by the people, is a matter that can be traced only to the annexation proclivities of a large section of the people of New Brunswick. If that is so, we ought immediately to appoint a day of general thanksgiving, in this appropriate time of Lent, for the blessing of being relieved from any danger of union with such a people.

Some Hon. Members—Hear, hear, *and laughter.*

John Sandfield Macdonald [Cornwall]—It would be one of the greatest misfortunes that could happen our province to be connected with those annexationists.

Luther Holton [Chateauguay]—But it is not true that the annexation feeling was the cause of the defeat.

John Sandfield Macdonald [Cornwall]—I do not say it is so, but I am referring to what members of the Government have said about this defeat being caused by the disloyal and annexation proclivities of the people of New Brunswick.

John A. Macdonald [Kingston, Attorney-General West]—Who did?

John Sandfield Macdonald [Cornwall]—Well, I find their organ of this morning

⁶ [Étienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 9.](#)

⁷ [ibid.](#)

⁸ *Supra* footnote 1.

attributing it to that cause. And what did [the Minister of Agriculture \(Hon. Mr. McGee\) say on Friday night](#), on the reception of the news? He said there were many in that portion of the province who were influenced by a desire for connection with the United States, and that there were capitalists from Boston and from Maine where interests lay in having New Brunswick more closely coupled with the destiny of the United States⁹.

If these are the feelings that induced the gentlemen who have been elected to repudiate the proceedings of the Convention, then, I say again, they are a people with whose views we of Canada should have no sympathy. If the gentlemen on the Treasury benches suppose that by passing these resolutions they will compel the gentlemen, who have been returned to that Parliament on the express condition that they shall oppose the treaty or Convention scheme, to turn round and support it, then what shall we say of such men? What shall we say of men who, after having obtained the suffrages of the people as opponents of the scheme, shall turn round immediately after they have got into office, and in effect perjure themselves?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—We have, unfortunately, enough of that class of legislators in Canada, without linking our destinies with like persons from New Brunswick. If that is the character of the people to whom we are to be united, then all I can say is, that they are not a desirable class to have added to Canada. If it is contemplated that they are going to compel those gentlemen to vote approval of the scheme, who have been elected specially to oppose it, it would be very interesting to know by what process it is to be done. Are they to be bribed into acquiescence, or forced into submission? If the latter, then we must presume that they are not of the race of British freemen who, elsewhere, would resent with indignation—nay, rebel—before yielding up their independence; and in that view, they

are again unworthy of association with us.

There is no doubt that the gentlemen who have been elected in New Brunswick have deliberately considered their position, and whether it is attempted to bribe them or coerce them, they will manfully resent it. I do not believe it is desirable to have a Confederation adopted by either course. What are we to gain by compelling such a community to come in with us? Will they not, for all time to come, cast upon us the reflection that they became part and parcel of the Confederacy without their consent? Is it desirable to have to do with neighboring

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colonists, who have been either forced or bribed to accept what is repugnant to them? Will they not always be a source of discord by endeavoring to make the scheme work badly?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—But, Mr. Speaker, we have before us an instance of the danger of men undertaking to make treaties without authority. This is the kind of penalty which they pay, and I think we have an instalment of the punishment that is justly due to them, and which they will receive. Sir, we find that in New Brunswick, Nova Scotia and Prince Edward Island, a union took place between the Government and the Opposition for the purpose of arranging a plan by which those provinces should be joined together. They had the authority of their respective governments and legislatures before entering into that Conference. They met together by deliberate pre-arrangement, with full consent, unlike the manner in which the gentlemen opposite precipitated themselves into a union fever, growing out of a political contingency.

When the delegates went to Charlottetown, from their respective provinces, to treat of matters of great importance to the people of those provinces, and considered it to be a desirable object to obtain the union of the

⁹ [Thomas D'Arcy McGee, Legislative Assembly \(Mar. 3, 1865\), "Provincial Parliament," Montreal Gazette \(Mar. 4, 1865\).](#)

Maritime Provinces, they were interrupted in their deliberations by the members of the Canadian Government—greater inducements were then offered them, and they were filled with higher hopes and expectations of the good things to be derived from the Confederation of all the provinces. Lieutenant-governorships, chief-justices, and life-memberships of the Legislative Council were all held out in the prospective by the Canadian Ministers. By these means they inveigled these men from the object for which they met, and undermined the purpose they were assembled to promote.

The Canadian Ministers said:—"Never mind your union of these provinces. Come away from Charlottetown with us, and we will show you plans by which your ambition may be better gratified, although you may thereby betray the trust of the people who sent you here. They may not be satisfied, but never mind them—they can be managed in some way afterwards. We will show you the way." This, in effect, was the language used towards the delegates. They took the bait offered them, and the next thing we heard of was the adjournment of the Convention to Halifax, where the delegates enjoyed the "feast of reason and the flow of soul" for a week. They then sped off to St. John, where convivialities were renewed, and finally they all agreed to come to Quebec, and we all recollect the subsequent feastings in Montreal, Ottawa, Kingston, Toronto and Hamilton.

I will not allude to the meeting that took place here, because it is well known what the result of the Conference was; but I will speak of the sequel to these proceedings—the events that subsequently happened in the Lower Provinces. Hon. Mr. Tilley knew he could have submitted the scheme of the Quebec Conference to the people of New Brunswick—that he could have summoned the Parliament of that province and ascertained what their wishes were—as early as the Canadian Government could. But he did nothing of the

kind. He knew he had violated the trust reposed in him, and that he had given reason for a withdrawal of the people's confidence; but he thought that by bringing on an election in the country, he could gain his own ends by the unsparing use of all the influence a government can employ on such occasions, and by employing all the arts of cajolery for the purpose of deceiving the people and winning them over to his own selfish purposes.

Well, what is the result? Hon. Mr. Tilley and his followers are routed horse and foot by the honest people of the province, scouted by those whose interests he had betrayed and whose behests he had neglected; and I think his fate ought to be a warning to those who adopted this scheme without authority, and who ask the House to ratify it *en bloc*¹⁰, without having sought or seeking to obtain the sanction of the people.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I come now, sir, to a matter personal perhaps more to myself than to any one else. I would ask the House who was it that assailed the Government of Canada more by his speeches and letters than this same Hon. Mr. Tilley? Who was it that charged the Government of this country with a breach of faith towards the Lower Provinces in reference to the construction of the Intercolonial Railway; and whose statement was it that was re-echoed on the floor of this House over and over again, that Canada had lowered its character and dignity by failing to go on with that undertaking? Was it not the Hon. Mr. Tilley who made these false accusations, and were they not, on his authority, repeated here by an honorable gentleman now in the Government, at the head of the Bureau of Agriculture (Hon. Mr. McGee)? Recollecting these things, sir, I have a pleasure—a mischievous pleasure—

Some Hon. Members—Hear, hear, and laughter.

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¹⁰ i.e. "as a whole."

John Sandfield Macdonald [Cornwall]—I have a mischievous pleasure, I say, in knowing that the Hon. Mr. Tilley has been defeated.

Some Hon. Members—*Ironical cheers.*

John Sandfield Macdonald [Cornwall]—I repeat that I have experienced to-day a considerable degree of happiness in announcing that the man who, at the head of the Government of New Brunswick, betrayed the trust of the people, who failed to carry out their wishes in respect to the union of the Maritime Provinces, who exceeded the authority with which he was entrusted, who betrayed the interests of his province and abandoned everything that he was sent to Charlottetown to obtain—the man who went throughout the length and breadth of his province crying out against the good faith of the then Canadian Government—I say I have happiness in announcing that he has been disposed of by the people.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Hon. Mr. Tilley came to Quebec in 1863, with Hon. Mr. Tupper, and although he made the charge of bad faith against the Canadian Government, he knew as well as Hon. Mr. Tupper that the agreement of 1862 respecting the Intercolonial Railway was to be abandoned, except so far as the survey of the line was concerned.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Hear, hear.

John Sandfield Macdonald [Cornwall]—The honorable gentleman cries "Hear, hear," but can he say that, while a member of the Government, he did not write a letter to a gentleman in this province, in which he said that the scheme of 1862 was abandoned by the Canadian Government.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The honorable gentleman has made that charge once before publicly, and I denied it publicly.

If he can get any such letter of mine, he is fully authorized by me to make it public. Hon. Mr. Tilley, so far from believing the scheme abandoned, went back to New Brunswick with a very different impression; and I ask the honorable gentleman whether [he did not say to him while here](#):—"I declare to God, Tilley, if I thought by resigning my office we could get the Intercolonial Railway, I would do it."¹¹ The honorable gentleman is out of office now, and perhaps he will say whether he made this declaration or not.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I do not deny that. I was then, and always have been, in favor of the Intercolonial Railway, and am desirous that it should be built. I think that an outlet to the ocean on British soil, at all seasons of the year, is a very desirable thing to be obtained, and upon that point I have never changed my opinion. But I do say that Hon. Mr. Tupper and Hon. Mr. Tilley understood that it was not to be proceeded with at that time, and a memorandum was drawn up by Dr. Tupper at the time (I am now speaking in the presence of my late colleagues, who are aware of all the facts), embodying the decision at which the Government arrived, but which was not signed, because Hon. Mr. Tilley asked that Mr. Fleming might be considered as engaged to proceed with the survey, and wished to reserve it for the formal ratification of his colleagues when he went back to New Brunswick. When he did go back, his colleagues dissented from the views he had formed, and, in order to get himself out of the awkward position in which he was placed, he took the ground that the abandonment of the project was owing to the bad faith of the Canadian Government.

Now I say it is a matter of great satisfaction to me that the honorable gentleman who circulated this charge, and gave ground for honorable gentlemen now on the Treasury benches to attack the Government of which I was a member, and accuse it of bad faith to the

¹¹ [P.B. Waite, *The Charlottetown Conference* \(The Canadian Historical Association, 1970\), p. 5.](#)

sister provinces, has for these bold and audacious statements met his just deserts. He has been scouted and rejected by his own people. He has lost their confidence, and with that loss of confidence this great scheme of Confederation has come to woeful grief. I say punishment has overtaken him. It was a long time coming, but it has come at last with terrible effect.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The Hon. Attorney General West [John A. Macdonald] says that the Government will ask for a vote of credit, but he has not told us how long this vote will extend. He does not tell what they will do if the Confederation scheme fails, as it is pretty sure to fail. He does not say that it is going to carry, nor does he say that it will be succeeded by any other. Where, I would like to know, is the smaller scheme—the pet scheme of the member for South Oxford [George Brown]—of a Federation of Canada first, to be followed, it need be, by a Federation of all the provinces? What the honorable gentleman to do with this scheme? Is it to be brought down to the House, or, the larger one having failed, is it to be kept in hand for use at some future time? Have we not a right to know what this scheme is and what the Government proposes to do in regard to it?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Are the people of the country to be left in a feverish state of excitement, because the Government has no definite policy, until the mission spoken of goes to England, in the hope that the people of the Lower Provinces will in the meantime repent the

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action they have taken? Why, sir, not only have the minds of the people of Canada been unhinged by the proceedings of the past year, not only have they been made dissatisfied with the institutions under which they have lived and prospered for a number of years, but political parties have also been demoralized.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Yes, the Reform party has become so disorganized by this Confederation scheme, that there is scarcely a vestige of its greatness left, hardly a vestige of that great party that demanded reform for a number of years, but which unfortunately, in 1864 as in 1854, went over to the other side when its leaders could no longer endure to remain in the cold shades of opposition.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Is it too much to ask honorable gentlemen on the Treasury benches to tell us something of the scheme for federating these two provinces, to give us an inkling of what is to be done, now that the other scheme has failed, and of the liabilities to be assumed by the respective sections of Canada? Are we to be kept in ignorance on these subjects? Are the affairs of the country to continue in the unsettled state in which they now are? Is all legislation to remain at a stand-still until the more and more doubtful prospect of Confederation is realized?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—What amount of money is required by the Government to meet the danger that is said to have suddenly threatened us? Are the people not to know what preparations are to be made and what sums are to be expended in our defence? I am not opposed to any proper measures being taken to defend the country, but at the same time prudence dictates that we should know what they are to cost before we blindly vote for them, if Confederation is not to take place, what is the use of going on with measures of defence that depended upon Confederation being carried? Why not come down now with a scheme that will apply to Canada alone, and let us know precisely what burdens the people will have to bear for their defence, what additional taxation will be required, and all other information connected with the subject?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I

do say that it is anything but satisfactory to be told that we are to postpone the promised scheme for our defence at this time, to adjourn over till summer, and in the meantime to send commissioners home to treat with the Imperial Government. If the danger is so imminent as it is said to be, why this long delay?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Sir, I never was myself an advocate of any change in our Constitution; I believed it was capable of being well worked to the satisfaction of the people, if we were free from demagogues and designing persons who sought to create strife between the sections.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I am not disposed to extend my remarks further at present. All I can say is, that the Honorable Attorney General West [John A. Macdonald] has done the House justice if he has given us all the information in his possession with regard to the present aspect of the Confederation question; and yet it appears to me somewhat absurd to proceed with the debate, when even the Government itself admits the measure to be a failure.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I think the announcement made by the Hon. Attorney General West [John A. Macdonald] must have taken the House a little by surprise.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The policy agreed on by the Government in June, 1864, was certainly not the one carried out at the opening of this session, and still less that which has just been announced. The policy, as we find it in a memorandum then communicated to the House, was that a measure for the Confederation of the two Canadas, with provisions for the admission of the other provinces, should be brought before the House this session.

I will give [the terms of the memorandum](#), in order that there may be no doubt about it.

When explanations were given in June last, by the present Government, [two memoranda were communicated to the House](#). One was a [memorandum](#) that had been communicated to the Hon. the President of the Council [George Brown], and marked “Confidential.” It was in these words:—

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

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

That, for the purpose of carrying on the negotiations and settling the details of the promised legislation, a Royal Commission shall be issued, composed of three members of the Government and three members of the Opposition, of whom Mr. Brown shall be one, and the Government pledge themselves to give all the influence of the Administration to secure to the said Commission the means of advancing the great object in view.¹²

This was [the first memorandum](#) that was

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communicated to the Honorable President of the Council [George Brown]. It was a proposition on behalf of the members of the then Government to the Honorable President of the Council [George Brown], to the effect that the Government would be prepared, immediately after that session, to take measures for obtaining a Confederation of all the provinces, and, failing in that scheme, to bring into the House at the next session—a scheme for the Confederation of the two Canadas, with a provision that the Maritime Provinces might come into the union when they saw fit.

But this proposition was not accepted, [and another memorandum was submitted to the](#)

¹² [“Memorandum—Confidential.” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

Honorable President of the Council [George Brown] in the following terms:—

The Government are prepared to pledge themselves to being 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 Northwest Territory to be incorporated into the same system of government.¹³

This, then, is what the Government pledged itself to do. The first memorandum to open negotiations for a Confederation with the Lower Provinces was rejected by the Honorable President of the Council [George Brown], and he agreed to go into the Government on this pledge, that it would be prepared to bring in a measure, this session, for the purpose of removing existing difficulties, by introducing the Federal principle into the Government of Canada, coupled with such provisions as would enable the Lower Provinces to come in at any subsequent time. This is the measure that was promised by the Government; this is the measure that honorable gentlemen on the other side, at the end of last session, said they would be prepared to introduce to the Legislature this session. But instead of that the whole scheme has been altered.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—Read the balance of the statement.

Antoine-Aimé Dorion [Hochelaga]—There is nothing in the remainder of it to qualify the pledge then made by the Government.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—It is a distinct and positive pledge given by hon. gentlemen in their places on the Treasury benches, that at this session of Parliament they would bring in a measure for the Confederation of the two Canadas, leaving it to the other provinces to come in if they pleased.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Certainly there is this addition at the end of the memorandum:—

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 will enable all British North America to be united under a General Legislature based upon the Federal system.¹⁴

We find, from these explanations, that a measure for the Confederation of the whole of the provinces did not suit the Hon. President of the Council [George Brown] and the Liberal party in Upper Canada, that it was rejected by him and his party as not the proper remedy for our difficulties, and that another measure was accepted by him, applying the principle of Federation to the two Canadas; and in order to secure to that measure the acquiescence of those interests which were beyond the control of the Government of this country, delegates were to be sent to confer with the Lower Provinces with the view of bringing them into this union.

Well, sir, I must say that if the honorable gentlemen opposite had not been untrue to their pledge, if they had brought—to this House the measure they then promised—we in this country would, at all events, have been saved the humiliation of seeing the Government going on its knees and begging the little island of Prince Edward to come into this union, and then going to Nova Scotia and New Brunswick and supplicating them to relieve us of our difficulties; and saved the humiliation of seeing these supplications and the bribes in every direction with which they were accompanied, in the shape of subsidies to New Brunswick and Newfoundland, and of the Intercolonial Railway, rejected by those to whom they were offered.

Canada would, at all events, have held a dignified position, and not suffered the humiliation of seeing all the offers of our

¹³ [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

¹⁴ [ibid.](#)

Government indignantly rejected by the people of the Lower Provinces. The Hon. Attorney General West [John A. Macdonald] says that the scheme of Confederation has obtained the consent of the governments of all the provinces; but where are those governments now? Where is the Government of New Brunswick? Where is the Government of Prince Edward Island?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—As for the Government of Nova Scotia, it pledged itself to bring the scheme before the Legislature; but it is well known that it dare not press it, and still less appeal to the people upon it. The members of that Government were wiser than the Government of New Brunswick, and would not appeal to the people. And here I must say that I

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compliment the Government upon the wisdom it shows in not appealing to the people of Canada. Honorable gentlemen have shown far more sight in this matter than the Government of New Brunswick, in refusing to let the people have an opportunity of pronouncing upon this scheme, for the petitions coming down daily against it show conclusively that the people, of Lower Canada at all events, are almost unanimously against it, and that an appeal to them would meet, as regards the members of the Lower Canada Administration, with the same fate which befell the members of the New Brunswick Government.

Some Hon. Members—Hear.

Antoine-Aimé Dorion [Hochelaga]—I do not wish, sir, to prolong this debate more than necessary, out I must say that I am surprised to hear the Hon. Attorney General West [John A. Macdonald] say that the defences of the country require such immediate attention that the matter cannot be delayed for a moment. If I mistake not, the Government have had in their hands [a report from Col. Jervois upon the](#)

[defences](#)¹⁵, since the 12th of October last, and yet since that time not a single thing has been done towards defence.

We are now told with startling emphasis that the country is about to be invaded, or is in most imminent danger; and all at once, now that the great scheme of Confederation is defeated, we learn that not an hour's delay can be allowed, and that we cannot even wait to vote the supplies, so urgent is the necessity of sending [a mission to England](#)¹⁶ about this matter. Between Friday last and this morning the Government has discovered that this imminent danger threatens us, and so anxious is it about it that we cannot even stop to vote the ordinary supplies, but must pass at once a vote of credit.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—And, sir, while I am on the subject of the defences, I must say it is most astonishing that although we have repeatedly asked for information on the subject, in connection with this great scheme, we can not get it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—At the earliest moment after the commencement of the session, the honorable member for Drummond and Arthabaska (Mr. J.B.E. Dorion) made a motion for any despatches, reports, or communications, or for extracts thereof, which might be in the possession of the Government on the question of the defences of the country, and the Hon. Attorney General West [John A. Macdonald] rose and replied that to give this information would endanger the safety of the province. The Ministry of Canada therefore refused us that which we now find in the report which comes from England.

John A. Macdonald [Kingston, Attorney-General West]—Not the report.

Antoine-Aimé Dorion [Hochelaga]—If not the report, at all events the substance of it. There they do not find that it will endanger the

¹⁵ [William Jervois, Report on the Defence of Canada \(1864\).](#)

¹⁶ [Supra footnote 5.](#)

safety of the country by giving the House of Commons such information as will enable Parliament to take the necessary steps to provide for the defences of any part of the British Empire.

I moved another Address at a later period, asking for such information on the subject of our defences as the Government might deem it proper to give; and although that Address was voted a full fortnight ago, I have been unable to obtain an answer to it up to the present time. Nor can we get information in regard to the finances—in fact every kind of information which is necessary to enable us to form proper and correct judgments is refused. But, sir, I must say that at the present moment I am unaware of any reason which could be urged for our being called upon to act with such precipitate haste as to grant a vote of credit to hon. gentlemen.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The session has been called at the usual time, rather earlier than the usual time for holding our meetings of Parliament—and I say it is a most extraordinary thing that we should be asked by the honorable gentlemen on the other side to give them a vote of credit.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Why, sir, is the whole business of the country to be thrown into a condition of derangement in order to allow the honorable gentlemen to get themselves out of a difficulty—not to get the country, but themselves, out of the difficulty which they have acknowledged to have overtaken them?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Are all the affairs of the province to be thrown over, for such a reason, until next session, which may not be held for six months or nine months, or until the honorable gentlemen choose to call us again together? Because “an early summer session” may be the month of

August or the month of September, or it may mean even a later period than that. Do they expect a vote of credit of six millions of dollars to enable them to construct these defences which are [spoken of by Col. Jervois](#)¹⁷?

Alexander Galt [Sherbrooke, Minister of Finance]—No, no.

Antoine-Aimé Dorion [Hochelaga]—Then, if we do not pass a vote for that purpose, what is to become of the country in the meantime?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—We are told that there is urgent necessity for expending money on our defences, and that the danger is imminent. Well, sir, I apprehend if there is imminent danger, we ought to be kept sitting here until provision

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is made to meet that danger, or at all events, affairs ought to be placed in such a position that, at any moment, we can be called together to provide for the danger.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—We want to avert it.

Luther Holton [Chateauguay]—What is the danger?

Antoine-Aimé Dorion [Hochelaga]—It puzzles the honorable gentlemen to reply. I think that they themselves never discovered there was any cause for alarm until Friday last, when there was imminent danger of the defeat of their scheme, and imminent danger also of the loss of their position.

Some Hon. Members—*Laughter.*

Antoine-Aimé Dorion [Hochelaga]—This, sir, is the real danger the hon. gentlemen want to avert, and they proceed to do so by asking us, in lieu of granting the ordinary supplies, to pass a vote of credit. We will then be sent away, with the prospect before their friends and supporters of another session this summer, when the additional sessional allowance will of course be welcome to all.

Some Hon. Members—Hear, hear, *and*

¹⁷ [William Jervois, Report on the Defence of Canada \(1864\), Recommendation 86](#). Jervois quotes the total in British pounds at £1,754,000.

laughter.

Antoine-Aimé Dorion [Hochelaga]—I simply rose, sir, to protest against the continuance of this scheme by the honorable gentlemen opposite. I think they are bound to proceed in some other way, seeing that this scheme cannot be carried, as it certainly cannot. It has been rejected not only by New Brunswick, but by Prince Edward Island, one of whose delegates to Quebec, Mr. Whelan, has been holding meetings, and all that he has been able to accomplish is the passing of resolutions of confidence in himself, and the assertion that no such scheme should be given effect to without being first submitted to the people. That is the most favorable expression of opinion that can be obtained in Prince Edward Island.

It is well known, too, that the Legislature of Nova Scotia is against the scheme by a large majority. And now we find that New Brunswick has pronounced against it also¹⁸. Will hon. gentlemen go to England and press on the scheme under such circumstances? Will they argue that because we are 2,500,000 and they only 900,000, we ought to swallow them up by pressing them into Confederation against their wishes?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I do not suppose honorable gentlemen on the other side purpose attempting to coerce, by means of their influence with the Imperial Government, the Lower Provinces to come into this Confederation. Therefore it is that I say that this scheme is killed.

Some Hon. Members—Hear, hear, and *derisive Opposition cheers.*

Antoine-Aimé Dorion [Hochelaga]—I repeat that it is killed. I claim that it is the duty of hon. gentlemen opposite, and particularly is it the duty of the Hon. President of the Council [George Brown], to insist upon their colleagues keeping to the pledges they have made. It is the duty of the Liberal members

generally to insist on these pledges being redeemed, without which they would have refused to sanction the taking of office by the three Liberal members of the Government, and in accordance with which alone they could justify that step before their constituents. It was only the knowledge that, failing the success of this measure, they would carry out a scheme which was within the power of the Government to carry, that the Liberal party of Upper Canada approved of their three friends making part of the Government. The Administration could not give a pledge that they would carry the Confederation of all the provinces, but they could pledge, and did pledge themselves to bring in, in the event of the failure of that scheme, a measure for the federation of Upper and Lower Canada.

And, sir, not only was this promise made at that time, but we have since seen, this session, [the head of the Government, Hon. Sir E.P. Taché, renewing the pledge then given in these words](#):—"They arranged a large scheme and a smaller one. If the larger failed, then they would fall back upon the minor, which provided for a federation of the two sections of the province."¹⁹ And it was expressly stated that during this session, if the present scheme failed, they should bring in a measure to federate the two provinces.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—That was the promise given to the Honorable President of the Council [George Brown], and, if it is not redeemed, I fear his position will be a most un-enviable one in the country.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—There is another point, Mr. Speaker, upon which I desire to see an understanding come to before we proceed further with this discussion. Honorable gentlemen opposite have attempted by their professions to manufacture a little cheap pocket loyalty, and

¹⁸ *Supra* footnote 1.

¹⁹ [Étienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 9.](#)

to that end I find the most atrocious sentiments expressed in this morning's editorial of their organ, the *Quebec Chronicle*. I will read [the paragraph](#).

Alexander Galt [Sherbrooke, Minister of Finance]—You need not; we have all read it.

Thomas Wallbridge [Hastings North]—It will bear reading again for the information of the House. It is as follows:—

A telegram from New Brunswick on Saturday night says Tilley and Watters are defeated: majority 250. These gentlemen were the Confederate candidates for the city of St. John. Knowing the influences at work, we are not greatly surprised at the result; but our conviction in the

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alternative of confederation or annexation is more than ever confirmed when we see how completely American influence can control elections of the provinces.²⁰

These sentiments are calculated to introduce into political discussion in this country a dangerous element, a mischievous cry. I would like to ask the Hon. Attorney General West [John A. Macdonald], who has to some extent endorsed this sentiment, whether I was right in understanding him to say that it was the influence exerted by American railway men on the elections which led to the defeat of the Confederation candidates?

John A. Macdonald [Kingston, Attorney-General West]—What is that?

Thomas Wallbridge [Hastings North]—I understood the Hon. Attorney General West [John A. Macdonald] to state that the American railway influence had had some effect upon the St. John's elections.

John A. Macdonald [Kingston, Attorney-General West]—I will repeat to the honourable gentleman what I did say. It was this: that I had no doubt the question of Confederation was one of the subjects which influenced the people of St. John. But I did not pretend that that was the only one. There were other local questions which, I have no doubt, had their due weight of influence. There was,

for instance, the usual struggle between the ins and the outs, and I presume there was the influence to be contended against of those who were in favor of the railways to the American frontier—the Coast Line or Western Extension Railway, as opposed to the Intercolonial Railway interest.

Thomas Wallbridge [Hastings North]—I wish to nail this forgery to the counter before it goes further, and to that end I desire to be permitted to read a few extracts from one of the leading papers in the Lower Provinces (the *Nova Scotian*), and which are as follows:—

But not quite so fast, good friends. This is not the first we have heard of this "military" railway. Last summer, a committee of Congress, composed mostly of shrewd New Englanders, came from Washington to examine and report as to the expediency of constructing a "military" road to the frontier of New Brunswick. They were not allowed, however, to stop at the frontier, for when they arrived there they found an invitation inviting them to go on to St. John. They went, and St. John was in a perfect furore of interesting excitement.

A public meeting was called; we are not sure whether Mr. Tilley was present or not. We think he was accidentally absent from some inevitable cause, but sent a message with his compliments and sympathies. The mayor occupied the chair; the viands were excellent; the champagne flowed "à la Ottawa;" the speeches were eloquent; and although St. John had but recently been all in a blaze with sympathy with the poor suffering Southerners, somehow it happened, under what genial influences we cannot say, that they managed to create a most agreeable impression, not only upon the stomachs, but upon the loyal hearts, of the committee of Congress.

But this was not all. The provincial railway was placed at their disposal free of expense, and they were chaperoned over it by leading men, to Shediac and back to St. John. Mr. Tilley, we think, was on this trip; and after all was over, they went back with a wondering appreciation of the "good lord, good devil" versatility of our New Brunswick friends.²¹

Again the same paper remarks:—

The New Brunswickers understand this, and with Mr. Tilley at their head, cooperating with the shrewdest men of New England, are bidding in a spirit of commercial enterprise for the great stream of passenger traffic across

²⁰ [\[Quebec Morning Chronicle \(Mar. 6, 1865\)\]](#).

²¹ The *Nova Scotian*. Unconfirmed reference.

the Atlantic, which they (the Americans) desire to turn into our good city (Halifax). Apart from all its other advantages, they propose, it appears, to purchase our railroads, and thus release, for our disposal in other railways, the capital employed in its construction.²²

In another article, the same authority places this story about the American interference in the St. John elections in a stronger light. I will read it for the benefit of the credulous:—

Strange to say, we find Mr. Tilley, not only investing the public funds of New Brunswick in the construction of a military road from Portland to St. John (of course only the Yankee end of the line is military), but the delegates themselves have actually made special arrangements with that gentleman to enable him, in event of the present scheme of Confederation being consummated, to construct the New Brunswick portion of this proposed railway. Now, we would like the delegates to explain this little matter to the satisfaction of the old ladies whom they have been frightening with horrible stories of Yankee devastations, smouldering homesteads, and blazing churches.²³

In the face of these extracts is it not idle to say that Hon. Mr. Tilley was defeated by American railway influences? The presumption would be the contrary. Looking to their interest those shrewd New Englanders spoken of would have supported the candidate who is willing to invest the funds of New Brunswick in a railway connecting with their line. Hon. Mr. Tilley, the leader of the New Brunswick Government, was defeated, not through American influence, but because of the unpopularity of the Federation scheme,

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as presented to the people of his province; and it is wrong to introduce this new cry into our politics.

Canada has been cursed with party cries, and it is time for us to clear the political arena of such false issues and dangerous contests. To introduce this new element of discord can only

gain for its promoters a temporary relief, whilst the damage it will inflict upon the best interests of the country are positive.

Our critical relations, at this moment, with the American people are mainly traceable to cries of this kind. By rendering the people suspicious of such influence, the promoters of the cry are hastening the accomplishment of what they pretend to oppose. Once render the people of this country dissatisfied with the working of their system of government, and there will be danger of their continuing what will then seem inevitable. If there be any who desire annexation, they could not better forward their views than by raising the false cry of American interference in our political contests. Once destroy public confidence in our institutions, and it is impossible to predict what extremes may not be resorted to.

If the Ministry have information of the kind alleged, of an interference by foreigners in the political contest now going on in New Brunswick, they are bound to lay it before the House. Such an interference could not be tolerated, and the country should know the truth of the obligation at the earliest possible moment. If the vote of credit asked for is for military purposes, for fortifications, the Government will find their hands strengthened by the support of every hon. member of this House.

It is not necessary to cry loyalty to obtain the vote, no more than it is necessary to cry annexation to secure the passage of an act to unite the provinces. I have been surprised at the alternative that has so often been put by hon members—Federation, or Annexation. Yes, and by hon. members who, in 1858, helped to laugh out of the House [the resolutions of the present Hon. Finance Minister \[Alexander Galt\]](#)²⁴, on the ground that if they were carried and confederation

²² The *Nova Scotian*. Unconfirmed reference.

²³ *ibid.*

²⁴ Galt's resolutions (Jul. 7, 1858) in the Legislative Assembly were as follows,

"1. That in view of the rapid development of the Population and resources of Western Canada, irreconcilable difficulties present themselves to the maintenance of that equality which formed the basis of the Union of Upper and Lower Canada—and require this

follow, there would be a movement in the direction of annexation.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—I ask where is the consistency of the two positions—in 1858 federation was a move towards annexation, in 1865 it is the only measure that will prevent annexation? The language of Her Majesty and of some “noble lords” has been referred to as a reason why this scheme should be accepted without enquiry. But it should be remembered that this is not the first time that language has been put in an Address from the Throne, to palliate the sacrifice of the true interests of Canada.

We are as capable of judging here, on the floor of this House, what is for the true interests of the country, as any of the noble lords of the realm. If their speeches contain the sum of wisdom in regard to our affairs, pray how is it that our frontier has been in times past so extensively sacrificed? Everyone who has given any attention to the subject will see that under [the Ashburton treaty](#)²⁵ our frontier was shamefully surrendered to the Americans, and that it received the sanction of noble lords at home; and now we have to build our railway over the rocks of New Brunswick

and Nova Scotia, to the seaboard.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—This question of Federation is a question which concerns our country, which concerns our allegiance, which concerns our connection with the Home Government and the future of this country; and when our interests are at stake, we are the proper parties to judge of what is best.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—Therefore, to raise a false cry to enable hon. gentlemen on the opposite side to carry out their measure without amendment and without consulting the people of this province, is unjust in practice and wrong in principle. It is a dangerous experiment. Had hon. members been aware of the whole circumstances of the New Brunswick elections²⁶, they would perhaps have reflected before placing Hon. Mr. Tilley in a false position.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—It is all a mistake.

Thomas Wallbridge [Hastings North]—The extracts read are confirmatory of this view. I know something of the railways of New

House to consider the means whereby the progress which has so happily characterized this Province may not be arrested through the occurrence of sectional jealousies and dissensions: It is therefore the opinion of this House that the Union of Upper and Lower Canada should be changed from a Legislative to a Federative Union by the sub-division of the Province into two or more Divisions, each governing itself, in local and sectional matters, with a general Legislature and Government for subjects of national and common interest; and that a Special Committee be now named to report on the best means and mode of effecting such constitutional changes.

2. *That considering the claims possessed by this Province on the North Western and Hudson's Bay Territories, and the necessity of making provision for the government of the said Districts, it is the opinion of this House, that in the adoption of a Federative Constitution for Canada, means should be provided for the local Government of the said Territories under the General Government, until population and settlement may from time to time entitle them to be admitted into the Canadian Confederation.*

3. *That a General Confederation of the Province of New Brunswick, Nova Scotia, Newfoundland, and Prince Edward's Island, with Canada and the Western Territories, is most desirable, and calculated to promote their several and united interests, by preserving to each Province the uncontrolled management of its peculiar institutions, and of those internal affairs, respecting which difference of opinion might arise with other members of the Confederation, while it will increase that identity of feeling which pervades the possessions of the British Crown in North America; and by the adoption of an uniform policy for the development of the vast and varied resources of these immense Territories, will greatly add to their national power and consideration;—and that a Special Committee be appointed to report on the steps to be taken for ascertaining, without delay, the sentiments of the inhabitants of the Lower Provinces, and of the Imperial Government, on this most important subject.”* [Journals of the Legislative Assembly of the Province of Canada \(1858\), p. 815.](#)

²⁵ [Webster–Ashburton Treaty \(1842\)](#), which resolved border disputes between the United States and British North America, particularly the Maine–New Brunswick border.

²⁶ *Supra* footnote 1.

Brunswick, and I am aware that a scheme was favored by the people of St. John to extend their railways to the American frontier, as Canada has done in several instances. It was their interest to connect with the Portland road, just as it was the interest of Canada to connect the Grand Trunk with the road from Montreal to Portland. And with Hon. Mr. Tilley as the advocate of such extension, is it reasonable to infer that the American railway men opposed his election? The scheme before us is fraught with a job of greater proportions than the New Brunswick people ever thought of. The lurking influences of the Grand Trunk Railway, or of the well known contractors, who are uppermost whenever this union is spoken of, are at work.

Some Hon. Members—*Ministerial laughter.*

Thomas Wallbridge [Hastings North]—Ministers may laugh, but it is patent to all that the railway,

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by the longest route it will be possible to find, is the pivot on which the scheme revolves. If it be the desire to get to the seaboard, and not to give certain contracting firms a job, why is not the shortest, cheapest and best route, from every point of view, selected? Why climb over the mountains of the centre of New Brunswick, or along the seacoast, when a road can be constructed by a better but shorter route, for much less money, by the valley of the St. John? I contend that the route this road is to run should be made known to this House. It is a question involving the expenditure of millions, and if the cheaper route be built, the saving to Canada will also be many millions of dollars. I know that certain honorable gentlemen are prepared to vote on this question phlegmatically.

Some Hon. Members—*Laughter.*

Hope Mackenzie [Oxford North]—What is it to vote phlegmatically?

Thomas Wallbridge [Hastings North]—An hon. gentleman asks me what a phlegmatic

vote is? I would inform him it is to vote on this question, which so deeply concerns our future interests, without inquiry. It will cause some honorable gentlemen to give the lie to their whole political lives. It is to vote away, without enquiry, our rights to the Northwest territory. It is to seal up that country hermetically for all time to come. That is what I call giving a phlegmatic vote.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—We find that the representatives at the Conference from Nova Scotia and New Brunswick made it a point of the proposed Constitution to construct the Intercolonial Railway, also took good care to make the opening of the North-West contingent upon the state of the finances, and the Confederation will commence life with a debt of \$150,000,000. It is evident, therefore, that the North-West is hermetically sealed, as far as Canada is concerned.

What shall we gain by this particular scheme of Confederation? We have been running with railway speed into bankruptcy, and this scheme is one which will add immensely to our debt, and especially to our debt on account of unproductive and useless railways, and of which we do not even know the route, although, now that the elections in New Brunswick are over²⁷, it cannot affect the position in that province to give the information we are seeking.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—I am in favor of a union of the British North American Provinces. But the union that is desirable is a union in fact, not an organized system of discord, with a number of petty legislatures that will only serve to create strife and prevent our moving forward in the career of civilization and improvement. The scheme of the hon. gentlemen, to some extent, will give us the advantages of a legislative union, but it is encumbered with objectionable details—details which, in their importance, amount to principles, and to secure their

²⁷ *Supra* footnote 1.

rejection or amendment I shall employ what energy I can bring to bear.

The scheme has been submitted to the people in New Brunswick, and it has there been admitted, as well as in Nova Scotia, that it was subject to amendment. Why should Canada not have the same right accorded? Why should we take the scheme in its entirety, when its authors cannot justify certain provisions which specially relate to this country? It is treating Canada with contempt, and hon. gentlemen will be held responsible.

I have very great confidence in several of the hon. gentlemen opposite. I have very great confidence in the Hon. President of the Council [George Brown] and the two other hon. gentlemen whom he took into the Ministry with him. But, when the Hon. the President of the Council [George Brown] consented to go into the Administration without getting a fair representation in it, of the party with which he was acting, both in Upper and in Lower Canada, he miscarried.

Some Hon. Members—*Laughter.*

Thomas Wallbridge [Hastings North]—That may account for some of the objectionable features of this measure. It may account for Canada consenting, and for the Hon. President of the Council [George Brown] giving his consent, that the voting at the Conference should be by provinces, instead of by numbers. They took very good care to arrange that we should pay according to population.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—But they voted by provinces, and in that way hampered the scheme with many objectionable details. And I think, therefore, it is now competent for this House to criticise those details, and to take such steps as will ensure their exclusion from the Imperial Act.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Before these explanations are over, and I have no desire to prolong them further than is necessary—I would like to ask the Hon. Minister of Finance [Alexander Galt] as to the

course to be pursued with reference to the Lower Canada School Law, which was promised to be introduced this session. We are now told a prorogation is to take place, and I would like to know whether the pledge given by the honorable gentleman at Sherbrooke [Alexander Galt], on behalf of himself and his colleagues,

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and renewed several times in the House since the session commenced, is intended to be carried out, or whether it is to be modified—because it must be obvious that that matter has an important bearing on the question of Confederation, with which it has been connected by honorable gentlemen opposite.

Alexander Galt [Sherbrooke, Minister of Finance]—I think the statement made this afternoon by the Hon. Attorney General West [John A. Macdonald] is perfectly explicit. The Government intend to ask for a vote on the resolutions now in the hands of the Speaker. With regard to the School question, the Government are under the same pledge as they have always been: it will be legislated upon by this House.

Luther Holton [Chateauguay]—This session?

Alexander Galt [Sherbrooke, Minister of Finance]—It will not be legislated upon this session, because, as the Hon. Attorney General West [John A. Macdonald] has stated, it is the intention of the Government to prorogue the House at the earliest date. But all the conditions connected with the resolutions will be legislated upon as a matter of course.

Luther Holton [Chateauguay]—I understand, then, that the pledge to bring down that question this session is withdrawn, the policy of the Government on that point having been modified by the result of the elections in New Brunswick.

Alexander Galt [Sherbrooke, Minister of Finance]—There is no change in the policy of the Government on the subject of Confederation, or any of the other measures connected with it.

Luther Holton [Chateauguay]—But the honorable gentleman must permit me to recall the nature of the pledge given by himself and his colleagues at Sherbrooke and in this House that there would be a bill brought down by the Government during this session of Parliament, for the amendment of the Lower Canada School laws. This was repeated by the Honorable Solicitor General East [Hector-Louis Langevin], on behalf of the Government, in the course of certain interpellations made on this subject in the absence of my hon. friend the Finance Minister [Alexander Galt]. And the conclusion of the whole matter now is, that the hon. gentleman states emphatically that this is not to be done.

The people of New Brunswick, therefore, among the other mischiefs they have wrought by the free exercise of their franchise in the rejection of the Government²⁸ which undertook, without legislative or other authority, to enter into arrangements for revolutionizing the country, among other mischiefs they have wrought has been this, that the Minister of Finance [Alexander Galt] and his colleagues conceive themselves to be relieved thereby of the obligations they undertook to the country and to the House—

Alexander Galt [Sherbrooke, Minister of Finance]—No! No!

Luther Holton [Chateauguay]—The obligations they undertook to the country and to the House to bring in an amendment to the Lower Canada School laws during this session of Parliament. The hon. gentleman knows full well—none better than he—the point of these remarks. It may not be appreciated by the House generally, especially by the members from Upper Canada, but the hon. gentleman knows well the importance of it, and that the English Protestants of Lower Canada desire to know what is to be done in this matter of education, before the final voice of the people of this country is pronounced on the question of Confederation. The assurances given by the

hon. gentleman led them to believe—and in point of fact they do generally believe, that that measure is to be brought down before the final vote of this House is taken on the question of Confederation. That is the point of the whole matter.

And the honorable gentleman now tells us, through his leader, that the Confederation resolutions are to be put through this session immediately, and [that commissioners are going to England](#)²⁹ to press legislation founded on those resolutions, while on the other hand he himself, the great Protestant champion of Lower Canada, who claims the confidence of Lower Canada Protestants in an especial manner, now tells them that this promised legislation is not to be had until next session of Parliament, when it will be too late perhaps to petition this House, or even to send popular petitions to the Imperial Parliament against this measure. Therefore it is, I repeat, that among the many curious results of the free exercise of their franchise by the people of New Brunswick, we have this, that the Protestant champion of Lower Canada is not going to do that which he undertook to do on behalf of his fellow countrymen and co-religionists—that which he promised this session, but now postpones till another session, when all the circumstances may be changed.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance].—I think the interest evinced by the hon. member for Chateauguay [Luther Holton] in this matter is somewhat remarkable. I feel grateful indeed to him for the kind solicitude he expresses on my behalf, that I should cause no disappointment to the class which to a certain extent looks to me. Still,

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I think he is guilty of rather a paltry quibble in the statement he has just made. The position of the Government was most distinctly stated by

²⁸ *Supra* footnote 1.

²⁹ [Supra](#) footnote 5.

the Attorney General West [John A. Macdonald], and no misunderstanding can exist with regard to it. It is admitted frankly that the events in New Brunswick call for some special action by this Government, and the action which they propose to take was stated in the most distinct terms by the Government.

As regards the education question, statements have been made already as to the nature of the amendments which are to be proposed to the existing School law. The Government will unquestionably take care that that law shall be amended in the sense of those statements before the Confederation scheme finally becomes law in Canada. I think no further statement is necessary. I can add nothing to the assurances which have already been given on that subject.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—There is one point on which I should like an explanation from the Hon. Attorney General West [John A. Macdonald]. He says there will be a vote of credit asked from the House, until the next meeting of the Legislature. That, I suppose, will not be until July or August, but the appropriation for the services of the volunteer force on the frontier expires in May. Will that vote of credit include the amount necessary to continue the volunteers on their present service, if the Government find that they require it to be continued up to a subsequent period, say the first of August? I should like an answer to this question, if the Government have made up their minds on this part of the subject.

I may remark, also, that one cannot help feeling it to be a matter of regret that the public business of the country could not go on. Of course, if the Government determine that the question of Confederation shall be pressed to a speedy decision by the House, and the Hon. Attorney General West [John A. Macdonald] and other members of the Government proceed immediately thereafter to the other side of the Atlantic, it will be necessary that the House should rise, without getting through the ordinary business of the country.

At the same time, a few weeks more would enable the House to get through all that business, and when we meet again in July or August, we would be able to devote our whole time to the measures which the Government may submit to us, as the result of the mission to England. If this debate is to be pressed as rapidly as the Hon. Attorney General [John A. Macdonald] indicates, I have no doubt we would be able to dispose of it, and also to get rid of the whole of the public and private business on the Orders, so as to allow the prorogation to take place before the first of April.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—I will answer the question put by my honorable friend to the Hon. Attorney General West [John A. Macdonald]. The intention of the Government is to ask such a vote of credit from this House, as in their opinion the necessities of the country will demand, until the period when Parliament may again be called together. With reference to that, I would remind the House that the ordinary supplies have been voted up to the 30th June, and this will have to be borne in mind in considering the sum the House will be asked to vote. The Government will unquestionably have in view the continuance of the protection of the frontier.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—As the Hon. Attorney General [John A. Macdonald] has stated the intention of the Government is to meet Parliament again, so soon as they are in a position to state to them frankly the views of the Imperial Government; and that of course, to a certain extent, depends on the time during which they may be delayed in London in getting a final answer. But the intention of the Government is to lose no time in meeting Parliament again.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I have a word or two to say. The Government have changed their policy so quickly, that we can now place no reliance on the statements of

Ministers of the Crown. I have not the slightest doubt that hon. gentlemen on the Treasury benches at this moment contemplate—and I ask the attention of the House to what I am saying, because it is a bold statement I am to make—I say it is my deliberate opinion, that if we pass these resolutions, the gentlemen on the Treasury benches will go home and find a justification in England for manufacturing a bill of perhaps an entirely different character, that will cover all points, and that they will come back and force that on the people of this country at all hazards, having embodied in it whatever regulations they please as to schools, and whether there shall be one House or two Houses in the Local Parliament, and all other such matters. I am satisfied that that is their plan.

They know well they cannot go to an unwilling people

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with this scheme, they dare not submit it to the country—and they propose, therefore, to steal a march on the people, and will come back with a bill manufactured in London, as was done in 1840³⁰, and press it on the people of Canada. We know how it was in 1852 or 1853, [when an act came over to us, making an alteration in our Constitution, with respect to the increase of representation in Parliament](#)³¹, of which no one to this day has been able to trace the origin. What was done on that occasion may be done again. They will be met in England by gentlemen from New Brunswick and Nova Scotia, and they will manufacture there a Constitution for the people of Canada—which the people of Canada will be compelled to take, or else expose themselves to be called traitors and rebels.

They will come out with the authority of the Government, and invoke the name of the Queen, and will attempt to impose the Constitution thus manufactured on all the colonies, stigmatising as traitors all who

oppose them. This is not the first time that that game has been played. Honorable gentlemen, failing to obtain the assent of an unwilling people here, will take that course—especially when, as is well known, the people and Government of England are only too anxious to throw upon us a large burden for the defence of this country. Influenced by the attentions and blandishments they will receive in England, Ministers will sacrifice our interests, and, as the price of it, will perhaps come back with high-sounding titles.

Some Hon. Members—*Laughter*.

Luther Holton [Chateauguay]—That has been done already.

John Sandfield Macdonald [Cornwall]—And what has been done before may be done again. They will go to England as if armed, as they suppose, with a *carte blanche* from the people of this country, because of the adoption of the scheme by this House to obtain a Constitution, such as is shadowed forth in these resolutions, imperfectly as they themselves admit—for Upper and Lower Canada and the provinces generally. The English Parliament will say, “We have here the best intellects of the provinces, the leaders of both parties, the men who have played their part before the country for the last eight or ten years, with the confidence of their respective parties.” But, if they were to read at the same time what these leading men have in that period said of one another, they might well question whether the men who had branded each other with infamy and disgrace, were the men best fitted to unite in framing a bill to secure the peace and quietness of this country—a measure, in the language of the hon. member for South Oxford (Hon. Mr. Brown), forever to settle the difficulties between Upper and Lower Canada.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I protest vehemently against these attacks on our rights. I protest against our being asked

³⁰ [The Union Act, 1840 \(U.K.\)](#). See *The Union Act, 1840: Imperial Debate, Draft Bills and Correspondences (1839-1840)*.

³¹ [An Act to empower the Legislature of Canada to alter the Constitution of the Legislative Council for that Province \(U.K., 1854\)](#).

thus blindly to vote away our rights and liberties. However clever these gentlemen may be, we know to our cost what our cleverest financiers have done and will do again when they get out of the reach of public opinion, for the moment. When the country got tired of them, they entered into this Coalition to strengthen themselves. These are the men who will give us a new Constitution made in England. I do not pretend to be a prophet; but I ask you, Mr. Speaker, to remember, that I have declared now what is my deliberate conviction as to the game that will be played by hon. gentlemen on the Treasury benches.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—It does astonish me that an hon. gentleman in the position which the hon. member for Cornwall [John Sandfield Macdonald] has occupied for so many years, should deliberately rise and make such statements as we have heard from him, after the grave announcement made from the Treasury benches with the assent of the Governor General of this province. The hon. gentleman has been told that the Government intend, if the House sanction this measure, to carry it home with the honest intention of giving effect to it, and of having arrangements made with reference to the other grave matters which have to be considered there.

John Sandfield Macdonald [Cornwall]—What are they?

George Brown [Oxford South, President Executive Council]—The question of defence, and the question of the commercial relations between these provinces and the United States. He has been told that it is the intention [that members of the Government should go to England](#)³²; that on their return, at the earliest possible moment, Parliament shall be called together and have submitted to it the result of the negotiations. And after all this, the honorable gentleman has the rashness—I shall not use a harsher word—to get up here and

impute to the whole members of the Government, and to the head of the Government, who has

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sanctioned the making of this announcement to the House—

Antoine-Aimé Dorion [Hochelaga]—I rise to a point of order. I ask if it is in order to bring before the House the authority and name of the Governor General.

Mr. Speaker—The name of the Sovereign cannot be introduced in this way, but I do not know that the rule extends further.

George Brown [Oxford South, President Executive Council]—I am quite in order. I apprehend it is quite impossible that we could have made to the House the statement with regard to the prorogation, and the intention of sending members of the Government to England, in the way we propose, unless we had the direct sanction of His Excellency [Viscount Monck].

John Sandfield Macdonald [Cornwall]—You advised him of course.

George Brown [Oxford South, President Executive Council]—Of course. With the duty we owed to His Excellency [Viscount Monck], it was impossible we could make such a statement, without first obtaining His Excellency's sanction. The hon. gentleman knows it well, and when he ventured to get up and make the rash charge that the whole thing is a trick, to get some scheme entirely different from this carried through the Imperial Parliament, he assumes a liberty that is entirely unworthy of a member of this House.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And I can tell the honorable gentleman and my honorable friend from Hochelaga [Antoine-Aimé Dorion], who are so anxious about the position which has been taken on this side by myself and by my hon. friends the Postmaster General [William Howland] and the

³² [Supra footnote 5.](#)

Provincial Secretary [William McDougall], I can tell them that we are quite alive to the position in which we are placed, and that we have no tear with regard to the course we have taken, are now taking, and shall continue to take, till this measure is brought to a satisfactory conclusion, but we will be able to justify ourselves in the eyes of those who placed us here.

Some Hon. Members—*Cheers.*

Luther Holton [Chateauguay]—The statement just made by the Hon. President of the Council [George Brown] is one, I conceive, of very great importance, as it puts a meaning on the declaration made by the Hon. Attorney General West [John A. Macdonald], which some of us, at all events—myself among the rest—did not catch when the hon. gentleman made his statement. We are to understand now, by the declaration of the Hon. President of the Council [George Brown], that the Government do not intend to have anything concluded in this matter of Confederation till the next meeting of the House.

George Brown [Oxford South, President Executive Council]—I did not say anything of the sort.

Luther Holton [Chateauguay]—Then what was the point of attack on the hon. member for Cornwall [John Sandfield Macdonald]? That hon. member indicated his fear and his belief that a Constitution would be framed in England, at the instance and, perhaps, under the supervision of certain of the hon. gentlemen on the Treasury benches, which would prove to be utterly distasteful and unpalatable to the people of this country. And the Hon. President of the Council [George Brown] gets up and repels that with the greatest possible indignation. It appears to me that, if there is any point in his indignation, it must be here—that some further action is to be sought from this House before any effect is given to the question of Confederation. I take it, that is the fair inference from the statement now made by the Hon. President of the

Council [George Brown]. I ask whether that is the inference to be deduced—whether that is what the hon. gentleman meant? (*A pause.*)

The honorable gentleman declines to answer.

George Brown [Oxford South, President Executive Council]—Go on, and finish your speech.

Luther Holton [Chateauguay]—I would like an answer now.

Alexander Galt [Sherbrooke, Minister of Finance]—No, no. Finish your speech.

Luther Holton [Chateauguay]—The honorable gentleman knows well that this is not part of the regular debate. I did not rise to make a speech. The Hon. Attorney General West [John A. Macdonald] did not rise to make a speech. No one has done so. The Hon. Attorney General [John A. Macdonald], on behalf of the Government, made a statement. That statement has led to some observations, and some enquiries, that the House might understand its full purport. The regular debate is to be resumed by my honorable friend from Quebec (Hon. Mr. Alleyne)³³, who, having moved its adjournment, is entitled to the floor, and I should be sorry to keep it from him, by making a speech. But I want those points to be clearly understood, for it is in the interest of all parties that they should be. Though I do not go quite so far as my honorable friend from Cornwall [John Sandfield Macdonald] in his observations.

John A. Macdonald [Kingston, Attorney-General West]—Hear, hear.

Luther Holton [Chateauguay]—Though I do not go so far as he has done, yet I thought there might be some danger, but I look upon the statement made by the Hon. President of the

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Council [George Brown], and the indignation with which he repelled the charge of my honorable friend from Cornwall [John Sandfield Macdonald], as calculated to

³³ The resumption of the debate on the Quebec Resolution is found on p. 669.

reassure the House. And I merely rose for the purpose of asking honorable gentlemen whether we are really to understand from the supplementary statement made on behalf of the Government by the Hon. President of the Council [George Brown], that the further consideration of this House is to be invited to all these measures, to the new Constitution for the country, as well as the arrangements that may be come to with respect to our defences, and with respect to our commercial relations.

John A. Macdonald [Kingston, Attorney-General West]—If I supposed for a moment that the honorable member for Chateaugay [Luther Holton] really required an answer, he should get it. I have no doubt the Hon. President of the Council [George Brown] would gladly give an answer, if he really thought he had any information to give to the honorable gentleman. But no one understands better than the honorable member for Chateaugay [Luther Holton] the way in which the case was put.

The honorable member for Cornwall (Hon. J.S. Macdonald) rose, and in rather an unparliamentary way—after a statement had been formally made to inform the House and the country what was the policy of the Government—upon his honor declared his belief that the Government were not sincere in the explanations they had made, and that their design was to get a bill passed by the Imperial Parliament, contrary to the feelings of this country and of the Lower Provinces, and to force that upon the people. That was the declaration of the honorable gentleman. I do not know if he was sincere in making it. He seemed to be sincere, and pledged his honor and his conscience to it.

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—But his doing so only convinces me, that, if he had been in office himself, that is the course he would have adopted; no such suggestion would have risen to any man's mind, unless he had thought it a feasible one.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—For our part we do not consider such a course to be in accordance with our position in this House, or in accordance with our principles as men of honor; and the Hon. President of the Council [George Brown] rose to repel the dishonoring insinuation with that just indignation which was felt by every man who heard it, and to declare that the belief of the honorable gentleman was utterly untrue, unfounded, and unwarranted.

But I shall repeat the announcement in a way that it may be understood by the hon. member for Cornwall [John Sandfield Macdonald]—in language that will be plain to the meanest capacity—

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—so that no man can mistake it. Our intention is to get the sanction of this House to the Address I have moved, and this having been done, the two branches of the Legislature will have given their votes in favor of the Confederation scheme, and there is the end to that, so far as Canada is concerned. We will then go over to England with that in our hands, and will say to the Imperial Government:—"Canada has agreed to this, New Brunswick has not agreed to it, and we wish to take counsel with the Imperial Government as to our position. This is the unmistakable voice of the people of Canada through their representatives, and we, as representing the Government of Canada, which has three-fourths of the whole population of the provinces, come to consult with the authorities of the Mother Country what is best for the interests of these provinces."

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—We shall also discuss the question of defence, and, I have no doubt, we shall be met in a most large-hearted and liberal spirit by the English Government, and that England will now, in justice to Canada, pledge herself to her utmost resources in men and

money for our defence.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Then there is a third question, that of the [Reciprocity treaty](#)³⁴; and we will also take counsel with the British Government as to the best means of treating that subject. And the honorable gentleman knows—at least he ought to know, for I cannot answer for the limits of his understanding—that we can only discuss that through Imperial avenues, that we can have no direct communication in such matters with the American Government.

Having taken counsel with the Imperial Government on those three points, we shall call the House together at the earliest period, I hope long before the current half-year terminates, that is, before the 30th June.

We will submit the result of [our mission](#)³⁵, and it will then be before the House for discussion. Though another session, it will be in effect a continuation of this session, and when we have debated and disposed of the most pressing subjects, we will then take up what remains of the Confederation scheme—such as the constitution of the local governments and the school question, with regard to which, as the Hon. Minister of Finance [Alexander Galt] has stated, we shall propose to carry out to the letter the pledges we gave at the Conference, and which we ask the House to endorse, and hope it will.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—We will also submit the result of our negotiations on the question of defence, and on all those matters

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connected with the relations between Great Britain and the United States, so far as British America is concerned, and on which we are authorized to take action by the Imperial authorities. We cannot know at what stage the negotiations between the Imperial

Government and the United States Government may have arrived when the House meets again; but the result of the mission of those members of the Canadian Government who go home, will be submitted to the House.

We shall lay before the House all that the British Government resolve upon, after hearing what we have to say as to the question of Confederation in its general aspect, and in its relation to the position it may have assumed in the other provinces. We shall then lay before the House the scheme of the local governments for the two Canadas. We shall lay before them the action necessary to be taken with reference to the School question, the matter of defence and the [Reciprocity treaty](#).

The honorable member for Cornwall [John Sandfield Macdonald] gets up, and, because he finds the Government are resolved to take a firm and proper course in this matter, he chooses to throw improper and insulting remarks across the floor. But the House has learned what value is to be attached to the honorable gentleman's statements, when a little while ago it heard him—an honorable gentleman who professes to be such a patriot—stating with reference to this scheme, in favor of which a large majority of the people of Canada had declared, that he had a “mischievous satisfaction” in seeing it checked. It was in the same spirit of causeless, senseless mischief that he got up to prophecy all sorts of improper conduct on the part of the Government.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Whatever views may be entertained by the Honorable Attorney General West [John A. Macdonald] of my capacity, I suppose I have got along in my own way as he has got along in his way. But I think the House may thank me for having obtained at last, notwithstanding—the castigation the

³⁴ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 4.

³⁵ [Supra](#) footnote 5.

honorable gentleman has dealt out to me, and which I hope I shall be able to survive, as I have borne up heretofore under similar avalanches of hard words about my want of judgment, want of capacity, and so forth. I think the House may thank me for having obtained at last from the Honorable Attorney General [John A. Macdonald] the explicit statement he has made, that the scheme is to come back again for the consideration of this House.

Antoine-Aimé Dorion [Hochelaga]—The Honorable Attorney General West [John A. Macdonald] did not say that.

John Sandfield Macdonald [Cornwall]—He said, if not the scheme itself, that all the arrangements connected with it, as to the local governments, the proportions we are to assume of the defence of the country, and the School question—which the Honorable Finance Minister [Alexander Galt] told us, but for this untoward affair in New Brunswick, would have been submitted before this session closed—that all these things will be brought back and be submitted next session, before the Confederation scheme is finally concluded. This was not so explicitly stated in the honorable gentleman's first speech. I have been accused of being so unpatriotic as to take a mischievous pleasure in any check upon the scheme.

What I said was, that I had mischievous pleasure in seeing that the honorable gentleman who had charged the Canadian Government with bad faith had been defeated and ousted from his place. And I say that, if this scheme were likely to prove for the advantage of the people of this province, no one would rejoice more than I in seeing it carried. But I have always felt, and do now feel, that the Constitution of this country can be well worked out. I have never given a vote

for Federation. I have never given a vote for a legislative union.

An Hon. Member—Or for annexation.

John Sandfield Macdonald [Cornwall]—No; I did not sign [the annexation manifesto](#)³⁶.

Some Hon. Members—Hear, hear, and laughter.

John Sandfield Macdonald [Cornwall]—I have not assented or given countenance to any scheme for changing our present Constitution, and it is not right for the honorable gentleman, because I do not choose to assent to this scheme without knowing all the details, to taunt me with being unpatriotic.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The honorable gentleman would have the House to understand that I was ignorant of the fact that this Government could not deal directly with the American Government with regard to the [Reciprocity treaty](#)³⁷. And yet in the face of this charge, he must have known that the only record which [an Address of this House brought down the other day was a Minute of Council addressed to the Secretary of State by myself and colleagues, on the subject of reciprocity](#)³⁸.

Luther Holton [Chateauguay]—And what have honorable gentlemen opposite done since?

John Sandfield Macdonald [Cornwall]—They have done nothing since, of course. We were attacked by the Hon. President of the Council [George Brown] because we did nothing with regard to the [Reciprocity treaty](#).

George Brown [Oxford South, President Executive Council]—The honorable gentleman

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is entirely mistaken. He is thinking of the time when I privately urged upon him, as Prime

³⁶ [Montreal Annexation Manifesto. Published in The Montreal Gazette \(Oct. 11, 1849\).](#)

³⁷ [Canadian-American Reciprocity Treaty of 1854.](#) *Supra* footnote 4.

³⁸ "Return to An Address of the Honorable the Legislative Assembly, dated 15th February, 1865, for Copy of all Correspondence between the Government of Canada and the United States, or the British Ambassador at Washington, and of all Despatches from the Home Government, and Orders in Council, on the subject of the Reciprocity Treaty," [No. 26] in [Sessional Papers \(1865\).](#)

Minister, the necessity of taking steps, and prompt steps, for ascertaining what was the mind of the Washington Government, and whether or not a new treaty could be negotiated. He explained to me the obstacle that stood in his way; and, though I considered the difficulties in his way ought to have been overcome, yet the circumstances were such that I never blamed him.

John Sandfield Macdonald [Cornwall]—We did all we could in the way of making representations to the Imperial Government. And what have honorable gentlemen opposite done since?

George Brown [Oxford South, President Executive Council]—We have been acting in the same direction ever since, and I think it would have been well for the interests of this country if we had not been fettered as we have been.

John Sandfield Macdonald [Cornwall]—Well, I say that this explanation of the Honorable Attorney General [John A. Macdonald] is more explicit and much more, elaborate than the explanation we had from him in the first instance. In commenting upon that first explanation, I hope I did not make use of unparliamentary language. But I am entitled surely to draw deductions from the announcements made to us from the Treasury benches, and I am not bound to mince matters if I feel alarmed at the consequences which may result from the giving of this dreadful blow to the Constitution we have so long lived under. It is surely not unseemly that I should feel keenly on this subject, and that, before the Constitution to which I am sincerely attached is swept away, I should express that indignation which I may have expressed somewhat warmly this afternoon.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Much stronger language has been expressed on the floor of this House, when the motives of the honorable gentlemen on the Treasury benches have been questioned by honorable

gentlemen whose intellect perhaps as far transcends mine as day outshines night.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—But I think the country and the House will yet thank me for stating, even in the earnest manner I did, my alarm in connection with this matter. At all events, I have a sincere belief in the truth of what I stated.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The explanations given to-day by the Honorable Attorney General West [John A. Macdonald] are fuller than those at first given; yet I am afraid that there is still some misunderstanding. The Honorable Attorney General West [John A. Macdonald] stated that the scheme for the constitution of the local governments would be submitted to the House next session. Is it the intention of the Government, or [the delegation](#)³⁹ when in England, to press the scheme upon the Imperial Government without the concurrence of the Lower Provinces?

If the Lower Provinces do not come in, will the Government press the adoption of the scheme so as to apply it to the two provinces of Canada? For, if I understood the Honorable Attorney General West [John A. Macdonald], he said that next session they will bring in the constitutions of the local legislatures. Now, if they are not to press the scheme at all, there would be no necessity for local legislatures.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I desire simply to state, as I have said before, that after these resolutions are carried, those who go to confer with the Imperial Government will doubtless adopt such steps as they think are best suited to us.

Some Hon. Members—Hear, hear, *and laughter.*

Arthur Rankin [Essex]—I feel obliged to the honorable member for Cornwall [John Sandfield Macdonald] if he elicited the explanations just given, though I cannot

³⁹ [Supra footnote 5.](#)

approve of what he said otherwise. To me the intelligence is most acceptable.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I learn that it is the intention of the Government to go on without regard to the action of the Lower Provinces, and to press this measure through without being influenced by the action of New Brunswick⁴⁰. I hold that it is common sense for us to remember that we are considering the interests of the people at large, and this scheme, if acceptable to the people of Canada, is acceptable to four-fifths of the people of British North America.—

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—It must be evident to the meanest capacity—(to make use of the words of the Honorable Attorney General West [John A. Macdonald] a few minutes ago)—that one of two destinies awaits us: either we must extend and strengthen British influence and British power on this continent, or these provinces must, one by one, be absorbed by the neighboring republic.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—That has been my opinion for years, and it is my opinion still. However, Mr. Speaker, I simply rose for the purpose of soliciting more distinct information upon one point on which I have heard nothing said, although the explanations may have been given before I came into the House. I wish to know what is the intention of the Government with reference to the volunteers now on the frontier—whether they have provided the means to maintain this force, if required, beyond the 1st of May next?

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An Hon. Member—That question has already been answered.

Arthur Rankin [Essex]—I only hope the Government will ask the House for means to keep up whatever force may be thought necessary, not only till June, but till October if requisite.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I think that the policy of the Government, as announced to-day by the Hon. Attorney General West [John A. Macdonald], is bold, manly, and straightforward, and such as will entitle them to the confidence of this House and of the country.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—It shows that they, at least, are in earnest on this great question of Confederation which they have introduced, and whatever may have been the opinion of the Opposition as to the motive which induced them to lay this measure before the House at the opening of the session, I think it must be utterly dispelled by the announcement just made to the House.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—If the scheme was worth anything when the Government, in [the opening Speech this session](#)⁴¹, declared its intention of asking the consideration of the House for it, the same scheme must be worth as much now, and I trust that none of the difficulties which may for a moment interpose, will prevent the Administration from carrying it through.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—It has been said that the measure which they should have brought down was the smaller one, whilst they have introduced the larger. Now, sir, I hold that the greater always includes the less; and that the Government, instead of being blamed for the course they have taken, are entitled to the thanks of this House for bringing down the more important one at the outset.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—It is not often that questions of the importance of that now before the House are carried without considerable opposition. I need only refer, as an example, to that of the Clergy Reserves,

⁴⁰ *Supra* footnote 1.

⁴¹ [Lord Monck, Legislative Council, Speech from the Throne \(Jan. 19, 1865\), p. A:1.](#)

during the discussion of which there were fights, fierce and numerous, lasting for many years, [until the measure was carried at last](#)⁴². And now, as we are about to obtain what Upper Canada has sought for years—representation by population—we find, unfortunately, difficulties interposing; but I hope that notwithstanding these, the Government will not falter, but will carry out the wish of the majority of the members of this House and of the people of the country, and consummate the scheme of uniting the British North American Provinces.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I am very happy to find that the Government have taken into consideration the negotiations on reciprocal trade with the United States. That is a most important question, and I should have been glad, for that alone, if the Confederation scheme had been carried out successfully, because it would have been much easier to discuss the matter through the British Government by means of representatives from the General Confederacy, than by representatives from the various disunited provinces. Now I say, Mr. Speaker, that the course the Government have pursued must inspire confidence in them on the part of their supporters, and I believe that the country will approve of it too.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I hope they will relax no effort to see the scheme carried to completion.

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—If I understand correctly the statement just made by the Government, they propose to send [a delegation to England](#)⁴³ for the purpose of discussing the three questions of the [Reciprocity treaty](#)⁴⁴, the defences, and the scheme of Confederation now before the House. The Hon. Attorney General [John A.

Macdonald] says that the question of the defences is very pressing, and that immediate action should also be taken with regard to the [Reciprocity treaty](#). If these subjects are so pressing, they should be dealt with at once, irrespective of whether this scheme is carried or not.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—A period of constitutional changes is most unfavorable for the proper consideration of these questions; and if the necessity is as urgent as represented, they should be taken up and considered at once, even in advance of Confederation. Earl Russell, then Lord John Russell, was severely ridiculed by the British press because he introduced a [Reform bill](#)⁴⁵ during the Crimean war. I deprecate most strongly the attempt made to coerce constitutional changes upon this House and the country under the pressure of danger and coming war.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—He is no friend of Canada who is constantly creating alarm and raising the cuckoo cry of loyalty.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—This Government was formed for the express purpose of discovering a remedy for our constitutional difficulties, and I hold them to that engagement. This scheme is to unite the whole of the British North American Colonies; and if the treaty is adopted by the Imperial Government, if an Imperial Act is passed on the basis of these resolutions, and the Maritime Provinces persist in their present refusal to come in, in what position are we then placed? Is this plan of Federation to be applied to the two Canadas? Sir, this is

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not the constitutional remedy we desired and sought? And I ask the House if it is prepared

⁴² [Clergy Reserves Act 1854 \(Province of Canada\)](#).

⁴³ [Supra footnote 5](#).

⁴⁴ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 4.

⁴⁵ [Reform Act \(U.K., 1832\)](#).

to accept this union for ourselves?

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I think that the Government should have confined themselves simply to the constitutional question, and should not have tacked on to it our commercial and defensive relations, for the purpose of obtaining a little prestige. They have not put the question before Parliament fairly, or as it has been placed before the legislatures of any of the other provinces. I think the House should look at the question in this way—is an Imperial Act to be passed, establishing a Confederation of the two Canadas on the basis of these resolutions? I am not prepared to accept that as the constitutional remedy. I do not want it in that form.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The hon. gentleman who has just sat down says that we have put this question before the House as it has not been put in any of the other provinces. Now, my information, which perhaps is as correct as his, leads me to believe that the same course has been pursued here as has been or will be adopted in three of the other provinces—Newfoundland, Prince Edward Island, and Nova Scotia. The last information received shows that there is, as I am informed, a fair chance of the resolutions being adopted in Newfoundland. In Nova Scotia the resolutions were brought down by the Provincial Secretary, and it was then stated that the adoption of the resolutions would be moved, on a future day. So Dr. Tupper, the Provincial Secretary, stated.

Thomas Parker [Wellington North]—Read His Excellency's Speech⁴⁶.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Well, it was a very proper one. But the hon. gentleman will see that out of the four provinces he is wrong in regard to three of them. Then, my hon. friend the member for

North Hastings (Mr. T.C. Wallbridge) repudiated the idea that American influence had anything to do with the result of the elections in New Brunswick. Now, I may say to my hon. friend that one of the successful candidates is the agent of the American line of steamers—the International line—which does all the carrying trade to New Brunswick; and there is not, I am told, a pound of the stock of that company held in New Brunswick.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Does any one suppose that the influence of that company was not used for his election? Both steamboat and railway, and mining and fishery influences were brought to bear; and I think it will not be saying too much—and I have no hesitation in saying, for my part—that in that portion of the country, as well as in others, that the fight was between parties pro-Yankee and pro-British. It was a fair stand-up fight of Yankee interests on the one side and British interests on the other; and those who are here ungenerously and unwisely rejoicing over the defeat of Hon. Mr. Tilley, are in reality rejoicing in the triumph of Yankee interests. I state this from the knowledge I have obtained from ten different visits to that country, and I am quite sure, if my hon. friend had been there all the times that I have been, and had the same opportunities for observation, that he would understand that there are influences there quite apart from the real merits of Confederation.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Among other cries, Hon. Mr. Tilley was assailed because it was said that Hon. Mr. Macdonald had stated the Intercolonial Railway could not be made—as of course a railway could not be made—a part of the Constitution. That is a sample of the cries against hon. Mr. Tilley. In fact, it was a contest between prejudice and patriotism; between

⁴⁶ It is unclear what speech the member is referring to.

ignorance and intelligence; between Yankee influence and the broad principles of British North American policy.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Those who rejoice over that state of things may congratulate themselves if they choose, but it is for us to stand by the true public opinion of the country; it is for us to show an example of firmness and good faith in carrying out this scheme; it is for us to show the rest of the Empire that we are determined to adhere to our original resolution, and that we are not a people who do not know our own minds for three weeks, and make proposals one day or one week to breathe them down the next.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—I am sure if my honorable friend from North Hastings [Thomas Wallbridge] only knew that country as well as I do, that he would come to the same conclusions.

The Legislative Assembly adjourned for dinner recess.

After the recess,

The Order of the Day being read, for resuming the adjourned Debate upon the Question which was, on Friday the 3rd February last, proposed—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.⁴⁷

Charles Alleyn [Quebec City West] said—

Mr. Speaker, those whose fortune it has been to sit since 1851 in the reformed Legislature of Canada, have had to deal with and settle matters of the highest importance to the province. Questions which in other and older lands have loosened the bonds of society, have caused bloodshed and almost led to anarchy, such as our [Seigniorial Tenure](#)⁴⁸ and [Clergy](#)

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[Reserve Acts](#)⁴⁹, have been finally and peaceably disposed of, not possibly without injustice to a few, but certainly to the satisfaction of the community at large. Yet all those things, though of the greatest importance to us in Canada, sink into insignificance in comparison with that now before this House. While they related to our own affairs only, and were designed to promote the peaceful working of our own province, the question which we have now to pronounce upon concerns and relates to a Constitution for all the provinces of British North America, and for a country which may eventually comprise half a continent, and extend in one unbroken chain from the Atlantic to the Pacific Ocean.

Some Hon. Members—*Cheers.*

Charles Alleyn [Quebec City West]—But although the consideration of this great question has consumed a good deal of the time of this House, and though it is one of such great importance, and so wide in its extent that it does not excite those strong personal and party feelings in the minds of honorable members which much less important questions, of a more local nature, generally excite, still, sir, I think there is no one who looks at the future of this country for which we are called upon to act, who can avoid coming to the conclusion that the question is one deserving of so much deliberate consideration at our hands, that no amount of time can be considered wasted in debating and deciding

⁴⁷ [Journals of the Legislative Assembly of the Province of Canada \(1865\)](#), p. 177. Inserted for completeness.

⁴⁸ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\)](#).

⁴⁹ [Clergy Reserves Act 1854 \(Province of Canada\)](#).

upon it.

Yet Mr. Speaker, this is no new question. It has been brought up several times in Parliament, and before the people, and has occupied the attention of our ablest men, more or less, for the past forty or fifty years. It has been presented, theoretically, to the minds of the public of every province in British North America, in articles and pamphlets that have been written upon it; but now for the first time, by an extraordinary combination of events such as may never occur again, it presents itself to those empowered to deal with it practically and to give it life and vitality.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—We have a great responsibility resting upon us with reference to the decision we shall come to on this important question. When I say that there has been an extraordinary combination of events, I think not the least extraordinary was the coming together of the leading men from all parts of the provinces, entertaining widely different and hostile views, yet determining to keep those views in abeyance while they devised a scheme for the benefit of our common country.

When before has the spectacle been witnessed of the leaders of adverse political camps surrendering that advantage which a resistance to any great change must always give in party politics, and meeting together to settle upon a common ground of action? This we saw last summer in the meeting of the delegates from all the provinces. Many of these gentlemen must have known that they risked their political positions, and we now know it in a practical way. But far better for a public man to be defeated in a great cause than to succeed in a bad one.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—We cannot look upon the action of those men without conceding to them, first of all, a great amount of credit for the honorable and patriotic spirit which they evinced. Whatever

views we may hold of their judgment, it must be conceded on all hands that their conduct deserves a high need of praise.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—But when we see this question taken up in all the provinces, and receiving so much attention in England, and even in other portions of Europe, in so short a period of time, I think we must feel that there must be some great overruling cause at work to induce so vast an amount of attention to be given to the subject. I have examined the question carefully in this aspect, and I venture to express an opinion respecting the cause, by reference to the history of nations. I recollect in a speech from Lord Macaulay, in addressing the University of Aberdeen I think it was, speaking of [the events of 1848](#)⁵⁰, the remark occurs that since the invasion of the Huns civilization never ran such risks as in that year.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—Its dangers passed away, but the results remain. The wave which threatened to submerge, obeying a natural law, retired beyond low-water mark, and has left exposed more than one coast. Small nations seem not to be considered, the faith of treaties is laughed at, and in this boasted age of civilization the doctrine that might is right prevails as strongly as in the seventeenth century.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—The Danes, a brave and virtuous people, have been exposed to a hopeless war with Austria and Prussia, chiefs of the Teutonic race, while England and France remonstrated, by words and protocols, but acted not. The iron heel of Russia has crushed out the last sparks of freedom in Poland—long-suffering Poland, for whom so much sentiment has been expended, and free England

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and generous France stood silent lookers on.

⁵⁰ [Revolutions sprung up across Europe in 1848 on anti-monarchical and republican principles.](#)

Some Hon. Members—Hear, hear.

Charles Alleyne [Quebec City West]—From the Caucasus we have had the exodus of a nation from the land they defended for centuries, in bitter pilgrimage, losing thousands and tens of thousands on the way, to seek in the wilds of Asia for subsistence and freedom. On this continent the great nation which adjoins us has resorted to the bitter arbitrament of the sword, and an internecine and deplorable combat is being waged on a scale unknown since the Russian campaign and the great Napoleonic wars. These things, according to the stern rules of statecraft, may be right, and nations possibly cannot break the hard law of non-intervention; but when we see such events passing around us, must we not come to the conclusion that power must of necessity increase and encroach, or that it is as unreasonable now as it ever has been, and that pure justice and abstract right, without armed battalions to support them, will neither preserve integrity of territory nor secure protection of person.

Again, in the discoveries in the arts and sciences, we can perceive how much the power of great states have become increased as compared with the smaller ones. The telegraph has annihilated time, railroads and stealers have devoured space. War can only be waged by nations possessing vast resources in money, warlike engines and materials. One ironclad man-of-war, with her complement of Armstrong guns, would cost the year's revenue of a province.

Some Hon. Members—Hear, hear.

Charles Alleyne [Quebec City West]—And if we look around us we see this principle of territorial aggrandizement, this gathering together of the *dissecta membra*⁵¹ of nations; this girding up of the loins of empires for coming events is steadily carried out. The principle of centralization is rapidly going on, is pressing together the great nations, and rendering it necessary for smaller nations and provinces to

unite, and centralize for their common defence.

Some Hon. Members—Hear, hear.

Charles Alleyne [Quebec City West]—The subject is not one of theory, but of fact. Look at Italy, such a short time ago a weak and scattered congeries of states, now united into one powerful government. Victor Emmanuel is King of some twenty-five millions of people; France has Nice and Savoy and possibly a portion of Central America; Prussia and Austria have robbed Denmark; Russia has absorbed the Caucasus and is advancing into Central Asia; Mexico is springing into a powerful empire; the United States are, in men and the materials of war, showing a power which the world has seldom seen excelled. Such things passing round us, it would ill become us not seriously to consider our position, and, if possible, profit by the occasion.

Some Hon. Members—*Cheers*.

Charles Alleyne [Quebec City West]—What I have already said applies to all the provinces and to all small powers; but we in Canada have had peculiar difficulties of our own. Usually great questions strengthen governments. [Aaron's rod](#)⁵² swallows up the rods of the magicians; but, though we have settled great questions, our governments have fallen like houses of cards. Coalition and party governments alike have met the same fate, and it had become seriously to be considered as to whether responsible government was not a failure in Canada. Before the cry for an increased representation for Upper Canada, several of our best public men were driven from political life; and it must have become clear to those who watched events that there must soon have been a readjustment of the representation based partly, at least, on numbers, or a dissolution of the union.

I think, sir, that those who have read and profited by the events of the past, and have considered what is likely to occur in the future,

⁵¹ i.e. "scattered fragments."

⁵² [Aaron's rod, imbued with the power of miracles.](#)

must be satisfied that a repeal of the union between Upper and Lower Canada would be a very great misfortune. And as to representation according to population, the appeals to prejudices and passions, and possibly well grounded fears which must result from granting that to Upper Canada, would be most disastrous.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—We should have had, in Lower Canada, a very large amount of discontent and even disaffection; and, therefore, I consider it a great advantage to Canada that the adoption of Confederation will meet these difficulties without causing the discontent and disaffection which either of the above measures would inevitably arouse.

Some Hon. Members—Hear.

Charles Alleyn [Quebec City West]—But, sir, I may be asked, will these provinces, if united, become a great power? Sir, I shall frankly answer that I think not at present, nor will I venture to predict what the future has in store for us; but I think thereby we obtain a greater chance of obviating the evils to which I have referred, and we in Canada shall also overcome our peculiar difficulties—and this I say, that united, we shall possess advantages which separate, though portions of the same empire, we cannot realize.

Some Hon. Members—*Cheers.*

Charles Alleyn [Quebec City West]—We shall be one to deliberate, to decide and to act. We shall have but one tariff; trade will be unshackled, our intercommunication will be unbroken, the Lower Provinces will give us a seaboard, while the manufacturing capacities

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of Lower Canada and the agricultural wealth of Upper Canada will be theirs. A worthy field will be opened for the ambition of our young men, and our politicians will have a future before them, and may fairly aspire to the standing and rewards of statesmen.

Some Hon. Members—*Cheers.*

Charles Alleyn [Quebec City West]—I therefore think it cannot but be a very great advantage to all the provinces to be united together, and I think that we in Canada especially have peculiar reasons for desiring Confederation. If united, with the assistance of Great Britain, and true to ourselves, not calling on Jupiter without putting our shoulders to the wheel, we need fear no foe, and if the day should come when it shall be necessary for us to stand among the nations of the earth, we shall do so under far more favorable circumstances than should we remain till then separate provinces.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—I forbear to criticize the details of the scheme; in the nature of things one portion or another must be displeasing to each of us; but I am ready to accept the lesser evil for the greater good. I know, too, when worked out the united Parliament will alter and amend as the evils become serious. Holding these opinions, it is needless for me to say that I shall vote for the Address and the resolutions unchanged.

On Friday night I heard [an hon. member \(Col. Haultain\) declare that the Protestant minority of Lower Canada entertained apprehensions with regard to their religious liberty](#), and that hon. member expressed grave doubts as to the toleration of Catholics in matters of religion⁵³. While I give the hon. gentleman full credit for his sincerity and the temperate manner in which he expressed himself, I think it would have been far better had that portion of his speech been omitted. It would certainly have had much greater weight with the country without that portion than with it. I do not believe the Protestants of Lower Canada fear persecution, and there are those in this House, their natural representatives, yielding to none here in talent and knowledge, well able to speak for them.

But, sir, had the hon. gentleman read history as carefully as he seems to have studied

⁵³ [Frederick Haultain, Legislative Assembly \(Mar. 3, 1865\), pp. 640-644.](#)

polemics and theology, he would not have fallen into the error into which he has. He would have found that all sects of Christians have had reason to blush for the persecutions of their fellow-men, and that the best course we can pursue is to allow the veil to fall over the errors of the past.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—But, sir, he would have learned this, also, that those who laid the foundations of the British Constitution were Roman Catholics; that the barons who wrung the magna charta from King John were Catholics.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—It was a Catholic Parliament, the Diet of Hungary, that alone granted full, free, unrestricted and unqualified emancipation to Protestants, and Catholic Bavaria has followed the example. In America, the Catholic State of Maryland first adopted, without limit, religious toleration. Had the hon. member visited Rome he might have seen a Protestant Church, and have attended service every Sunday in the year under the eyes of the Pope.

Thomas Wallbridge [Hastings North]—There is no Protestant Church in Rome. I have been there, and speak from personal knowledge.

Charles Alleyn [Quebec City West]—It is not in a central place, but it is in Rome as properly understood.

Thomas Wallbridge [Hastings North]—It is not in the city proper. It is outside the gates, in a garret.

Charles Alleyn [Quebec City West]—Not in a garret, though the church is not attractive, but there is full tolerance in respect to the service. But this is only a little incident growing out of the remarks of the hon. member for Peterborough [Frederick Haultain]. In making the observations I have, I trust he will not think I have intended to say any thing that might prove personally disagreeable to him or to any hon. member, because the manner in which he stated his propositions to the House was all that could be

expected or desired from an hon. gentleman of his position, and I should be very sorry to say anything that would be considered offensive. My hon. friend asked me if I ever went to church.

In reply I would say that I only go when I can be sure the preacher is a properly admitted clergyman. Had the hon. gentleman travelled in France, he might have found the Protestant clergyman received from the state an allowance of one-fifth more than his Catholic brother, on the ground that he may have a family to support. In Lower Canada a Catholic Legislature gave equal rights to Jews a generation before enlightened England emancipated Catholics.

Some Hon. Members—Hear, hear.

Charles Alleyn [Quebec City West]—And, sir, the history of the Jews gave a terrible warning to all who persecute for belief's sake. They, God's own people, set

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that bad example. For belief they crucified, and during a thousand years for belief they were oppressed and wronged as no nation ever suffered. Sir, it has not been by persecution that while all other denominations of Christians scarcely number 120,000,000, the members of the Roman Catholic Church are at least 150,000,000. Had her's been a rule of intolerance and persecution, by an inevitable law they would long ere this have caused the destruction of that which used them, and [Macaulay would not have been obliged to write with regret](#), as he admits, that the Church of Rome,—

As she saw the commencement of all the governments and of all the ecclesiastical establishments that now exist in the world, there is no assurance that she is not destined to see the end of them all. She was great and respected before the Saxon had set foot in Britain, before the Frank had passed the Rhine, when Grecian eloquence still flourished in Antioch, when idols were still worshipped in the temples of Mecca. And she may still exist in undiminished vigour when some traveller from New Zealand shall in the midst of a vast solitude take his stand on a broken arch of

London Bridge and sketch the ruins of St. Paul.⁵⁴

In reading this extract and bringing it to bear in this connection, I hope my hon. friend will not think I intended to shock his feelings by alluding to an early fall of London Bridge, or a speedy decay of the cathedral of St. Paul.

Some Hon. Members—*Laughter.*

Charles Alleyne [Quebec City West]—I quote this passage alike for its novelty as knowing it will be particularly agreeable to my hon. friend the member for Peterborough [Frederick Haultain]. I can assure my hon. friend the feeling pervading the Catholics of Lower Canada is a disposition to give the utmost tolerance to all religious sects. For my part, Mr. Speaker, persecution for religious belief I know to be a crime against humanity, and I therefore believe it to be a sin against the Creator. I have to say, however, once more, in conclusion, that I shall vote for the resolution now before the House.

Some Hon. Members—*Cheers.*

Hope Mackenzie [Oxford North] said—As there seems to be a lull in the debate, Mr. Speaker, I will embrace the opportunity of briefly stating what I have to say in reference to this scheme. And to begin, I congratulate the Government upon the stand they have taken on this matter. There was a degree of anxiety, a feeling of uncertainty amongst the friends and supporters of the Administration, as to the mode of dealing with this question after the reception of unfavorable news from the Lower Provinces.

For my own part I have not shared in that feeling, but continued to have confidence that the Government would pursue the only proper course, and ask the House to pronounce upon the scheme on its merits. If the result of the first elections held in New Brunswick⁵⁵ is a true indication of the state of feeling in that province, then it is plain that defeat awaits the present proposition for

union in that quarter; but as yet no province has pronounced upon it, either for it or against it; and the intelligence received that the union party have met with unlooked for reverses at the New Brunswick elections, however dampening to the prospects of early success, is no sufficient reason why we, the originators of the scheme, should set the bad example of summarily giving it up. We have a plain duty to discharge in regard to the proposition laid before Parliament by the Government, and that is, either to accept or reject it as a whole.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Sir, I will not occupy the time of the House so long as I probably would have done, had I spoken at an earlier stage of the debate, and that for two reasons, because the ground has been all gone over by those who have spoken already, and because I think the Government have good ground for urging upon the House the propriety of bringing the debate to a close as soon as possible. I can easily understand that it is a matter of paramount importance to have the views of the Canadian Parliament laid before the Imperial Government at the earliest possible moment. I cannot, however, feel it to be consistent with a proper discharge of my duty to give a silent vote. Having spent some time amongst my constituents prior to the opening of this session, and had conversations with the people in reference to this scheme, at my meetings with them I gave expression to certain objections which I felt in my own mind to certain details of the scheme, if I did not express those objections on the floor of the House.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—But, Mr. Speaker, while I discussed freely and candidly what appeared to me the objectionable features of the scheme, I stated most distinctly to my constituents that in the event of no alteration being agreed to by the governments

⁵⁴ [Lord Macaulay, Essay on Ranke's *The Ecclesiastical and Political History of the Popes of Rome...* which appeared in *The Edinburgh Review* in October 1840. Republished in *Critical, Historical, and Miscellaneous Essays* by Lord Macaulay \(1860\), p. 301.](#)

⁵⁵ *Supra* footnote 1.

of the several provinces, the scheme as a whole, just as it stood, ought to be accepted; and that in the event of the alternative being offered to Parliament of accepting or rejecting the scheme as it stood, I should feel it my

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duty to vote for it.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—And I may say here in regard to the question of an appeal to the people upon this subject, that I at any rate can vote freely against any proposition of that kind. I stated to the people of North Oxford that in my opinion an appeal to the people upon this scheme was entirely uncalled for, and they agreed with me. I may, perhaps, take the liberty of saying to those honorable members who clamour for a dissolution, merely for the sake of ascertaining the mind of the people upon the measure, and who do not take to the untenable ground of denying the right of this Parliament to legislate on the subject, that if they did not consult their constituents with a view to obtaining an expression of public opinion, they ought to have done so. They had the scheme before them in all its details for months, and I think they ought to be in a position, when they came here, to know whether their constituents were in favor of the scheme or against it.

In the meetings which were held in my county, I met with only two individuals who were prepared to go the length of denouncing the scheme *in toto*⁵⁶, although many would prefer to see it, in some respects, different from what it is. So well disposed did the people show themselves to be towards the union scheme, that in the town of Woodstock, where a very large and influential meeting was held, the editor of a newspaper that had been, up to that night, urging the necessity for a dissolution of Parliament before the adoption of the scheme, was the first to rise to move a resolution approving of the scheme in all its

features, and neither in his speech nor in his resolution did he even hint at an appeal to the people; and that meeting voted for the scheme without a single dissentient voice.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wenworth South]—The circular had been sent to that editor, perhaps.

Some Hon. Members—*Laughter*.

Hope Mackenzie [Oxford North]—Well, if so, I am not aware that it has done him any good or produced any change in his political course. I am quite satisfied, Mr. Speaker, that the people are perfectly willing that this Parliament should deal with this Confederation scheme, I will now, sir, state briefly what I think of the general features or underlying principles of the scheme.

The honorable member for Brome [Christopher Dunkin] the other night entertained the House by a very elaborate examination of the scheme, and, among other things, he proposed to show that the proposed Constitution was an entire departure from the British model, and had in it so large an infusion of the republican system of the United States as to render it obnoxious to Britons; but, in opposition to his own premises, he succeeded in proving to a demonstration, if he proved anything, that in scarcely a single particular is it modelled after the pattern of the republic. He even denounced this scheme because it is so very different from and, in his opinion, inferior to the United States Constitution. Well, sir, I accept of it because of its British and monarchical features—I accept of it because of its monarchical character.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I look upon it as a scheme more national than federal in its character—as looking more to a national union of the people than a union of sections, and it is chiefly because of this feature of it that it commends itself to my judgment.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—The

⁵⁶ i.e. "entirely."

honorable member for Lotbinière [Henri Joly] dissented from this view the other night, and argued that unless the supreme power was placed in the hands of the separate provinces, it could not be acceptable to Lower Canada, as otherwise their institutions would be endangered; and yet oddly enough, he elaborated an argument to prove the fleeting and unstable character of federations established upon the only principle that he seems disposed to accept for this country.

In the course [of his remarks on this head, he said:—](#)

The Hon. Minister of Agriculture said of Federalism, that it was on account of the weakness of the central power confederations had failed: and it was argued in our case, that there would not be so much weakness in the central power.

This was precisely why the French-Canadians—(his fellow-countrymen)—looked with suspicion on the proposition to establish a Confederation with a central power—a power so strong that the local parliaments would possess, so to speak, no power at all.⁵⁷

**Some Hon. Members—Hear, hear.
Hope Mackenzie [Oxford North]—**

All the confederations he had referred to had at least this excuse, they were sovereign states, and, when menaced by other powers, leagued themselves together for the common interest.⁵⁸

Now, sir, while the honorable member will have nothing to do with it, because of the supreme central power that is provided in the scheme, I take it just because of that controlling central power. I stand as an advocate of national unity, and I would not accede to the principle of state sovereignty in this Confederation, the provinces delegating certain powers to the General Government and reserving the residuum of power to themselves.

**Some Hon. Members—Hear, hear.
Hope Mackenzie [Oxford North]—We**

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need not go to the history of the South American republics, [as the member for Lotbinière \[Henri Joly\] did](#)⁵⁹, to find an illustration of the working of the principle of Confederation as applicable to our case. Being not only republican in their character, but based upon the principle of divided sovereignty, and inhabited by a people who had no aptitude for working democratic institutions, they can bear no comparison with this proposed Constitution. But if the hon. gentleman desired to travel to South America to find something approaching a parallel to this scheme of union, he could find it in the constitutional monarchy of Brazil, where the wide-spreading provinces of the empire have their local parliaments for their local affairs, and a central parliament and executive over all—elected and chosen pretty much as our Central Parliament and Executive will be, and exercising similar powers; and he would find that while the republics founded upon the doctrine of state sovereignty were in a state of perpetual turmoil, and whose daily bread was, according to the hon. member, anarchy and revolution, the Empire of Brazil was flourishing and showed signs of stability that predicted its future greatness.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—But to come nearer home, sir, we have abundant evidence of the dangerous character of the doctrine of state supremacy in a confederation. I would remind the House of the early ruin that threatened the United States under their first Constitution, which was an embodiment of this vicious principle, and how clearly the great men of the first year of the republic foresaw the ruin it threatened to bring upon them. Washington, perceiving the rapid decline of the Confederation, was incessant in his correspondence with the leading patriots

⁵⁷ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 347-362, specifically, p. 347 \(para 1\), p. 360 \(para 2\), and p. 350 \(para 3\)](#). The wording doesn't match because Joly spoke in French and it was translated to English.

⁵⁸ [ibid.](#)

⁵⁹ [ibid., pp. 348-349.](#)

of the day to obtain their opinions upon a new Constitution, and [Madison replies as follows](#):

Conceiving that an individual independence of the states is totally irreconcilable with their aggregate sovereignty, and that a consolidation of the whole into one simple republic would be as inexpedient as it is unattainable, I have sought for some middle ground which may at once support a due supremacy of the national authority, and not exclude the local authorities wherein they can be subordinately useful.⁶⁰

[Mr. Jay's convictions in favor of central supreme authority are equally strong](#). He says:—

What powers should be granted to the Government so constituted, is a question which deserves much thought. *I think the more the better*, the states retaining only so much as may be necessary for domestic purposes.⁶¹

Hamilton, likewise, speaking of Federation such as men had hitherto been familiar with, and such as then existed in America, and equally anxious with his co-patriots to save his country from the anarchy and ruin that he saw approaching as the inevitable result of a partitioned sovereignty, [thus addressed the head of the republic](#):—

All Federal governments are weak and distracted. In order to avoid the evils incident to that form, the Government of the American Union must be a national representative system. But no such system can be successful in the actual situation of this country, unless it is endorsed with all the principles and means of influence and power which are the proper supports of government. It must, therefore, be made completely sovereign, and state power, as a separate legislative power, must be annihilated⁶².

I read these extracts to show how rapidly the Central Government of the United States was falling into contempt because of its subordination to the separate states, and to show that the leading minds of America, while the republic was yet in its infancy, felt that the doctrine of state supremacy was one

calculated to foster anarchy, and that was sure to bring the early destruction of the fabric they had reared, and also to show how earnestly they labored to remove the evil and transfer the sovereignty to the Central Government, as their only hope of maintaining permanent peace and order, and of imparting stability to their system.

I think, sir, it becomes us in framing a Constitution for these provinces to profit, not only by the early but by the later experience of our neighbors—to enquire how far they succeeded in eradicating the evil from their new Constitution, and to what extent their present troubles are chargeable to what is left in their system of the dangerous principle referred to. Let us profit by the wisdom of the framers of the American Constitution, and by the experiences of that country under it—to not to copy their work, but to help us when framing a Constitution for ourselves to steer clear of evils that they have felt. Believing that the Quebec Conference has done so and have presented to us the framework of a Constitution, the leading features of which are in unison with the constitutional principles of the British monarchy, and consistent with that allegiance

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which we all owe and cheerfully yield to the Throne of Britain, I cheerfully endorse the scheme.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I will now, Mr. Speaker, look at the scheme in its sectional aspect; and, in my judgment, it is in this respect a fair one. The apportionment of the debt and other financial arrangements is a theme upon which many remarks and explanations have been made in this, as well as in the other branch of the Legislature; and charges are made of having bribed the Lower

⁶⁰ [Letter from James Madison to George Washington from New York \(Apr. 16, 1787\)](#).

⁶¹ [Letter from John Jay to George Washington from New York \(Jan. 7, 1787\)](#).

⁶² [Alexander Hamilton speech at the Constitutional Convention \(Jun. 18, 1787\)](#). Robert Yates, *Secret Proceedings and Debates of the Convention Assembled at Philadelphia, in the Year 1787, For the Purpose of Forming the Constitution of The United States of America* (1821), pp. 129-137.

Provinces into the scheme, and that the Canadian Delegates in the Conference sacrificed the interests of Canada in their eagerness to consummate a scheme that had its origin in their political necessities.

One hon. gentleman complains that population is not the proper basis upon which to distribute the burden of the public debt, and that by adopting it Canada has been saddled with many millions more than her share. "Revenue," it is contended, "is the true test of ability to pay, therefore revenue is the basis upon which the apportionment should be made."⁶³

Were the taxation alike in all the provinces, there would, at least, be the appearance of justice in the argument; but with revenue raised under the operation of different tariffs, in the several provinces, I think population is a juster basis than revenue. Taking, however, the revenues as we find them under existing tariffs, and adjusting the debt by that standard, we find that it will differ but little from the apportionment that has been agreed upon; and were the tariffs of the Maritime Provinces somewhat higher than they are now, I apprehend, sir, that the consuming ability of these provinces would demonstrate not only their ability to pay according to this test, but also that Canada is in no way imposed upon in regard to the amount of debt with which these provinces are to be permitted to enter the union. I believe that every one of the five provinces has had its interests well consulted in this scheme, and that it is so well balanced throughout in reference to those interests, that there is very little to complain of.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—But speaking from an Upper Canadian point of view—, which I deem it my duty to do, as one of the representatives of that section—I will glance at one or two of the objections urged by the honorable member for North Ontario [Matthew Cameron], very briefly. That honorable gentleman accuses Upper

Canadians of disregarding and forgetting their former professions on the representation question, and broadly asserts that the Honorable President of the Council [George Brown], as the leader in the agitation for representation by population, has agreed to a measure that is a mere delusion, that in point of fact puts Upper Canada in a worse position than she now occupies.

He says that instead of occupying a position of equality in the legislature, as now, she will be found in the new union with a majority of thirty arrayed against her. The honorable gentleman builds his argument upon false and erroneous premises, when he says that Upper Canada does not get by this scheme what its people have long sought, representation according to its population; and when he points out that all the other provinces, unitedly, will outvote her in the General Legislature by thirty votes, I submit, sir, that his argument is exceedingly unfair, and is founded on the assumption that Upper Canada asked for an increase of representation for the purpose of obtaining supremacy in the Government.

Now, I deny that most emphatically on behalf, not only of myself, but of every man from Upper Canada who demanded a change in the representation. We did not advocate that change for the purpose of gaining the supremacy, but simply and solely as a measure of justice to the people of Upper Canada, and to place them on an equal footing, man for man, with the people of Lower Canada. We had certain grievances and wrongs which we complained of, and which the granting of representation would not of itself redress; we complained that a larger proportion of the public revenues, to which we contributed seventy percent, was spent in Lower Canada than in Upper Canada; we complained also of legislative acts passed by majorities from Lower Canada and which concerned Upper Canada chiefly; we did not ask representation by population because we

⁶³ [James Currie, Legislative Council \(Feb 17, 1865\), p. 281](#). Quote is not verbatim.

believed it, of itself, would sweep away all this injustice, but because it would, give us this advantage, that we would in this House have our due proportion of the representation, every man in Upper Canada having an equal, and no more than equal, voice in the Legislature with every man in Lower Canada.

This was all we asked; we never demanded more than what was just; we asked but fair play—(British fair play)—an equal representation, man for man, and we would be willing to take our chance in the political struggle for the redress of the evils we complained of. We never sought or wished for supremacy, but only our just and fair influence according to our numbers and the public burdens we bore, and having obtained

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this we were willing to take our chance whether that influence, employed in a legitimate and constitutional way, succeeded in removing our grievances or not.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—To say now that we do not obtain what we have contended for—to say that we do not get representation by population because the Lower Provinces, including Lower Canada, will have thirty more votes in the General Legislature, is simply doing Upper Canada an injustice and a wrong; and the history of the British parliamentary system and our own experience in Canada, warrant the conclusion that in the General Legislature we shall not have, as alleged by honorable gentlemen opposed to the scheme, parties divided against one another because of the provinces which they represent.

Under our present Constitution we are not divided sectionally, but as political parties, for we find gentlemen from both sections taking sides according to their political predilections, irrespective of sectional considerations; and so it will be under the proposed Confederation. We have conservatives and radicals, and

always will have them. Do we not find men of both races in the province voting on both sides politically?

It is true the demand for constitutional changes has to some extent, but only to some extent, divided us as the representatives of sections in this House; but on all other questions such as commerce, banking, customs tariffs, excise, and other questions—we find gentlemen voting according to their political views, and not as representing sections. So it will be under the Confederation. People will be divided into parties by their political opinions and leanings, and not by sectional considerations.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—In claiming, then, that under it there will, on all questions, be a majority against Upper Canada, is to assume that Upper Canada will be at war with all the other provinces, and that they will be continually at war with it. Well, what right has any man to assume that this will be the case—that Upper Canada will be the [Ishmael](#)⁶⁴ of the Confederation? I think he has none whatever.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—The addition of seventeen members to Upper Canada in the outset, with the proposed arrangement for re-adjustment every ten years according to the increase or decrease of population in each of the provinces, is substantial justice to all, and is all that Upper Canada ever asked for or expected. But, Mr. Speaker, the honorable member for North Ontario [Matthew Cameron] not only accuses the Upper Canadians who support this scheme of an abandonment of their principles on this point, and of offering to the people of Upper Canada the very opposite of what they asked for, but charges that we have sacrificed our cash as well as our principles.

An honorable member of the other House has taken similar ground, and charges in effect that the Lower Provinces have been bribed

⁶⁴ [Son of Abraham. Banished to the desert on God's instructions.](#)

into this scheme at the expense of Upper Canada, and that as regards Lower Canada, we undertake to pay her in perpetuity a subsidy of \$167,000 a year; and the honorable gentleman asks if ever Lower Canada asked for anything like that under our present system? He tells us, too, that for each of the seventeen additional members we get in the Federal Government, we pay at the rate of \$16,000 each.

As regards the Lower Provinces, I submit that it cannot be shown that their union with us will be to our detriment in money matters. They will contribute as large an amount per head to the general revenue as we do in Upper Canada, and if any financial effect will be felt by Upper Canada in consequence of the union of these provinces with us, I think it must be in the direction of lessening their burdens; such, at all events, is the conclusion I have arrived at, and such, I think, is the conclusion any man will arrive at who will take the trouble to inform himself of the position of these provinces as regards the financial questions between Upper and Lower Canada. I do not know where the honorable member gets his figures, nor can I very well understand them, but in regard to the subsidy of \$167,000 a year that he speaks of, what are the facts of the case?

Let it be borne in mind, sir, that as Upper Canadians we claimed that we were paying an enormous price for the present union with Lower Canada, and that we urged this as one reason why we were entitled to the concession of representation by population as an act of justice, that we might have our due share of influence in controlling the expenditure of the revenues of the country to which we contributed so largely. We complained, and it was advanced in this Assembly over and over again, as one of the reasons for demanding representation by population, that our money was given away to sections which contributed little or nothing to the general revenue; that while we paid seventy per cent, of the revenue and Lower Canada only thirty per cent, an equal proportion of the expenditure was

enjoyed by Lower Canada; and that under this system Upper Canada was paying not only for its own local improvements

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and sustaining not only the cost of carrying on its own local affairs, but contributing largely as well to the local wants of Lower Canada.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Now, it was in reference to these local matters that the evil was chiefly felt and that complaints were louder than with reference to general expenditure, for they were tangible grievances, things that were easily understood, and that presented themselves as an injustice every year in the estimates presented this House. There was a sum of two millions, or more voted every year for the support of local interests and to promote local works or improvements, including such items as the support of education, hospitals and charities, and the opening up of colonization roads; and of this sum one-half was applied to local purposes in Lower Canada.

Now, our argument was, that of this money taken out of the public chest, Upper Canada contributed seventy per cent., and Lower Canada the remainder. If this was true—(and I think it was incontrovertibly so)—then it was perfectly clear that we in Upper Canada had to pay not only the appropriations made for local purposes in that section, but also nearly one-half of the appropriations for local purposes in Lower Canada. Let me remark here that I do not think any man will complain that we in Upper Canada are paying this large portion of the public revenue.

Under our system of indirect taxation, or indeed under any system, it must be that the richest part of the community shall bear the largest share of the public burdens, and they have a right to do so. I do not complain that the people of Upper Canada pay a larger amount of the revenue of the country than those of Lower Canada, because if they choose to consume the imported articles upon which duties are levied, they do so because they are

able to pay for them. They are not required to consume them, but if they do, and are made to pay indirectly to the public exchequer, they have no right to complain that the people of Lower Canada, more frugal and economical, consume less dutiable goods and therefore contribute less to the revenue.

We in Upper Canada do not complain of this, but we give it as a reason why we should have our just share of influence in the legislature and government of the country. We do not argue that because we contribute more we ought to have a larger representation than Lower Canada; but we say that if we really do pay more to the public exchequer, it is an additional reason, our population being greater—that we should have an equal voice with Lower Canada, in proportion to our numbers, in controlling the expenditure of the country.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Well, this being the case that Upper Canada contributes the largest share of the revenue, it is perfectly clear to my mind—and I think it will be to that of any man who examines the subject intelligently—that Upper Canada pays to Lower Canada, under our present system, a considerable sum of money, amounting to half a million of dollars yearly, for the support of its local interests and institutions; and if the honorable member for North Ontario [Matthew Cameron] will balance the proportion that Upper Canada pays of the eighty cents per head proposed to be paid to Lower Canada with the amount now paid to it by Upper Canada, he will find that a large saving will be affected by the plan now proposed for our acceptance.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—We have thus, I think, gained by this scheme, not only representation by population, saving us from the imputation of having sacrificed this

principle in order to obtain Confederation, but we have also, by the same measure, gained a substantial redress of the grievances to remove which representation by population was demanded.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Not only has a saving of money been effected, but also a removal from this Legislature of those subjects upon which angry, intemperate, and painful discussions have taken place in times past. For these reasons, I think it is a most desirable thing that the scheme should be carried out.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—It is marvellous how inconsistent some honorable gentlemen show themselves to be in their desire to oppose this measure. [The honorable member for Lotbinière \[Henri Joly\], speaking of it from a sectional point of view](#), has also, I think, exposed himself to this charge. He charges the Honorable Attorney General East [George-Étienne Cartier] with inconsistency, if not something worse, in occupying the position he now does as affecting the interests of Lower Canada, forgetful of his own relative position. He said:—

If the member for South Oxford had earned his popularity by attacking the institutions of Lower Canada through the agitation for representation by population, it might be said of the Hon. Attorney General East that he had risen to popularity by defending or by affecting to defend those institutions.⁶⁵

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—

He had so well succeeded in obtaining the good graces of the people of this section of the province, and in securing their confidence, that it was extremely difficult for any of those who were politically opposed to him to attempt to speak in the interests of their fellow-countrymen.⁶⁶

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—The

⁶⁵ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 357-358](#). The wording doesn't match because Joly spoke in French and was translated to English or because Mackenzie was summarizing.

⁶⁶ [ibid.](#)

hon. member for South Oxford (Hon.

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Mr. Brown) is here represented as having earned his popularity by attacking the institutions of Lower Canada, and the honorable member for Montreal East (Hon. Mr. Cartier) as having earned his by defending these same institutions, and the insinuation is that he has now abandoned the defence of these institutions and handed them over to the tender mercies of the Honorable President of the Council [George Brown].

Let me ask the honorable member for Lotbinière [Henri Joly], if being in company with the honorable member for South Oxford [George Brown] be evidence of hostility to the institutions of Lower Canada, how he explains his own position, and that of his party, when they cast in their lot with the honorable member for South Oxford [George Brown], while earning his popularity by, as he says, attacking the institutions of Lower Canada, and abandoned the Honorable Attorney General East [George-Étienne Cartier] when doing battle in defence of those institutions?

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I think the question is one not easily answered. The honorable gentleman must either have been politically dishonest before, or politically dishonest now, and he can take either horn of the dilemma he pleases.

Henri Joly [Lotbinière]—I never supported the Honorable Attorney General East [George-Étienne Cartier], and if I have been forced upon the same side as the honourable member for South Oxford [George Brown], it was because we were united together in opposition to that honorable gentleman. That was the only bond of union that connected us together. On the question of representation by population we were always divided. What I meant in the observation I made, that has been alluded to by the honorable member, is this, that the Honorable President of the Council

[George Brown] had gained the position he occupies now by attacking Lower Canada, and the Honorable Attorney General East [George-Étienne Cartier] his, by assuming to defend it; and when at length they found that the game would no longer answer, when the Honorable President of the Council [George Brown] saw himself excluded forever from a seat in the Ministry if he continued to play it, they banded together, and we now see the result.

Some Hon. Members—Hear, hear, and laughter.

Hope Mackenzie [Oxford North]—At all events, Mr. Speaker, the hon. member makes it clear that he has changed sides. For when the Hon Attorney General East [George-Étienne Cartier] was defending the institutions of Lower Canada, he opposed him, and now he opposes him because he says he has adopted the contrary policy.

Henri Joly [Lotbinière]—I opposed him for other reasons—not for that reason.

Hope Mackenzie [Oxford North]—At all events the hon. member has contributed his mite to the influence the hon. member for South Oxford [George Brown] had in this House, by attacking, as he declares, the institutions of Lower Canada. I have already said that all parties are not satisfied with this scheme; and while on this point, I wish to allude for a moment to the constitution of the Legislative Council. It is the only reference I shall make on this branch of the subject. When addressing my constituents, I took exception to this portion of the resolutions. I did so, not because I cared very much whether we had in this country a Legislative Council nominated by the Crown or elected by the people, but, the nominative system having been superseded by the elective, I preferred to have it as it was. It was in these terms that I spoke to the people.

After having addressed one or two meetings, I saw [the despatch of the Colonial Secretary \[Edward Cardwell\]](#)⁶⁷, and I noticed that this matter of the constitution of the Council was pointed out as one which

⁶⁷ [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\).](#)

required revision; and I took it for granted that communications would be opened between the several Colonial Governments such as would possibly lead to a change. Doubtless there are sufficient reasons why this has not been done. But, although I would have liked it to have been so, and although it would have concurred more closely with the views of Upper Canada, I do not think it of sufficient importance to warrant me in rejecting the scheme on that account.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—If it involves the rejection of the whole scheme, I do not feel myself warranted in pressing for an amendment on the point.

Some Hon. Members—Hear.

Hope Mackenzie [Oxford North]—In framing a constitution of this kind, everybody must be aware that an agreement could never have been arrived at except on the principle of compromise and concession. It is perfectly useless—it is worse than useless—to suppose that any of the several sections of a wide-spread territory could come together with a view to the formation of a union among themselves, unless each one of these sections was prepared to sacrifice and give up something. What right, I would ask, had we to expect that all the other colonies would agree to the views of Upper Canada, or to the views of Canada as a whole? What right had we to expect that the Province of Nova Scotia would agree with us in our views with reference to every particular matter?

What right had we in Upper Canada to expect that in framing this scheme we would be able to expunge the separate school clauses from the [School Act](#)?⁶⁸ If that could

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be done, it would no doubt be agreeable to the people of Upper Canada, because we think that in our Common School system there should be no element of sectarianism. As a people, we are desirous of having our School

law without any provision for separate schools. It is perhaps a bold statement to make, but I believe the people of Upper Canada as a whole, Roman Catholics as well as Protestants, would be content with our school system without a particle of sectarianism in it.

We could scarcely expect that if we were to succeed in framing a basis of union under a new Constitution, we could get the sectarian clauses of the School Act removed, if they were insisted upon as *sine qua non*⁶⁹ by the Roman Catholics in Lower Canada in conjunction with the adherents of the same faith in Upper Canada. But notwithstanding this, although it is a sensitive point in Upper Canada, and particularly among my own constituents, I venture to say that the people of the west generally, in their willingness at all times to listen to reason, will be quite content to accept the scheme as a whole, as it has been presented to us.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I hope that no attempt will be made to increase the privileges of the advocates of separate schools, but that the question will be left where we now find it.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—It is worth while, perhaps, to read a single passage, written by a distinguished man, in reference to this principle of concession. I have already instanced the views of framers of the American Constitution when they set to work to do away with the first Federation scheme and to adopt a new Constitution. When they had framed the new Constitution, we find Washington accompanying the document with [a letter](#), in which this passage occurs:—

It is obviously impracticable in the Federal Government of these states to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstances as on the object to be attained. It is at all times difficult to draw

⁶⁸ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\).](#)

⁶⁹ i.e. “without which, not.”

with precision the line between those rights which *must be surrendered* and those which *may be reserved*.⁷⁰

Doubtless, sir, the members of the Quebec Conference encountered the same difficulties as the framers of the American Constitution did. They must have found it difficult to draw the line exactly where it should be drawn. I presume it could not be done, and that each one felt it incumbent upon him to make certain concessions, and that all they could hope to do was to have some broad margin, some neutral ground, on which to draw the line, so as to be able to say they did the best they could to unite the sectional interests of the provinces and to further something like a nationality for the country.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I do not desire to trespass upon the House; I have purposely passed over much that I intended to have said, had the Government desired to encourage discussion at greater length; and I pass on rapidly to a conclusion.

Some Hon. Members—*Cries of "Go on!"*

Hope Mackenzie [Oxford North]—I think the union desirable, not only as a benefit to ourselves, but as a means for consolidating the British Empire on this continent, and to save us from a degrading dependency on the United States, especially as we have the means within ourselves of making them to a certain extent dependent upon us. Look at the map of this country, look at the position we occupy geographically; see the outlet we possess to the ocean; look at the magnificent St. Lawrence, with the vast grain growing country beyond it. Is it not in our power to draw the trade of the Great West through this its natural outlet to the ocean? Is it not possible to so improve this channel as to bring the produce of the great Western States to market through our territory? Is it not possible, by means of a little judicious outlay, to make the people of the United States dependent on us, instead of us being dependent on them?

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—There is much that could be said on this subject, and the means that might be resorted to for securing to us these benefits of trade and commerce. It is not so much to the enlargement of the Welland and St. Lawrence canals, although that is necessary, as to the construction of a ship canal to Lake Huron through the Ottawa country, that in my opinion we must look for the ultimate commercial greatness of this country, as furnishing the shortest and safest route for the conveyance of the contents of the great granaries of the west to foreign markets.

The proposed Ottawa canal may not run through a country as fertile as the valley of the St. Lawrence; it is of a different geological formation; nevertheless, I believe it to be a country of great riches, whose resources are as yet undeveloped. I think that

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a ship canal from Georgian Bay in that direction would not only furnish a satisfactory outlet for the produce of the west, but would lead to a splendid market for the lumber trade, and find employment for a class of vessels to which we cannot at present give profitable occupation; and, besides, it would open a channel for such vessels and implements of war as may be necessary for the defence of the country.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I would conclude by saying that I think union desirable, not only because of its present advantages, but on account of our future prospects. Looking at the future, I do not think it desirable that one government should exercise sway over the whole of the North American continent.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Nor do I think it desirable that such a government should be a republican government.

⁷⁰ [Letter from George Washington to the President of Congress from Philadelphia \(Sep. 17, 1787\).](#)

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Taking this view of the case; looking back to the history of the past; reflecting upon the evils which have followed hasty constitution-making, and the troubles that have occurred in consequence of blundering at the outset, it becomes us to consider whether the scheme which has now been laid before us has in it the elements of stability. I think it has, so far as human foresight can determine.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Geographically this country covers a vast extent of territory. We can lean our backs on the snows of the north, and from that quarter no enemy can attack us; and if we have no great breadth from north to south, we have a large expanse westwards. Although, too, we are in a northern clime, although our latitude is higher than that of our southern neighbor, yet this is no obstacle to the growth of population or to the increase of prosperity.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—Teeming millions will in future inhabit this land, and we are called upon now to lay deep and broad the foundations of a great empire. Let us show that we value the free institutions of Britain transplanted to this soil; institutions founded upon principles of freedom and universal toleration; institutions that have made the parent land great, and that mark it out as the one bright spot in the old world to which the eyes of the nations turn when their liberties are imperilled, and as the city of refuge to which crowned heads, as well as the victims of their misrule, can alike flee for safety in the hour of their misfortune.

Some Hon. Members—Hear, hear.

Hope Mackenzie [Oxford North]—I have no hesitation, Mr. Speaker, in endorsing the scheme before us. I do so because I believe its leading principles are in harmony with the principles upon which the British constitutional system is founded, and because I think it is a fair arrangement between all the provinces; and, as an Upper Canadian, I accept

it because I think it concedes to us the *status* we are entitled to occupy. I accept it, further, because of the prospect it holds out to us of building up a great nationality here, and of handing down to our children institutions which our fathers have bought with their blood.

Some Hon. Members—*Loud cheers.*

Matthew Cameron [Ontario North]—I wish to show the honorable member for North Oxford [Hope Mackenzie] the figures upon which I have based my calculation. I find that under the scheme—

| | | | |
|-------------|--------|-----------------|-------------|
| The Federal | aid to | Lower Canada is | \$888,531 |
| " | " | Upper Canada | 1,117,590 |
| | | | — |
| | | | \$2,006,121 |

Of the aid to Lower Canada—

| | |
|--|-----------|
| The Maritime Provinces contribute, say 1-5 th | \$177,706 |
| Upper Canada contributes 2/3 ^{rds} of the balance, or | 473,884 |
| Lower Canada contributes 1/3 rd " | — |
| | \$888,531 |

Of the aid to Upper Canada—

| | |
|--|-------------|
| The Maritime Provinces Contribute, say 1-5 th | \$177,706 |
| Lower Canada contributes 1/3 rd of balance | 298,025 |
| Upper Canada contributes 2/3 ^{rds} " | 595,051 |
| | — |
| | \$1,117,590 |
| Contribution by U.C. to L.C. | \$473,884 |
| " by L.C. to U.C. | 298,025 |
| | — |
| | \$175,859 |
| | — |
| Expenses of General Government | \$8,553,379 |
| | — |
| Contribution by Mar. Pro. according to Mr. Galt | \$1,929,272 |
| Contribution by L.C., at 1/3 rd of balance | 2,208,035 |

| | |
|---|-------------|
| Contribution of U.C, at 2/3 rd s of balance | 4,416,072 |
| | — |
| | \$8,553,379 |
| U.C. in excess of Mar. Prov. | \$2,486,800 |
| U.C. in excess of L.C. | 2,208,035 |
| | — |
| U.C. in excess of both | \$278,765 |

This sum divided by 17, the additional representatives to Upper Canada, makes the cost of each \$16,397 annually.

- (p. 682)

Antoine-Aimé Dorion [Hochelaga]—Mr. Speaker, the intelligence received from New Brunswick⁷¹ since the last sitting has caused the question of Confederation, now under discussion, to lose much of its interest. Everyone is now convinced that it is a question which no longer has any real existence, and which may safely be shelved for some time to come at all events. I deem it, however, to be my duty to make a few observations in reply to [the hon. member for Montmorency \[Joseph Cauchon\]](#)⁷², and to allude in passing [to the speech of the Hon. Solicitor General East \(Honorable Mr. Langevin\)](#)⁷³.

The honorable member for Montmorency [Joseph Cauchon] began his speech by saying that the members of this House ought to raise their views above all paltry considerations of a personal or party character, and discuss the question of Confederation upon its own merits, that thereby its advantages or disadvantages might be made apparent. And yet the honorable member has devoted at least one-third of his speech to calling to mind and discussing what I may or may not have said in past times.

I have already said, and I repeat it, that I defy any member of this House to cite a single passage from any one of my speeches, or one single line of anything I may have ever

written, to prove that I have ever been in favor of a Confederation of the British North American Provinces. In order to produce a semblance of proof, and with the view of making me contradict myself, it has been necessary to torture my words, to falsify my speeches, to make false translations of them; and even then with all the skill that has been used, the attempt has been unsuccessful.

The speech which has been quoted with the greatest complacency, to show that I was in favor of the Confederation of all the provinces, is that which I delivered on the 3rd May, 1860. [This speech](#), which occupied nearly two hours in its delivery, was reported in about [twenty-five lines of the *Morning Chronicle*](#)⁷⁴, and only occupied [a column in the *Mirror of Parliament*](#)⁷⁵. These two reports are completely at variance one with the other, and neither of them is exact; but they are sufficient, nevertheless, to establish the contrary of what it has been tried to prove. When it was desired to show that I was in favor of representation based upon population, a part of the report in the *Mirror* has been cited, and when it is sought to establish that I was in favor of Confederation, the report of the *Chronicle* is triumphantly brought forward. But the portion of the *Mirror* report, which is cited in relation to representation, is so absurd that it suffices to read it to be convinced that I could never have made use of the expressions which it contains.

For instance, on the occasion of a discussion which has but an incidental relation to representation based on population, but which relates to a Confederation of the two provinces, I am made to say that I have always been opposed to representation by population, but that if Upper Canada desired to have it, that I was ready to concede it. This is nearly the contrary of what I said on that occasion, for I invariably make my speeches coincide with

⁷¹ *Supra* footnote 1.

⁷² [Joseph Cauchon, Legislative Assembly \(Mar. 2, 1865\), pp. 555-584.](#)

⁷³ [Hector-Louis Langevin, Legislative Assembly \(Feb. 21, 1865\), pp. 362-393.](#)

⁷⁴ [A.A. Dorion, Legislative Assembly \(May 3, 1860\). "Provincial Parliament," \[Quebec\] *Morning Chronicle* \(May 4, 1860\).](#)

⁷⁵ [A.A. Dorion, LA \(May 3, 1860\). *Thompson's Mirror of Parliament, Issue No. 39* \(May 3, 1860\).](#)

my votes; and as I have invariably voted against every proposition tending to the concession of representation based upon population, so I have never declared that I was in favor of that measure, but on the contrary, I have always declared that Lower Canada could never consent to such a proposition, because it offered no guarantee for her institutions.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—But now that the question of Confederation is under discussion, the *Mirror* report is set aside and [that of the Chronicle](#) is quoted. This report made me say, in substance, that I looked upon the Federal union of Upper and Lower Canada as the nucleus of the great Confederation of the British North American Provinces, that everyone foresaw must sooner or later be affected. The expression used in the report is “to which all looked forward.”⁷⁶

The hon. member for Montmorency [Joseph Cauchon], who has brought this report to light, although he could not be ignorant that an entirely different one was contained in [the Mirror of Parliament](#)⁷⁷, has given the text of it by substituting the word “he” for the word “all,” and has translated it so as to make me say, [in speaking of the Confederation of all the provinces](#), “*que je l’appelais de tous mes vœux*,”⁷⁸ and in translating this last expression into English, in [the pamphlet written by him in 1865](#), he makes me say, “which (Confederation) I strongly desire to see.”⁷⁹

It is enough to read [the report in the Mirror](#), imperfect though it be, to shew that I never said anything of the kind. This is what I said in speaking of Confederation:—

He urged that the principle of the double majority⁸⁰ could only be applied by giving to each section of the province the control of its local affairs, and that when populations differed so

- (p. 683)

much as did those of Upper and Lower Canada, it was the only way to govern them in a satisfactory manner. He hoped, however, that a time might come when it would be desirable to effect a Confederation with the Lower Provinces, but the time had not yet arrived for a measure of this kind....

But those who were in favor of a Federal union of all the provinces ought to bear in mind that a Federal union between Upper and Lower Canada was the best means of establishing a nucleus around which the great Confederation might be formed when the proper time arrived.⁸¹

If in this citation the word “believed” were substituted for the word “hoped,” my idea would be correctly given, in very nearly the language I made use of in May, 1860. As is quite clear, there is a great difference between what I said and the report given by the *Chronicle*, which the hon. member for Montmorency [Joseph Cauchon] has been obliged to disguise in citing it, and which he has translated in the most absurd manner, and all to make it appear that I had expressed myself in a manner favorable to Confederation, and thereby show that I have contradicted myself.

That I may have declared that at some future period, when the population of the different provinces should have so increased as to render the settlements contiguous, when the means of communication should have been improved, and when, by commercial intercourse, our interests should have become

⁷⁶ [Supra footnote 74.](#)

⁷⁷ [A.A. Dorion, Legislative Assembly \(May 3, 1860\). Thompson’s Mirror of Parliament, Issue No. 39 \(May 3, 1860\).](#)

⁷⁸ Dorion gets the wording slightly wrong in the French version. Cauchon says “...*que j’appelle de mes vœux*.” [Joseph Cauchon, l’Union des Provinces de l’Amérique Britannique du Nord \(1865\), p. 7.](#)

⁷⁹ [Joseph Cauchon, The Union of the Provinces of British America \(1865\), p. 5.](#)

⁸⁰ The “double majority” principle advocated that the Ministry should be supported by two sectional majorities, one for upper and another for lower Canada, in the legislature. J.S. Macdonald believed this principle was not only necessary but already inherent in the sectional nature of the united Canadas. The Macdonald-Sicotte ministry in 1862 in fact practiced the principle. See [Bruce W. Hodgins, John Sandfield Macdonald, 1812-1872 \(University of Toronto Press, 1971\).](#)

⁸¹ [A.A. Dorion, LA \(May 3, 1860\). Thompson’s Mirror of Parliament, Issue No. 39 \(May 3, 1860\).](#) The quote doesn’t match because Dorion spoke in French and was translated back into English.

identical, and the different populations should constitute, so to speak, one united people, it might be of advantage to have a Confederation of all the provinces, this I am quite willing to admit; but there is a great difference between this anticipation and the expression of a desire for a Confederation to which I have always been opposed, because I did not consider it advisable under present circumstances.

I find no change in the circumstances of the country to lead me now to desire what I expressed my disapproval of in 1860. I again assert that I no more pronounced myself in favor of Confederation then than I have since; only speaking of a proposition for establishing a Confederation of the two Canadas, and after several members had spoken in favor of a Confederation of all the provinces, I made use of the very natural argument, "That for those who desired the great Confederation, there could be no objection to the proposition then under consideration, because that Confederation would be the nucleus around which the other provinces might gather when the proper time arrived."

The hon. member for Montmorency [Joseph Cauchon] has spoken of the contradictory which he has imagined to exist between the opinions which I expressed in 1856, 1858 and 1860, and those which I entertain at the present time on the subject of the Confederation of the provinces. But these contradictions do not really exist. I have never expressed an opinion in favor of a Confederation of all the provinces, but of the two Canadas only, and that Confederation to which I would have agreed as a remedy for the difficulties created by the question of the representation, had no resemblance whatever to that which is now proposed to us. By that plan Lower Canada would have had complete control of all her local affairs; under the present scheme her control is surrounded by so many restrictions, that in fact it is the central government which

has the control, not only of what relates to all the provinces, but also of what may relate to one of the provinces only.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Before speaking of contradictions, the hon. member for Montmorency [Joseph Cauchon] ought to bear in mind that he is more vulnerable on this head than anyone else. He ought to remember his two pamphlets—[one published in 1858](#)⁸², and [the other in 1865](#)⁸³; one going to prove the absurdity of a Confederation of all the British North American Provinces, and the other pointing out the advantages we should derive from, such a Confederation.

In [the first of these pamphlets the hon. member](#), after having proposed 27 questions with a view to examine under all its different aspects the question of a Federal union of the two Canadas and that of a Federal or Legislative union of all the provinces, rejects alike both these projects, because he only saw in them the annihilation of Lower Canada. The hon. member was so thoroughly convinced of that, that of all the propositions he gave the preference to a legislative union, because it would come to an end all the sooner. He found it more logical, looking at the immediate results of the union.

"In fact, if we must have a union of some kind of all the provinces, and if Lower Canada is destined to lose the little influence which she yet exercises on legislation under the existing union, it would be better to attain our object by a machinery more simple, less complicated and less costly."⁸⁴ [And a little further on he adds](#), "As far as we are concerned, we are opposed to it. We want no union under any form, as it is certain to attain the same

- (p. 684)

end, no matter under what form it may be imposed upon us."⁸⁵ That is the conclusion at

⁸² [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\).](#)

⁸³ [Joseph Cauchon, l'Union des Provinces de l'Amérique Britannique du Nord \(1865\).](#)

⁸⁴ [Supra footnote 82, p. 10.](#)

⁸⁵ [ibid.](#)

which the hon. member arrived [in 1858](#), after a careful examination of the whole question.

[In 1865](#), matters are completely changed, and the hon. member has discovered that the only possible safety for Lower Canada is to be found in that very Confederation of all the provinces which he rejected with all his might [in 1858](#). This is the conclusion at which he arrived in [his latest pamphlet](#). "After having carefully considered the various schemes of union with their various conditions of existence we, have proved that Confederation was, in our present circumstances, the system best calculated for our protection and for securing our prosperity in the future."⁸⁶ The hon. member for Montmorency [Joseph Cauchon] explains this complete change in his views since 1858, as follows:—

Until lately we admit we were more in favor of a Confederation of the two Canadas than of the grander scheme, because then we had no national aspirations, and we believed that we should find in it more protection for the interests of Lower Canada. We acted as though we had to deal with present or probable enemies, and like a good tactician we desired to have as few enemies arrayed against us as possible; but since our constant communications during the sittings of the Convention with the eminent statesmen of the Atlantic Provinces, many of these apprehensions, and indeed the motives of opposition, have been dispelled from our mind.⁸⁷

So that the mere contact which the hon. member enjoyed with the political men of the Maritime Provinces, during the fifteen days they were here, has been sufficient to dispel all his apprehensions for the fate of the institutions of Lower Canada in the Confederation of all the provinces. It is the confidence with which these gentlemen have inspired him, and not the guarantees offered by the plan of Confederation, which have changed his opinions of 1858.

I find in the *Journal de Québec*, a newspaper edited by the honorable member for

Montmorency [Joseph Cauchon], a few very amusing passages upon the question of the confidence which ought to be reposed in political friends. These articles also date from 1858. The honorable member was then in opposition. It is true that he did not look at the honorable member for South Oxford [George Brown] and myself in such an unfavorable light as he has since done. At that time he was laying the whip pretty severely upon the shoulders of his present friends. But the doctrines he then held appear to be still applicable. On the 26th of August, 1858, the honorable member wrote an article under the heading "*Les Amis les Ennemis*," in which he said:—

The *friends*, the ministerial supporters from Upper Canada, have endeavored, during the present session to impose upon us representation based upon population, and the abolition of separate schools. A minister, Mr. Smith, even voted for representation based on population! The enemies—(the members of the Opposition)—have left the initiative of these odious matters to be taken by our friends the ministerialists; and moreover, to prove that though they were enemies, they would treat us better than our friends the ministerialists, they were willing to pay the seigniors all the casual rights due by the *censitaires*⁸⁸ (£500,000). After that we do not ask too much when we ask that our enemies may have justice.⁸⁹

And a little further on [he adds](#):—

Mr. Cartier galvanises a corpse, which starts up in its hideousness only to fall back never to rise again. The lamp in going out-casts some few pale and feeble rays, and soon we shall have the darkness of night. The days of the very worst government which has ever weighed down the destinies of Canada are numbered. There are not many of them, and all the re-constructions that are possible will not add one to their number.⁹⁰

On the 28th August, [in an article on representation based on population](#), the hon. member for Montmorency [Joseph Cauchon] expressed himself as follows:—

⁸⁶ [Supra footnote 83, p. 50](#). Quote is not verbatim.

⁸⁷ [ibid., p. 47](#).

⁸⁸ *Censitaires* were the tenants of a *seigneurie*.

⁸⁹ "*Les 'Amis' et les 'Ennemis'*," *Journal de Québec* (Aug. 26, 1858).

⁹⁰ [ibid.](#)

...But friends may do anything they like; whatever they do is well done! Mr. Ferguson, a ministerialist, will demand the abolition of separate schools; he is a *friend*; one must have confidence in him and kiss the Orange hand which strikes the blow. Mr. Malcolm Cameron will ask for representation by population; he is another *friend*, and Mr. Brown is the criminal, Mr. Brown is the enemy.

The Administration, for the first time in our parliamentary annals, makes the question of the representation an open question. The Ministry is composed of ten of our most ardent and loyal friends; will they deceive and betray us? Mr. Smith, the first among them, votes in the face of astonished Lower Canada for representation by population. He is an Orangeman, one of our kindest friends, and of course in his extreme friendship it is his duty so to vote. The members from Lower Canada ought to accept all this, and they have accepted it with gratitude! But for a rouse an enemy, to seek even the tenth part of all this, is odious, it is immoral, it is to sap the foundation of the country, it is to deserve the shame and death of Calvary. And would you believe it?—All this indignation is expended for the benefit of a power which has soiled, blemished

- (p. 685)

and corrupted everything in the order of morality and political integrity.⁹¹

The hon. member for Montmorency [Joseph Cauchon] then proceeded to speak of his present friends, and of the excuses offered by the Ministerial supporters for blindly voting for and approving whatever their friends desired them to vote for. Did an Orangeman demand anything at which their Catholic consciences might take alarm, their consciences were soon quieted by the fact that “it was a friend,” and the Orangeman obtained at once what he sought; and the hon. member for Montmorency [Joseph Cauchon] declared that all this had been done by a power which had soiled and corrupted everything in the order of morality and political integrity.

Now, he heartily approves of all that he then held to be abominable and atrocious, so long as it was proposed by his friends. Then he was opposed to Confederation of any kind, because it was a certain means of obliterating the influence of Lower Canada, and he

preferred a legislative union to a Confederation. But now his friends propose a Confederation of all the provinces, and he heartily approves of it. I quote again from what [he said on the 28th August, 1858](#):—

During this session Confederation was found to be so unpopular, that Mr. Galt did not dare to ask a vote on his informal resolutions. But hardly had he obtained power and his views were triumphant, and Canada is to bow her head to a new order of things which an instant before had been considered replete with danger and ruin. The policy of the Government as regards Confederation is not more defined or tangible than that of Mr. Galt on the same subject, and yet the men who, two days before, furiously demanded that Messrs. Brown and Dorion should give explicit explanations, accept it with confidence and with closed eyes, doubtless because it came from their friends and friend Galt. Friendship has the power of transforming principles and things, good into evil and evil into good, immorality into morality, injustice into justice, and consciences into inert machines, bending to the movement given to it by the firm hand of friends.⁹²

I [quote from the paper of the hon. member for Montmorency \[Joseph Cauchon\]](#)—I do not say this myself:—

More than this, the Ministry take upon themselves to make a Constitution for the people, and to change the condition of Canada without consulting them, without taking the trouble even of telling them what they are going to do for them. Not less than four members of the Government, they say, are going to negotiate our destinies either in Downing-street or in Lombard-street, but most probably in the latter. If Confederation suits the ideas of the Grand Trunk, depend upon it we shall have it, even though the whole of Canada should reject it. The *Journal* asks what will become of the French element in the Confederation. Eh! *Grand Dieu*, you may see its fate already in the fact that out of four Ministers sent to negotiate the transformation, not a single one is French, the happy individuals being Messrs. Galt, Ross, Macdonald and Rose.⁹³

At that time the enemies, that is to say the present friends of the hon. member, were desirous of changing the Constitution without consulting the people and he considered that an atrocity; but now they propose to effect a revolution in our political institutions without

⁹¹ [“Représentation basée sur la Population,” *Journal de Quebec* \(Aug. 28, 1858\).](#)

⁹² [ibid.](#)

⁹³ [ibid.](#)

giving the people an opportunity of pronouncing on their scheme, and the hon. member for Montmorency [Joseph Cauchon] warmly approves. It seems, when the other day I asserted that this scheme of Confederation was planned by the Grand Trunk Company, that I did but express the opinion of the hon. member for Montmorency [Joseph Cauchon]. It was he who first made this assertion, and not I. "If the Grand Trunk," said he, "wants Confederation, we are sure to have it."

In those days his *friends* the *enemies* desired to sell the country; now he seeks to save it by exactly the same means that they took to ruin it. Now he no longer seeks to ascertain whether the plan of Confederation is good or bad; he only looks to see that it comes from his friends, and that is sufficient to secure for it his hearty approval. This scheme being proposed by the *friends* and supporters of good principles, it cannot contain anything that may endanger the institutions of Lower Canada.

Some Hon. Members—Hear, hear, and laughter.

Antoine-Aimé Dorion [Hochelaga]—But formerly it was quite a different matter, when the same scheme was proposed by enemies, the present friends of the honorable member for Montmorency [Joseph Cauchon]. What constitutes the excellence of this scheme in the eyes of the honorable member, is that it is not submitted by *rouges* or annexationists, but by the representatives of good principles, the guardians of the interests of Lower Canada.

Some Hon. Members—Hear, hear, and laughter.

Antoine-Aimé Dorion [Hochelaga]—Besides, the delegates from the Lower Provinces, whom he had looked upon as enemies to Lower Canada, inspired him with such confidence during the dinners and balls of the Conference, as to have removed any apprehensions under which the honorable member may before have labored. He told us

so himself.

For my part I do not believe that the communication which the honorable member enjoyed with the delegates from the Lower

- (p. 686)

Provinces during their sojourn here had the effect of changing his opinion on this question. He looked to see from what side the proposition came, and seeing that it came from the side on which his friends sat, he was at once convinced that it contained nothing that could endanger the institutions of Lower Canada. It is evident that he votes for it with certainty.

In 1858 he reproached those members who, like the honorable member for Montcalm (Mr. Jos. Dufresne), look quietly to see from which side measures come before pronouncing upon them, with only thinking and acting according to word of command given by the present Ministers. Has not he also been obliged to write [a pamphlet of 150 pages in 1865](#) to refute the one of [forty pages which he then wrote](#)?⁹⁴ Then he held to be absurd all that was connected, either nearly or remotely, with Confederation; now he holds everything to be right and perfect; he is quite satisfied, and gets the promise of all his members to vote for the scheme before us without amendment. He throws his hat in the air and exclaims:—"Let us vote for Confederation and for our friends."

Some Hon. Members—Hear, hear, and laughter.

Antoine-Aimé Dorion [Hochelaga]—That honorable member may be able to discover contradictions in my conduct. He sees a mote in his neighbor's eyes and seeth not the beam in his own. But let us continue our examination of [that pamphlet of 1858](#). It contains most precious information. At page 15 I find the following passage:—

The best possible condition under which Confederation could exist, would be that in which the two chambers would be elected and would both have population as the

⁹⁴ [Joseph Cauchon, l'Union des Provinces de l'Amérique Britannique du Nord \(1865\)](#) & [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\)](#).

basis of their number, for no other system excepting that of having but one chamber only with the number of its members based on population, would give us absolutely one vote in three in the Federal Legislature.⁹⁵

So in 1858 he found that the best we could hope for, under Confederation, was that we might have two elective chambers, with a number of members proportioned to the population in each province, which would have given us one vote in three. It was the elective system, with representation based on population in each chamber. In view of the Confederation of all the provinces, that plan was decidedly better than the one now proposed to us, in which Lower Canada is only to have 65 out of 194 in the Lower House, and 24 out of 76 in the Legislative Council, less than the proportion which we should have had under the elective system, without taking into account, that as the legislative councillors are to be appointed by the General Government, Lower Canada will exercise but little influence as regards the appointment of her councillors.

But let us see what the honorable member for Montmorency [Joseph Cauchon] now thinks of the elective system. After having, in 1856, himself brought in [the bill to render the Legislative Council elective](#)⁹⁶, and having thus done more than anyone else to effect the change which then took place in the constitution of that body, and after having, [in 1858, declared in writing that](#) “the best possible terms that could be obtained in Confederation would be the making of the two chambers elective,”⁹⁷ [in 1865 he says, at page 65 of his second pamphlet](#):—

It was in obedience to the general sentiment, and not by conviction, that he who now writes gave up, in 1865, an opinion which he had always held, and himself drafted the present constitution of the Legislative Council, and it is with genuine satisfaction, and a conviction strengthened by experience, that we greet the revival of

the principle of Crown nomination to the Legislative Council under conditions superior to those of former times.⁹⁸

It would seem, then, that [in 1856 the honorable member altered the Constitution](#), not as the result of conviction, and because he considered it was defective, but in obedience to the general sentiment; that is to say, that being a Minister, he did not wish to displease his friends, who demanded that this change should be made, and that, rather than sacrifice his portfolio as a Minister, he preferred to sacrifice his principles and convictions.

Some Hon. Members—Hear, hear, *and laughter*.

Antoine-Aimé Dorion [Hochelaga]—Now, the honorable member has no other sacrifice to make than that of his personal dignity; this is but a trifling one; and he returns to his old opinions, so as not to displease his present friends. He clung to power in 1856; to-day he pays homage to it; that is the whole difference. When the wind blew in the direction of reform, the honorable member was a Reformer, not from conviction but from interest; and when it blows in the direction of absolutism, the honorable member becomes by instinct Conservative and a Tory. So he who, in 1856, obtained the passing of [an act to render the Council elective](#)⁹⁹; who, in 1858, again pronounced himself in favor of the elective principle as applied to the Council, tells us in 1865 that he greets with genuine satisfaction the revival of the principle of Crown nomination of the Legislative Councillors.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Ministers went on their knees to the Lower

- (p. 687)

Provinces beseeching them to come to an understanding as regarded a change of the

⁹⁵ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\), p. 15.](#)

⁹⁶ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

⁹⁷ [Supra footnote 95.](#)

⁹⁸ [Joseph Cauchon, l'Union des Provinces de l'Amérique Britannique du Nord \(1865\), p. 65.](#)

⁹⁹ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

Constitution, and with respect to a scheme of Confederation. Explanations were the result, which have only been given on a few important points; the delegates of the Lower Provinces, after having obtained the most favorable financial stipulations for those whom they represented, have still further imposed their views and have modified the scheme of Confederation in a manner at variance with the views of our Ministers; and yet, after the Maritime Provinces have repudiated the action of their delegates, the Government still obstinately persists in obtaining the adoption of the scheme without any amendment whatsoever.

If that resolution passes, we shall ask England to change our Constitution, and to give us one which will not be in accordance with the views of our ministers, and still less with those of the people of this province. But let us see what the honorable member for Montmorency [Joseph Cauchon] said [in 1858 on this subject. I cite from page 12:](#)—

To ask England to change the Constitution is to give her an opportunity of changing it to suit her own views or those of our enemies. Nay, more, to ask that we should take the first step is to claim it for all the provinces, it is to call upon them too to say upon what conditions they will accept the Federal union.

But in the conflict of all these voices one only will never be heard from the Imperial Throne, because it would be in the French language. It is no prejudice, it is but the history of our fifty years of trial and sorrow.¹⁰⁰

Have circumstances so greatly changed since 1858? What has occurred since that period to give the honorable member for Montmorency [Joseph Cauchon] more confidence now in the justice of England, or in the efficacy of our petitions than he then had? Is not the history of our fifty years of sufferings vivid in the memories of all? When we asked

the Imperial Government to change the constitution of the Legislative Council, did they not unnecessarily, and without our having sought it, repeal the clause which rendered necessary a two-thirds vote to change the basis of the representation? That safeguard of the interests of Lower Canada was taken away from us without our knowing, and at the present moment we do not know at whose instance that clause of the [Union Act](#)¹⁰¹ was [expunged](#).

Have we not similar reason to fear that they may impose on Lower Canada a new Constitution, with conditions which will encroach upon the rights solemnly guaranteed to us by treaty? And this is the more probable from the fact that, this scheme having been rejected by the Lower Provinces, England will not be desirous of enforcing it upon them, and that if it is adopted by the Imperial Parliament, it can only be so adopted with such modifications as will make it applicable to Canada alone, leaving to the Lower Provinces the right of accepting it hereafter; and Heaven alone knows what these modifications will be, and how they may affect our institutions.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—If the Imperial Parliament thinks proper to take up this Constitution without the acceptance of it by the Maritime Provinces, it will come back to us, as did the answer to the Address in relation to the Legislative Council, entirely different from the Address we are about to vote.

François Evanturel [Quebec County]—I thought I understood, when explanations were given to-day by the Hon. Attorney General West [John A. Macdonald], that the Government intended to lay before Her Majesty the Address to be passed by this House, then to ask the advice of the Imperial

¹⁰⁰ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\), pp. 13-14.](#)

¹⁰¹ The member is referring to an amendment made to Clause 26 of the [Union Act, 1840 \(U.K.\)](#). It was expunged by [The Union Act Amendment Act, 1854 \(U.K.\)](#). It seems that the Imperial Parliament believed the “two-thirds” provision was no longer a necessary “check”, and that the proposed Act as a whole would encourage steady legislation, remove elements of future disturbance, and have the effect of rendering the Legislative Council a more conservative body. See [The 1854 Imperial Debates Amending the Union Act, 1840 \(U.K.\)](#).

Government as to what they had better do under the circumstances, and then return and report to the House.

Antoine-Aimé Dorion [Hochelaga]—I enquired, in language as explicit as it was possible to use of the Hon. Attorney General West [John A. Macdonald], whether the Government would submit a new Constitution for ratification by the Legislature, and he only replied that the Government would submit the whole matter to the Imperial Government, that is to say, the Address to be passed by this House, and an explanation of the present state of matters in view of the defeat of the scheme of Confederation in the Lower Provinces. He refused to say that the Government would come back to the House with the measure.

George-Étienne Cartier [Montreal East, Attorney-General East]—The honorable member for Hochelaga [Antoine-Aimé Dorion] would like to make the House believe that it is the intention of the Government to cause a measure to be passed by the Imperial Government against the wishes of this House; but no such conclusion can be drawn from the explanations given by my honorable friend the Hon. Attorney General West [John A. Macdonald]. He stated that [a deputation would go to England](#)¹⁰², and that they would submit to the Imperial Government the addresses of the two Houses, containing the plan of Confederation adopted by the delegates of all the provinces, and that they would urge upon the Imperial Government to bring down a measure that should apply to all the provinces.

Maurice Laframboise [Bagot]—That is

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not saying, however, that the new Constitution will be submitted to the House on the return of the deputation.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Nor is it saying,

either, that it is without the consent of the House.

Antoine-Aimé Dorion [Hochelaga]—What I wish to say is, that it is perfectly clear that the House will not be called upon to pronounce upon the new Constitution which is to be given to us, no matter what changes may be introduced into the resolutions on which we are now called upon to vote.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The Hon. Attorney General East [George-Étienne Cartier] cannot say that the Government will submit to the House the result of the advice which they may receive from the Imperial Government.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—All that we can understand from the Government is, that they will press the adoption of the measure by this House, and that, if they can pass it, they will ask the Imperial Government to give us a Constitution based on these resolutions, and that this Constitution will be imposed on the country without either the House or the people being called upon to ratify it, even although it be altogether different from the resolutions now submitted to us.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—As in 1856 we saw the clause of the [Union Act](#), which required the concurrence of two-thirds of the members of the House to authorize a change in the basis of the representation, repealed¹⁰³, without any application on our part for its repeal, so we shall perhaps see in this new Constitution which is to be given to us, that the principle of Confederation will have been sacrificed in order that a legislative union, pure and simple, may be imposed upon us.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—And this is the more probable now, that it is well

¹⁰² [Supra footnote 5.](#)

¹⁰³ [The Union Act, 1840 \(U.K.\)](#). Clause 26. *Supra* footnote 101.

known that the Maritime Provinces have repudiated the plan of Confederation in its present shape.

George-Étienne Cartier [Montreal East, Attorney-General East]—We shall make a small Confederation by dividing Canada into four parts.

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—That is what the honorable member for Hochelaga [Antoine-Aimé Dorion] promised the honorable member for South Oxford [George Brown] when he formed his Government. There should be little men, little provinces, and a little Confederation.

Some Hon. Members—*Laughter.*

A Voice—Now-a-days the Government has only great projects.

George-Étienne Cartier [Montreal East, Attorney-General East]—Yes; we propose great measures, and what is more, we carry them.

Antoine-Aimé Dorion [Hochelaga]—Yet the Honorable Attorney General [George-Étienne Cartier] has undertaken to grant a little Confederation, and to divide us into little provinces if the grander scheme does not pass, and he has a very fair chance to come back to little matters.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The honorable member for Montmorency [Joseph Cauchon], after having expressed his opinion with respect to the constitution which ought to be provided for the Legislative Council, in order to the protection of our interests, said in [that pamphlet of 1858, on the subject of Confederation:—](#)

The object of Confederation is external protection; it can defend itself from enemies from without, but it could not defend itself against itself. It was not with a view to social improvement, not to attain a more perfect and complete internal political organization, that the American colonies

and the small states of Germany, who wished to remain independent, had recourse to Confederation; it was for mutual protection against enemies from without, and for that only. Now we have England to protect us, the political Confederation of the provinces is therefore absurd. But if it be at once absurd and fatal, why should we persist in demanding it?¹⁰⁴

[These are the opinions of the honorable member for Montmorency \[Joseph Cauchon\]:—](#)

Were we to have a Confederation of the provinces, they would soon range themselves into two distinct camps; and if we are to judge of the past by the present, it is needless to say to what dangers Lower Canada would be exposed.¹⁰⁵

Antoine-Aimé Dorion [Hochelaga]—And a little further on, [he adds:](#)

When once we have admitted a principle, not only we have to admit the consequences, but even to suffer them to our ruin. The consequences of Confederation would be the ruin of Lower Canada.¹⁰⁶

The honorable member for Montmorency [Joseph Cauchon] was convinced that the Confederation of the provinces could not be effected without having recourse to direct taxation, which loomed up constantly [before his eyes—](#)

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—

Direct taxation for the maintenance and to carry out the objects of the local legislatures, are a necessity of the Federal system; and if Lower Canada was to refuse to tax herself to pay the expenses of its Government and Legislature, it would be forced into doing it; bearing in mind the refusal in days past of its House of Assembly to vote the supplies, they would treat her as they did in 1840.¹⁰⁷

Thus the great Confederation, so fatal and absurd, would be the ruin of Lower Canada. Now for [a little description of our new friends in the Maritime Provinces:—](#)

¹⁰⁴ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\), p. 17.](#)

¹⁰⁵ [ibid., p. 16.](#)

¹⁰⁶ [ibid.](#)

¹⁰⁷ [ibid., pp. 20-21.](#)

What advantage can Canada hope to obtain in the consolidation of the revenues of all the provinces? ...

Whilst the united revenues of the four Atlantic provinces hardly reach the sum of four hundred

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thousand pounds, and whilst not one of these provinces has much in the future with the exception of New Brunswick, Newfoundland with its cold climate, its barren soil, like that of the north shore of our Lower St. Lawrence, will never be more than a fishing station, to which, besides, we have access in common with all the other nations of the world. Nova Scotia is another fishing station, to which also we have access in common with everyone else. It has no soil fit for cultivation. Its revenue remains stationary, or diminishes like the population of its capital, Halifax (although situated at the extremity of one of the most magnificent harbors in the world), which, in 1840, had 25,000 inhabitants in its woolen houses, and which now affords shelter to fifteen thousand human beings only....

They are poor, and seek an alliance with the rich. They have good reason; were we in their place, we would do the same.¹⁰⁸

That is his account of the new allies he now proposes to give us.

Some Hon. Members—Hear, hear, and laughter.

Antoine-Aimé Dorion [Hochelaga]—And now passing to the question of religion, [this is what we find](#):—

In the existing union the Protestants are slightly the most numerous, at least according to the census of 1850. The proposed union would increase the Protestant strength, for the very great majority of the populations of Nova Scotia and New Brunswick is Protestant, and Newfoundland, in which Catholicism prevails, is too poor, both at present and in prospective, with its barren soil, to give any strength, or even hope, to Catholicism. Protestantism would thus be more powerful in a union of all the provinces than it is now in the existing union of the Canadas.¹⁰⁹

I think I need say no more. I think [that the reasons adduced by the honorable member for Montmorency \[Joseph Cauchon\] from the French-Canadian point of view, against the](#)

[union of the provinces in 1858](#), exist at the present day, and that they have greater force now than they had then; and this is the more evident when we see all the members from Upper Canada declare that Confederation is not what they want, but that they would prefer a legislative union. This fact ought to add to our alarm, and convince us of the danger to which we should be exposed by this union.

The honorable member for Montmorency [Joseph Cauchon] now encourages his friends to proceed to England and obtain its adoption by the Imperial Government, and its imposition on the Maritime Provinces as well as upon Canada. It is an appeal to Great Britain to pass a measure upon the application of the Canadian Government, and to impose it upon the Lower Provinces, after making such modifications to it as would satisfy them. The honorable member for Montmorency [Joseph Cauchon], in reflecting upon a letter which I wrote last autumn to my constituents, in which I asserted that no precedent existed for a Federal union between mere colonies, [has cited, in refutation of my statement](#), the case of [New Zealand](#)¹¹⁰.

New Zealand is composed of three islands, divided into eleven provinces, each of which possesses a sort of municipal council which is called a government, just as the municipalities are called provinces. Each province has a head or executive officer, elected by the people, and charged with the carrying out of the laws. The municipal councils have the power of legislating, but their powers are restricted within very narrow limits. They cannot interfere even with the laws relating to wills and successions, whilst, on the other hand, the Central Government has the right to legislate on all matters affecting the colony. The political system of New Zealand is exactly like our county and parish municipal system.

Our county municipalities represent the central power, and our parish municipalities

¹⁰⁸ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\), pp. 22-23.](#)

¹⁰⁹ [ibid., pp. 28-29.](#)

¹¹⁰ Cauchon was referring to the [New Zealand Constitution Act 1846 \(U.K.\)](#). [Joseph Cauchon, Legislative Assembly \(Mar. 2, 1865\), pp. 583-584.](#)

represent the local governments. Had the hon. member for Montmorency [Joseph Cauchon] examined the Constitution of Belgium, he would have seen that there, there are provinces which each have a Governor and a Local Parliament, and these parliaments have much greater powers than the local councils in New Zealand, and are much more important; yet no one has ever ventured to assert that Belgium was a Confederation, although it was divided into provinces. Neither is the French Empire a Confederation, although its departments are governed by *Préfets*.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The hon. member for Montmorency [Joseph Cauchon] has told us that our interests would be perfectly protected by the proposed Constitution. I find that the powers assigned to the General Parliament enable it to legislate on all subjects whatsoever. It is an error to imagine that these powers are defined and limited by [the 29th clause](#)¹¹¹ of the resolutions. Were it desirous of legislating on subjects placed under the jurisdiction of the local legislatures, there is not a word in these resolutions which can be construed to prevent it, and if the local legislatures complain, Parliament may turn away and refuse to hear their complaints, because all the sovereignty is vested in the General Government, and there is no authority to define its functions and attributes and those of the local governments.

George-Étienne Cartier [Montreal East, Attorney-General East]—What do you understand by sovereign power, please explain?

Antoine-Aimé Dorion [Hochelaga]—I will tell you in a

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moment. I say that the Federal Parliament will exercise sovereign power, inasmuch as it can always trespass upon the rights of the local governments without there being any

authority to prevent it. What authority have you constituted which can come forward and say to the Federal Parliament:—"You shall not do such and such a thing, you shall not legislate upon such and such a subject, because these matters are reserved to the local governments."

There will be no such authority, and consequently it will have sovereign power, and can do all that it pleases, and may encroach upon all the rights and attributes of the local governments whenever it may think proper. We shall be—(I speak as a Lower Canadian)—we shall be at its mercy, because it may exercise its right of veto on all the legislation of the local parliaments, and there again we shall have no remedy. In ease of difference between the Federal power and the local governments, what authority will intervene for its settlement?

George-Étienne Cartier [Montreal East, Attorney-General East]—It will be the Imperial Government.

Antoine-Aimé Dorion [Hochelaga]—In effect there will be no other authority than that of the Imperial Government, and we know too well the value assigned to the complaints of Lower Canadians by the Imperial Government.

George-Étienne Cartier [Montreal East, Attorney-General East]—The delegates understood the matter better than that. Neither the Imperial Government nor the General Government will interfere, but the courts of justice will decide all questions in relation to which there may be differences between the two powers.

A Voice—The Commissioners' courts.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Undoubtedly. One magistrate will decide that a law passed by the Federal Legislature is not law, whilst another will decide that it is law, and thus the difference, instead of being

¹¹¹ [Quebec Resolution 29](#), which reads, "29. The General Parliament shall have power to make Laws for the peace, welfare and good government of the Federated Provinces (saving the sovereignty of England), and especially laws respecting the following subjects:—" Then follows a list of powers. [Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

between the legislatures, will be between the several courts of justice.

George-Étienne Cartier [Montreal East, Attorney-General East]—Should the General Legislature pass a law beyond the limits of its functions, it will be null and void *pleno jure*¹¹².

Antoine-Aimé Dorion [Hochelaga]—Yes, I understand that, and it is doubtless to decide questions of this kind that it is proposed to establish Federal courts.

George-Étienne Cartier [Montreal East, Attorney-General East]—No, no! They will be established solely to apply and adjudicate upon the Federal laws.

Antoine-Aimé Dorion [Hochelaga]—In Great Britain, Parliament is all-powerful, everyone admits it—and I would like to know whether it is proposed to give to the Federal Parliament the omnipotence enjoyed by the Imperial Parliament. Without that, the system proposed to be established is no longer a political monarchical system, but rather a vast municipality. If all the courts of justice are to have the right of deciding as to the legality of the laws, the Federal Parliament will not be able to make them without a justice of the peace or commissioner of small causes setting them aside, under the pretext that they are not within the jurisdiction of the central power, as is now done in the case of a process overhaul of road work. That is not the monarchical system; it is the republican system. In England, as it is here at the present moment, the Legislature is all-powerful, and I believe that that was the principle which it was sought to adopt. If the differences between the Federal and the Local Parliaments are not to be submitted to the decision of a Supreme Federal Court, I do not see who can possibly decide them.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—We are told that the Federal Court of Appeals will not be charged with the decision of matters in

dispute between the legislatures, but they will only have to give final judgments in cases decided by the local inferior courts. Well, for my part I cannot approve of the creation of this court. The great inconveniences of it to us Lower Canadians may easily be seen.

Thus, when a cause shall have been argued and decided in all our courts, we shall still have to go before a Federal Court of Appeal composed of judges of all the provinces, and in which we shall probably have only one judge, who may be selected out of the English population. And this is the protection afforded to us. I repeat that I see no protection whatever for our interests, as Lower Canadians, in the constitution of the political and judicial powers, for the Federal Parliament can encroach upon our rights without any authority having the power to interfere, and then we shall have a Federal Court of Appeal in which we shall only be represented by one judge against six or seven of other origins.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—There is another and very important question to be considered, and that is as to what is meant by [paragraph 30 of the 29th resolution](#)¹¹³, in relation to marriage and divorce. I see, not without apprehension, that it is left to the General Parliament to legislate on all matters relating to marriage and divorce. The question of marriage is intimately connected with a large portion of our

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code and civil rights, for upon marriage depends the settlement of family interests and successions, and the civil condition of the population.

If the right of legislating on all matters connected with marriage is left to the Federal Parliament, it will have the right to declare that a marriage contracted elsewhere will be valid in the Confederacy, provided it has been

¹¹² i.e. “with full authority.”

¹¹³ Dorion means [Resolution 29 \(31\)](#), which reads, “29. *The General Parliament shall have power to make Laws for the peace, welfare and good government of the Federated Provinces (saving the sovereignty of England), and especially laws respecting the following subjects:— 31. Marriage and Divorce.*” *Supra* footnote 111.

contracted in accordance with the laws of the country in which it took place, [as stated by the Honorable Solicitor General East \[Hector-Louis Langevin\]](#)¹¹⁴, for it is a principle of international law perfectly understood in every country of the civilized world, and which it would be impossible to alter, and it was of no use whatever to insert it in the Constitution.

I say, then, that not only will the Federal Government have this power, but they will also be able to change the civil conditions of marriage which now constitute a part of our code. But if it is sought to remove from the local legislatures the right of legislating respecting the conditions under which a marriage may be contracted, the age at which marriage is to be allowed, the degree of relationship which shall be an impediment to marriage, the consent of the relations, and the requisite dispensations which are now required to be obtained from the ecclesiastical authorities, then

I can understand why this article has been inserted in the resolutions, and that the right to do all this is to be vested in the Federal Parliament. If it is desired that a minor should be allowed to marry, as he can in countries in which the laws of England prevail, without the consent of his relations, I can conceive the reason for placing the right to legislate respecting marriage in the hands of the Federal power; but if that was not the object in view, I see no reason why the right to legislate on this subject has not been left to the local governments.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I should see with considerable apprehension and alarm this power given to the General Parliament, because it will be composed of men who have ideas entirely at variance with ours in relation to marriage. As regal is the question of divorce, we have had every kind of explanation as to the moaning of the

resolution of the Conference. The Honorable Solicitor General of Lower Canada (Hon. Mr. Langevin), who last year made so great a fuss because a divorce suit came before the House, and who even moved the rejection of the bill at its first reading, has been brought to terms on the subject, and has discovered that it would be a good thing to have an authority for the settlement of this matter.

Last year he said that it was impossible for a Catholic to sanction even the first reading of a divorce bill, and he made us [a long speech on the subject](#)¹¹⁵, but he has found out his mistake, and he is unwilling that the local legislature should legislate on divorce, but he vests this right in the Federal Parliament, and authorizes it to do so. He cannot himself legislate, but he allows another to do so for him. Well, I do not think that this is any improvement on the existing state of things, and I think that divorce is more likely to be prevented by leaving the subject among the functions of the local legislatures, at all events as far as Lower Canada is concerned, than by leaving it to the Federal Parliament.

But I go further, and I say that the leaving of this question to the Federal Legislature is to introduce divorce among the Catholics. It is certain that at present no Catholic could obtain a divorce either in the present House or from the Local Legislature of Lower Canada under Confederation. But suppose that the Federal Parliament were to enact that there shall be divorce courts in each section of the province, the Catholics will have the same access to them as the Protestants. And who is to prevent the Federal Legislature from establishing a tribunal of this kind in Lower Canada, if they are established elsewhere?

In that case—if tribunals of this kind are established—will not the Honorable Solicitor General [Hector-Louis Langevin] if he votes for this resolution have voted for the establishment of divorce courts over the whole country, to which Catholics and Protestants

¹¹⁴ [Hector-Louis Langevin, Legislative Assembly \(Feb. 21, 1865\), pp. 388-390.](#)

¹¹⁵ [Langevin, LA \(Jun. 9, 1864\), p. 187.](#)

can have recourse for obtaining a divorce? That is the only conclusion it is possible to arrive at, and the legitimate consequence of the votes of those Catholics who will vote to vest this power in the Federal Parliament.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—It is evident that a Catholic who thinks that he cannot vote for a Divorce bill ought not to vote indirectly for the establishment of Divorce courts, any more than to vote directly for it. The Honorable Solicitor General East [Hector-Louis Langevin] told us the other day that he had recently obtained the annulment of a marriage, because the parties, being relations, had married without dispensation.

Hector-Louis Langevin [Dorchester, Solicitor General East]—I never pretended that that was a divorce. I said that if the case of annulment of marriage to which I referred had arisen in Upper Canada, the Ecclesiastical courts might have declared the marriage null as far as the Canon law was concerned, but not as regarded the civil laws, for the law of Upper Canada does not recognize

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the impediments to marriage provided by the Canon law, and that the husband and wife would have been obliged to apply to Parliament to obtain their separation. And I stated that this separation couldn't be looked upon as a divorce from a Catholic point of view, although the Act of Parliament might be called a Divorce bill.

Félix Geoffrion [Verchères]—Would Parliament grant a divorce on the ground of relationship?

Hector-Louis Langevin [Dorchester, Solicitor General East]—I can cite other cases, as, for instance, that of a Catholic married to an infidel who had not been baptized, without being aware at the time of the marriage that this impediment existed. If he discovers the fact afterwards, he is not married as far as the Canon law is concerned. If the wife is not willing to consent to the obtaining of the necessary dispensations to render her

marriage valid, she may, in Lower Canada, apply to the Ecclesiastical court to have it annulled, but in Upper Canada she would also have to apply to Parliament.

Félix Geoffrion [Verchères]—Could a divorce be obtained from Parliament on the ground of relationship?

George-Étienne Cartier [Montreal East, Attorney-General East]—It would be proved before Parliament that the marriage contracted under these circumstances is null as regards the Canon law and the law of Lower Canada. There are ecclesiastical authorities in Upper Canada just as there are in Lower Canada, but as the Civil law there is not the same as it is here, the couple whose marriage would be void under the Canon law but not under the Civil law—for in the eyes of the law the marriage would be valid and binding, and neither husband nor wife could remarry without having obtained a divorce—the couple, I say, would have the right of applying to Parliament, who might legally declare that marriage null which had been so declared by the ecclesiastical authorities. But the nullity of the marriage must first be proved to the satisfaction of the ecclesiastical authorities and under the Canon law, and then Parliament might annul it on that evidence, for it would be omnipotent.

Antoine-Aimé Dorion [Hochelaga]—Then the Federal Parliament will be omnipotent?

George-Étienne Cartier [Montreal East, Attorney-General East]—Yes, in that respect.

Antoine-Aimé Dorion [Hochelaga]—But even supposing that the Federal Parliament would interfere in such a case, which is a matter of doubt, the Local Government would also have had the right to interfere if the power so to do had been given to it. Moreover, this would not be a case of divorce; it would simply be the declaration that no marriage had ever taken place, which is quite a different matter. In Lower Canada the Canon law forms part of our Civil law, but in Upper Canada it is not so, and the law there does not recognize the right of the ecclesiastical authorities to declare a marriage null.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I think, then, that the explanation of the Hon. Solicitor General [Hector-Louis Langevin] is not of more value than that which he gave us on the subject of marriage, for it does not in the least prove that the Federal Parliament have not the power to establish Divorce courts in all the provinces, and the resolution does not admit of the construction that the Federal Parliament will only have the right of declaring void marriages declared to be so by the Catholic ecclesiastical authorities.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I perceive that the subject of immigration is left to the General Government, concurrently with the local governments. I think that danger lies in the provision that the General Government is to appoint all our judges. It is said, as the Honorable Attorney General East [George-Étienne Cartier] stated the other day, that there will be French-Canadians in the Executive of the Federal Government, but their number will be limited, and if the Executive is composed of fifteen members for instance, there will only be one or two French-Canadians at the most. Well, suppose the French-Canadian Ministers recommend the appointment of a person as judge, and that all their colleagues oppose it, the former will have the right to protest, but the majority will carry the day, and all that the minority can do will be to retire from the Government. But in that case they will be replaced, and things will go on as before. That is all.

The same argument applies to the appointment of legislative councillors; and when I call to mind all the injustices committed by the Legislative Council of Lower Canada, which was nominated by the Crown, and in a spirit hostile to the great mass of the population, I cannot conceive that French-Canadians can be found who are willing to return to that system. Will they not remember that it was that system which closed our common schools, by refusing to vote the supplies granted by the Legislative Assembly,

and thereby delayed, for years and years, the progress of education in Lower Canada. The honorable member for Montmorency [Joseph Cauchon] says that we must have a conservative chamber, and that our Legislative Council, under Confederation, will be less conservative than the Belgian Senate, because

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the elective qualification of the Belgian senators is higher than that of our legislative councillors. The Belgian Senate is elected for eight years, and is renewed by one-fourth at a time.

Joseph Cauchon [Montmorency]—Every four years, by one-half.

Antoine-Aimé Dorion [Hochelaga]—Yes; the honorable member is right. The term for which each senator is elected is eight years, and the elections take place for one-half of them every four years, and another change in the composition of the Senate can also take place, because it may be dissolved like the Lower House. Now, under these circumstances, there can be no clashing of any duration between the two Belgian Chambers, and the Senate cannot obstruct, for an indefinite period, the action of the Lower House. If a difference should arise between the two bodies, the Government can remedy it by new elections, by which senators would be returned favorable to the views of the people.

Thus the Senate is not conservative, from the sole fact of the electoral qualification of the senators being very high. What I consider excessive and of a too conservative character in the constitution of the Legislative Council of the Confederation, is that no power exists which can change its composition in the case of a collision between it and the House of Commons. The councillors will be appointed for life, and their number is fixed. By what means shall we be able to prevent the Legislative Council from stopping the progress of business if a difference should arise with the Lower House? The honorable member for Montmorency [Joseph Cauchon]

says that the obstacle will be broken down; but if no other remedy than that is provided, I say that the principle is faulty. It does not do, when we frame a Constitution, to open the door to obstacles which can only be surmounted by breaking them down.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—In England, where the House of Lords is very conservative, the Crown has power to name new peers, and it is precisely the possession of that power of creating new peers which has prevented the breaking down of the obstacle—which prevented [a revolution in 1832](#)¹¹⁶. The honorable member for Montmorency [Joseph Cauchon] himself admits that at that period England was on the eve of a revolution, and that it would have happened if the House had any longer refused to sanction the measures of reform passed by the House of Commons and demanded by the people; and that revolution was only avoided because the King, having declared that he would create new peers, a certain number of the lords, to escape this danger, absented themselves and permitted the passing of the Parliamentary [Reform Bill](#)¹¹⁷.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—There are two or three other matters which are left to the joint jurisdiction of the Federal and Local Legislatures, such as agriculture, emigration, and the fisheries; but the laws of the Federal Parliament will always prevail in these matters over those of the local parliaments;

thus, for instance, a Local Legislature may pass a law in relation to agriculture, but it may be overridden the next day by a law of the Federal Legislature.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I shall not touch upon the question of the finances, but I must say that the figures given by the Hon. Solicitor General East [Hector-Louis Langevin] do not agree with those in the Public Accounts. I do not know where he obtained them, but for my part I have been unable to find them. When I enquired whether Lower Canada was to pay the Municipal Loan Fund debt, he did not think proper to answer. When I asked the Hon. Minister of Finance [Alexander Galt] whether Lower Canada would be charged with the debt contracted for the redemption of the Seigniorial dues, with the Common School Fund, the Municipal Loan Fund, and the indemnity payable to the townships, amounting in the whole to \$4,500,000, he replied that he would bring down a proposition at some future period for the settlement of these questions, but he has not thought proper to give any explanations.

Well, I have stated that besides the debt of \$67,000,000 due by the province, there are more than \$3,000,000 due to Upper Canada as compensation for the Seigniorial indemnity, and that in fixing at \$62,500,000 the debt to be assumed by the Federal Government, there will remain about \$9,000,000 to divide between Upper and Lower Canada. With the amount of the Municipal Loan Fund debt and

¹¹⁶ [Reform Act \(U.K., 1832\)](#). The House of Lords successfully blocked the bill twice over the span of 1831-1832. The Bill sought to incorporate into the Constitution the electoral enfranchisement of the working and middle classes. Led by Charles [Earl] Grey, Whig reformers in the Commons believed this reform was necessary to preserve the existing social and political order—and believed it may have even become necessary to prevent violent revolution, while Tory opposition in both the Commons and Lords fervently argued for safer and more practical reform. The first Bill passed the Commons on Mar. 22, 1831, by a single vote of 302-301, but a dissolution of the House followed when adverse amendments were carried in committee. A large majority of Whig Reformers returned, and a second Reform Bill was carried in the Commons in Jul. 1831 but thrown out by the House of Lords in Sep. 1831. Violent riots ensued the month after across England. A third Reform Bill passed the Commons in Dec. 1831 by a majority of 162, but adverse amendments successfully passed by the House of Lords in May 1832. While talk of creating new peers was threatened by this time, the measure was actually acted upon by Earl Grey and refused by King William IV in May 1832. Earl Grey's resignation in May led to what is known as the crisis of the "Days of May". The failure of Lord Wellington to form a Tory government, along with significant extra-parliamentary conflict and public dissatisfaction, led to the abstention of Tory Lords from the vote and the enactment of the third Reform Bill in July 1832.

¹¹⁷ [ibid.](#)

of the other items which I have mentioned, Lower Canada will find herself charged with a local debt of \$4,500,000.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—When we entered the union we had a debt of \$500,000; we have expended since the union, on public works in Lower Canada, about \$13,000,000, and we go out of the union with a debt of \$27,500,000 as our proportion of the Federal debt, besides our own special debt of \$4,500,000, whilst Upper Canada will go out of it without any local debt on giving up the indemnity to which she is entitled under the [Seigniorial Act of 1859](#)¹¹⁸. Well, I assert that it is an unjust

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treaty, and that it is also unfair that the Ministry should refuse us all explanations on this point, before we are called upon to give our votes on the resolutions.

Some Hon. Members—Hear.

Antoine-Aimé Dorion [Hochelaga]—The Hon. Solicitor General East [Hector-Louis Langevin] told us the other day that in the plan of Confederation which I had proposed for the two Canadas, I intended to leave the administration and ownership of the Crown lands to the General Government, and he said that under Confederation the Crown lands would belong to the local governments, and this, in his opinion, was a great improvement on the plan which I proposed. Well, it must be observed that a very large amount is due on sales of Crown lands; there is about \$1,000,000 due in Lower Canada, and \$5,000,000 or \$6,000,000 in Upper Canada. If these lands had remained in the union there would have been about one million from Lower Canada, and five or six millions from Upper Canada towards the payment of the general debt.

We should have benefited to that amount by the extinction of so much of the public debt; instead of that, under the plan of the Government, Upper Canada is to have the

benefit of the five or six millions due on the lands sold in Upper Canada, whilst Lower Canada will only have one million of dollars at the outside. If it were only the public lands, there would be no injustice in leaving them to the local governments, but the difference in the amounts due on the lands sold gives a considerable advantage to Upper Canada. There is another very serious objection to the Constitution of the Legislative Council.

The honorable member for Montmorency [Joseph Cauchon] said that the Legislative Council would serve as a protection and safeguard to the interests of the French-Canadians, because in it we would have an equality of members with the other provinces. A curious equality that will be! That of which the honorable member for Montmorency [Joseph Cauchon] spoke when he pronounced himself in favor of two elective chambers, because in that case we should have one member in three, was infinitely preferable. In the Lower House we shall not have one member in three, nor shall we in the Upper House either, for we shall only have twenty-four councillors out of seventy-six. Thus we shall have equality neither in the Lower House nor in the Council.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—But then the General Government will nominate the councillors, and we shall be in a great minority in the Executive Council. Another objection is that the nomination of the legislative councillors on the recommendation of the Executive Council of the General Government, and this offers no guarantee for the institutions of Lower Canada, because the predominating influence in that Council will not be that of the majority of Lower Canada. To offer an effectual guarantee, it would be necessary that they should be elected by the people, or, at all events, only appointed on the recommendation of the local governments. These resolutions, we are told, are only as it were the headings to the chapters of the new

¹¹⁸ [The Seigniorial Amendment Act of 1859 \(Province of Canada, 1859\)](#).

Constitution, and the new Constitution may be anything else than what is now under consideration. It will come back to us in the form of an Imperial Act, to which we shall have *nolentes volentes* to submit.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Supposing even that the scheme should not be modified, I could not approve it. I cannot with a joyful heart give up the imprescriptible rights of the people who have sent me here to represent them. I cannot consent to a change which is neither more nor less than a revolution, a political revolution it is true, but which does not the less, on that account, affect the rights and interests of a million of inhabitants, the descendants of the first settlers in America, of those who have given their names to the vast regions which they discovered, and whose careers have been rendered famous by so many heroic traits.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I am opposed to this Confederation in which the militia, the appointment of the judges, the administration of justice and our most important civil rights, will be under the control of a General Government the majority of which will be hostile to Lower Canada, of a General Government invested with the most ample powers, whilst the powers of the local governments will be restricted, first, by the limitation of the powers delegated to it, by the veto reserved to the central authority, and further, by the concurrent jurisdiction of the general authority or government. Petitions, with more than 20,000 signatures attached to them, have already been presented to this House against the scheme of Confederation.

Numerous public meetings have been held in nineteen counties in Lower Canada, and one in the city of Montreal. Everywhere this scheme has been protested against, and an appeal to the people demanded; and yet, in defiance of the expressed opinions of our constituents, we are about to give them a Constitution, the effect of which will be to snatch from them the little influence which

they still enjoy under the existing union.

We are about, on their behalf, to surrender all the rights and

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privileges which are dearest to them, and that without consulting them. It would be madness—it would be more, it would be a crime. On these grounds I shall oppose this scheme with all the power at my command, and insist that under any circumstances it shall be submitted to the people before its final adoption.

Some Hon. Members—*Cheers.*

Joseph Cauchon [Montmorency]—Mr. Speaker, I received intelligence this evening that the Hon. member for Hochelaga [Antoine-Aimé Dorion] was about to reply to my speech of the 2nd of March, and that is why I came here. Otherwise, as I have not yet quite recovered, I should have remained at home; but I frankly acknowledge that if I had foreseen that I should have had to listen to such a speech as that which we have just heard, I should not have put myself out of the way for so little. Any one hearing him speak must have said: "Either he is not a very powerful reasoner, or this hon. member has but a poor idea of the intelligence of this House and but little respect for his colleagues." But for my two pamphlets and for the speech of the Hon. Solicitor General [Hector-Louis Langevin], which he read and commented upon as he knows how to do, he would very speedily have found himself aground; but by deriving assistance in the way I have mentioned, he contrived to find the means of speaking for three hours.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Is it necessary for me to repeat that I have never denied the opinions which I held in former days? Nor will I deny them to-night. I acknowledge freely that my opinions on certain matters have changed. Of what advantage, then, can it be to him to spend his time in repeating what I admit myself? If I proved to him that he had changed several

times himself, I did not do so to lay blame upon him, but to reproach him with denying his past career, in order that he might be more at his ease in that which he is at present following.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But, for that matter, what does it signify to the country that he or I held one opinion yesterday and that we hold another today? What the country requires to know is whether the scheme of Confederation which is submitted to us by the Government is good or bad.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The man who declares that he has never changed his opinion on any subject whatever is, to my thinking, a simpleton. The public requirements change with circumstances, and necessarily bring with them other ideas.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We do not eat when we are no longer hungry, nor drink when our thirst is satisfied. Did the hon. member, for instance, put in practice, when in power, the doctrine which he enunciated respecting the double majority¹¹⁹, when he was seated on the Opposition benches? When the House was engaged in debating a resolution, the object of which was to affirm the principle of the double majority, the present Hon. President of the Council [George Brown] having got up to say that he would never have governed Upper Canada by means of a Lower Canada majority, the hon. member for Hochelaga [Antoine-Aimé Dorion] rose in his turn to declare that he also would never consent to govern in opposition to the will of Lower Canada, And yet, in 1858, did he not enter a Cabinet which was refused by nearly all the members from Lower Canada?

Antoine-Aimé Dorion [Hochelaga]—I said that at the time of the formation of the Brown-

Dorion Ministry¹²⁰. I told the Hon. President of the Council (Hon. Mr. Brown) that I would not undertake to carry through the Legislature the four great measures which were then in question, without the consent of the majority of the representatives from Lower Canada.

Joseph Cauchon [Montmorency]—Ah, yes! An excellent reason can always be found for retaining power when we have it, in spite of our own declarations. In 1862, did he not form part of a Government situated in the same position? And from 1863 to 1864 did he not govern Lower Canada with a rod of iron, supported only by a weak Lower Canadian minority?

Antoine-Aimé Dorion [Hochelaga]—The only measure passed in 1863, that relating to [Separate Schools in Upper Canada](#)¹²¹, was carried by a majority in both provinces.

Joseph Cauchon [Montmorency]—That is not so, as the Upper Canadian majority voted against that bill, which owed its safety to Lower Canadians only. But it is the principle which is in question here, and the hon. member cannot divert the attention of the House from that fact. If the double majority was good in one case, it must be so in all cases, in legislation as in administration, but more especially in administration, which cannot and ought not to be based on anything except public opinion. Now, the hon member for Hochelaga [Antoine-Aimé Dorion] certainly governed his country despite the majority of its representatives.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—He has spoken to us of the petitions presented to this House against the scheme of Confederation,

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but what do those petitions amount to? The way in which they were covered with signatures is [well known](#)¹²².

¹¹⁹ *Supra* footnote 80.

¹²⁰ Led by George Brown & Antoine-Aimé Dorion (Aug. 2-Aug. 6, 1858).

¹²¹ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\)](#).

¹²² See the proceedings in the [Legislative Assembly from Mar. 8, 1865, p. 770](#). The letter in question came from Jean-Baptiste-Éric Dorion who wrote to a mayor from his constituency, asking for him to enclose as many petitions as possible against

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I shall here cite an anecdote relating to the parliamentary history of Upper Canada, at a period shortly before the Union. A member talking a great deal about petitions in a debate upon a bill. “Petitions!” said his opponent, “I will undertake within a fortnight to present a petition to this House praying that you may be hanged, and which shall be covered with good and valid signatures!” The challenge was accepted, and at the end of three weeks the petition arrived, praying for the hanging of the man who had so much faith in the virtue of petitions! How had it been obtained? By posting at a tavern situated at four cross-roads a skilful and knowing agent, who incessantly said to the frequenters of the tavern—“Do you like good roads?” “Yes.” “Well, then, sign this petition.” All signed, without reading it.

Some Hon. Members—Hear, hear, and laughter.

Joseph Cauchon [Montmorency]—Exactly in this manner were obtained most of the signatures against Confederation. At Montreal, agents went from tavern to tavern and induced all who were there to sign, or signed for those who resided in the vicinity without even consulting them.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Have we not also seen petitions coming from counties in which the Opposition were not even able to find candidates? They may easily obtain signatures of this description, and by this means; but that does not constitute an expression of the opinion of Lower Canada,

and those petitions will not carry elections. The hon. member ought to know something about it, he who was in power at the time of the last general election.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—He endeavored to explain away his contradictions by saying that he had never been in favor of the Confederation of all the provinces. I did not state that he was in favor of this Confederation of all the provinces; I only said that he was willing, as a member of the Brown-Dorion Government¹²³, in 1858, to have representation based on population, with checks, guarantees and assurances; that then, in 1859, he proposed as an alternative to that measure, in his [Montreal manifesto](#)¹²⁴, Confederation of the two Canadas; and then, in 1860-'61 he was ready to accept any possible change, even Confederation of all British North America.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—To prove that he was in favor of Confederation of all the provinces, I quoted one of his speeches, in which he said, on the 6th July, 1858:—

The repeal of the union, a Federal union, representation based on population, or some other great change, must of necessity take place, and for my part I am disposed to examine the question of representation based on population, with the view of ascertaining whether it might not be conceded with guarantees for the protection of the religion, the language and the laws of the Lower Canadians. I am likewise prepared to take into consideration the scheme for a Confederation of the provinces, &c., &c.¹²⁵

Then another, of the 3rd May, 1860, of which

Confederation by men, women, and children—the latter two not being electors and being part of the scandalous part of the revelation.

¹²³ Led by George Brown & Antoine-Aimé Dorion (Aug. 2-Aug. 6, 1858).

¹²⁴ The manifesto was signed in Montreal on Oct. 25, 1859. [“Meeting of Opposition Members of Parliament of Lower Canada,” *The Globe* \(Oct. 31, 1859\).](#)

¹²⁵ A.A. Dorion, Legislative Assembly (Jul. 6, 1858). Cauchon says the speech is from Jul. 6, 1858 and the extract was from the *Globe*. However, rather than the *Globe*, Cauchon’s words (in the French edition) align exactly from his own newspaper, the *Journal de Québec*. [“Canada. Québec, 12 Aout 1864,” *Journal de Québec* \(Aug. 13, 1864\).](#) His newspaper may be translating [“The Constitutional Crisis: A Federal Union vs. Representation by Population,” *The Globe* \(Jul. 8, 1858\).](#) See the French version of the debates [*Débats parlementaires sur la question de la confédération des provinces de l’Amérique du Nord* \(1865\), p. 699.](#) See also A.A. Dorion’s paper *Le Pays* for the whole speech. [“Assemblée Législative,” *Le Pays* \(Jul. 14, 1858\).](#) The words don’t align with Cauchon’s quote, but the content does.

I gave two versions, the first from the *Mirror of Parliament*, and the second from the *Morning Chronicle*, to which I was referred as being more authentic and more orthodox by the organ of the hon. member for Hochelaga [Antoine-Aimé Dorion]:—

I hope, however, that the day will come in which it will be desirable for Canada to federate with the Lower Provinces, etc....

Those in favor of a Federal union of the provinces must see that this proposed Federation of Upper and Lower Canada is the best means to form a nucleus around which the great Confederation of all the provinces could be formed in the course of time.¹²⁶—[Mirror of Parliament](#).

I look upon the Federal union of Upper and Lower Canada as the nucleus of the great Confederation of the Provinces of North America to which all look forward. I believe that time will bring about the union of all the provinces.¹²⁷—[Morning Chronicle](#).

Could anything be more explicit?

Antoine-Aimé Dorion [Hochelaga]—The word “he” is not in the report.

Joseph Cauchon [Montmorency]—No; and I corrected that error the other night; but I maintained with reason that the words “to which all look forward” meant that all persons directed their attention towards Confederation. Now, if all persons expect Confederation; if all persons direct their attention towards it as towards the promised land, the hon. member for Hochelaga [Antoine-Aimé Dorion] must be included to a small extent in this term “all persons.”

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Did he not, moreover, declare that the Confederation of the two Canadas, which he proposed, was to be but the nucleus of the great Confederation, the necessary nucleus for the Confederation of all the American Provinces, which we are considering at present?

Antoine-Aimé Dorion [Hochelaga]—I did not say the necessary nucleus.

Joseph Cauchon [Montmorency]—The hon. member always seeks loop-holes by which to escape from his speeches and to evade the consequences of his past opinions; but as I

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did not interrupt him, I hope that he will not interrupt me either. [Did he not say the other day:](#)—

Of course I do not say that I shall be opposed to their Confederation for all time to come. Population may extend over the wilderness that now lies between the Maritime Provinces and ourselves, and commercial intercourse may increase sufficiently to render Confederation desirable.¹²⁸

Is not this admitting everything? Is it not saying that there is nothing between us but a question of time and of expediency? Why then should he make the opinions of us, the majority, such a crime, when he himself arrives, at the end of a four hours’ speech, at the conclusion that Confederation will be good or necessary at a time which is more or less near? In his manifesto against the scheme of Confederation he adheres so far to his previous opinions as to consider the scheme which is submitted to us as merely premature. There again, then, it was only a question of time, and in declaring himself to-day opposed to Confederation, he therefore changes his opinion as to the very basis of the question. I do not cast it up to him as a reproach; for, as I said but a minute ago, he who maintains that he has never changed, conveys but a poor opinion of his judgment and of his aptitude for public affairs. Events, in changing, absolutely compel men to change also.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—A general was once boasting to the great Turenne that he had never committed an error of strategy. “He who boasts that he has never been mistaken,” returned Turenne, “proves thereby that he knows nothing of the art of

¹²⁶ [A.A. Dorion, Legislative Assembly \(May 3, 1860\). Thompson’s Mirror of Parliament, Issue No. 39 \(May 3, 1860\).](#)

¹²⁷ [A.A. Dorion, LA \(May 3, 1860\). “Provincial Parliament,” \[Quebec\] Morning Chronicle \(May 4, 1860\).](#)

¹²⁸ [A.A. Dorion, LA \(Feb. 16, 1865\), p. 248.](#)

war.”¹²⁹ These words, which are full of wisdom, may be applied to the hon. member for Hochelaga [Antoine-Aimé Dorion], who, by his persistence in maintaining that he has never contradicted himself nor been mistaken, proves that he is no statesman.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But, I say it again, it would have been better for him to lay aside personal questions.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—On the 6th July, 1858, he said:—

Before long it will become impossible to resist the demand of Upper Canada. If representation based on population is not granted to her now, she will infallibly obtain it hereafter, but then without any guarantee for the protection of the French-Canadians.¹³⁰

But to-day he changes his opinion. Then he was willing to grant representation by population, or Confederation based on the same principle. It had to be conceded in order that we might not be carried away by the tempest. But today, according to his showing, the storm no longer threatens; the whole sky is calm and serene; public opinion in Upper Canada no longer threatens to break asunder the frail bands of the union, and changes are useless. Ah! and yet we have had as many as three ministerial crises in one year.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—He mistakes then; the difficulties have but increased, and it is better to-day to provide against the storm, than to be carried away by it at a later period. The greatest wisdom directs its efforts, not to cure the disease, but to prevent it; this truth is as applicable to politics as it is to medicine.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The hon. member for Hochelaga [Antoine-Aimé Dorion] talked to us of conflicts between the

Federal Parliament and the local Houses, and of the sovereign power of the Central Government over the legislatures of the provinces. But what, then, is this sovereign power over the attributes of the provincial legislatures? If it exists it must be in the Constitution. If it is not to be found there, it is because it does not exist. He says that the Federal Legislature will always predominate; and why? Who then will decide between the one and the others?—the judicial tribunals being sworn to respect the laws and the Constitution in their entirety, and charged by the very nature of their functions to declare whether such a law of the Federal Parliament or of the local legislatures does or does not affect the Constitution.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—There will be no absolute sovereign power, each legislature having its distinct and independent attributes, not proceeding from one or the other by delegation, either from above or from below. The Federal Parliament will have legislative sovereign power in all questions, submitted to its control in the Constitution. So also the local legislatures will be sovereign in all matters which are specifically assigned to them. How is the question of a conflict now settled in the United States, when it arises between the legislation of Congress and that of individual states? I do not speak of the present time when nearly the whole of the territory of that great country is under military rule, and overrun in every direction by an army of 500,000 soldiers. I allude to what occurs in their normal condition.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—The sovereign power is vested in the Federal Government with respect to all Federal matters, and in the states with respect to all matters connected with their special attributes. By

¹²⁹ Turenne. Unconfirmed reference.

¹³⁰ A.A. Dorion, Legislative Assembly (July 6, 1858). *Supra* footnote 125. See the French version of the debates [Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord \(1865\), p. 700.](#)

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reading Storey, or rather the Constitution, the hon. member will ascertain that the states are not paramount with respect to questions of war and peace, the tariff, trade, treaties and all relations with foreign countries. Their authority is void so far as relates to those questions, and the sovereign power is vested exclusively in the Federal Government. If any conflict arises between the Federal Legislature and that of the states, it is decided by the judicial tribunals. I am not aware that any difficulty of this nature has ever arisen, and so far as relates to the legislative attributes of the states, that Federal legislation has ever predominated over local legislation.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Why then should the case be otherwise so far as we are concerned? Is it because we are differently constituted, and because our nature is subservient to other laws? These are wretched arguments, and he has even been reduced to splitting hairs since he has attended the school of the member for Brome [Christopher Dunkin], whose place he almost fills since he has been ill.

Some Hon. Members—*Laughter.*

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] considered [my first pamphlet](#)¹³¹ much better written than [my last](#)¹³², doubtless for the same reason that he considered my speeches of 1858 greatly superior to that which I delivered here the other day. He thinks now as I thought in 1858; he has therefore receded by six years. Alluding to [my speech of the 2nd March](#)¹³³, he appears to impute it to me as a crime, that I yielded to the influence of my relations with the delegates from the Maritime Provinces, and that under the action of that influence, I changed my opinions respecting Confederation. I admit the fact of that influence legitimately exercised. We lose

nothing by coming in contact with intelligent men.

The members of this House, who last autumn visited those provinces, returned amazed at what they had seen. They were convinced that those provinces were possessed of great resources. Contact with the most eminent men of those countries could be productive of no evil, and the hon. member would have gained by it. Perhaps if he had experienced that contact, he would not to-day have recourse to the means which he is employing to cast discredit on the scheme of Confederation, and to cause it to be rejected.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Among those men there are some who are endowed with magnificent abilities, and at whose side I should be happy and proud to sit in a deliberative assembly.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Yes, we were gainers by coming in contact with them, and I venture to believe that, on their parts, they were divested of many prejudices which they may possibly have entertained against us, just as we had some such against them. The hon. member quoted certain articles from the *Journal de Québec* of 1856 and 1858 to prove that I said that then the Government was the worst I had ever seen. Perhaps I was right at the time, but I could not say the same thing since it has been my lot to look upon the hon. member's Government!

Some Hon. Members—Hear, *and laughter.*

Joseph Cauchon [Montmorency]—If there was ever a tyrannical and dishonest Government, it was certainly that of 1863, and accordingly it succumbed before the attacks of all honest men. Except for some accident, such as that which occurred in 1862, who ventures to hope to see the hon. member return to power?

Some Hon. Members—Hear, hear.

¹³¹ [Joseph Cauchon, *Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord* \(1858\).](#)

¹³² [Joseph Cauchon, *l'Union des Provinces de l'Amérique Britannique du Nord* \(1865\).](#)

¹³³ [Joseph Cauchon, *Legislative Assembly* \(Mar. 2, 1865\), pp. 555-584.](#)

Joseph Cauchon [Montmorency]—He told us that it was not expedient to change the Constitution without first having recourse to an appeal to the people. But the first question to be decided is the constitutional question, and the question of expediency and convenience comes after. He talks to us without ceasing of consulting the electors. His doing so maybe easily understood; on the elections rest his only hopes. Always deceived in every election, he hopes, but hopes in vain, that the next will give him the victory. He ought to know, however, that our Constitution is constructed upon the model of the British Constitution, and that members do not and cannot receive an imperative order from their electors. Each representative, although elected by one particular county, represents the whole country, and his legislative responsibility extends to the whole of it.

If, therefore, I am convinced that any legislative measure presented by the Government or by a member of this House, is of a nature to save Lower Canada, I must vote for that measure, even though my constituents are opposed to it. My electors might punish me afterwards, but they could not impose upon me duties which I consider to be entirely beyond their jurisdiction, and to relate to the very Constitution of the country.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If there are any members who consider that the scheme of Confederation is a bad one and opposed to the interests of Lower Canada, even if the majority of our people think otherwise, it is their duty to oppose it on precisely the same principle. They may also, if they choose, demand an appeal to the people. But would they be justified in so doing, and ought this House

• (p. 699)

to demand it simply in order to compensate for that absence of opposition which gives incessant trouble to the hon. member for Hochelaga [Antoine-Aimé Dorion]?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] spoke of public meetings held in certain counties in the district of Montreal; but those meetings are far from possessing the importance which he assigns to them. We all know how they can be got up everywhere, and what they amount to. However the case may be there, there have been none such in the district of Quebec, and even in the district of Three Rivers, against Confederation, and it cannot be said that the members who represent those districts, and who vote for this measure, are acting in opposition to the wishes of their constituents. Such meetings are only found to occur in the district of Montreal, where the party of the honorable member is most strongly represented; but an opinion may be formed as to those meetings from what is going on at Quebec at this moment. While the whole body of citizens are calling for the suspension of the present municipal council, some individuals interested in keeping it in authority are calling public meetings in the nooks and corners of the suburbs.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The honorable member made tremendous efforts to prove that the interests of our religion, our nationality and our institutions would be in a position of much greater safety in his hands than they would be in those of the majority. For my part, I am willing to leave to public opinion the care of deciding that question; and as he declares himself to hold that opinion in great respect, I must suppose that he will agree with me on this point.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I would not assert that the honorable member is himself personally hostile to the religion and the institutions of Lower Canada; but I may say that all the tendencies of the party which he represents are adverse to those same institutions.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—There is sufficient proof of this in the writings and the

acts of that party. As to my opinion respecting Confederation, I may repeat here what I have already said on a former occasion, and that is, that no one knew what that opinion was, how I should write, and on what side I should write, when I began my work. I kept silence that I might not be annoyed either by friends or by opponents, and in order that I might be able to judge of the question in the fulness of my liberty.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—Mention has been made of the dangers of Confederation. I know that every question has its dangers, and it is probable that this one presents some such in the same way as all others do; but the greatest danger that we could incur would be the bringing on of a conflict between the Catholics and Protestants, by appeals like those which certain members on the left have made to the religious passions of our population.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—In what position should we find ourselves, we Catholics, if we provoked such a conflict? The 258,000 Catholics of Upper Canada are represented in this House by but two members, those for Cornwall [John Sandfield Macdonald] and Glengarry (Hon. J. S. and Mr. D. A. Macdonald), whilst the Protestants of Lower Canada are represented by fifteen or sixteen members; and in case of a conflict between the Catholics and the Protestants, what would become of us?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—From the justice, the wisdom and the liberality of our acts alone have we hitherto found our strength and our protection to proceed, and from them shall we again find them to proceed under Confederation.

Some Hon. Members—Hear.

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-

Aimé Dorion] quoted a garbled portion of my [first pamphlet](#)¹³⁴, to give it a meaning which it does not convey; he then accuses me of having changed my opinion as to the Constitution of the Legislative Council. But I can tell him that I have never changed my opinion on that question; I have never been in favor of the elective principle being applied to the Legislative Council; and if in 1858 I prepared and introduced the law which changed the constitution of that body, it was only that I might gratify the universal opinion which desired an elective Legislative Council.

But, the honorable member for Hochelaga [Antoine-Aimé Dorion] will reply, did you not [write in 1858](#):—

The best possible condition under which Confederation could exist would be that in which the two chambers would be elective, and would both have population as the basis of their number; for no other system, excepting that of having but one chamber only, with the number of its members based on population, would give us absolutely one vote in three in the Federal Legislature.¹³⁵

Was the question then whether the elective principle was preferable to that of appointment? No; we were discussing a question of much greater importance, that of ascertaining in what condition of constitutional existence we should find the greatest protection,

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and having to select from two alternatives, numbers or the State, I preferred numbers, because it would have conferred upon us a larger share of representation and of influence. [The words which follow](#), and which I will give, clearly prove my thought at that time:—

The Constitution of the United States, on which, perhaps, ours would be modeled, would not give to us Lower Canadians the same protection and the same guarantee of safety, as by it we should in reality enjoy a little protection only in the House of Representatives, in which we should

¹³⁴ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amérique du Nord \(1858\).](#)

¹³⁵ [ibid., p. 15.](#)

be one to three.¹³⁶

Thus the protection would have been vested in the Legislative Council itself, if it had been created on the principle of the State and not of numbers. To shew that my mind was then filled with but one idea, that of obtaining the greatest share of influence in the Federal Legislature for Lower Canada, by any constitutional system whatever, I also wrote in [the same pamphlet:—](#)

Under the Federal principle, small and great provinces will carry equal weight in the single (general) legislature; the little island of Prince Edward as much as the twelve hundred and fifty thousand souls of Lower Canada.¹³⁷

Having no information to go upon, I then thought that the American system would be adopted, which gives in the Federal Senate to the little states of Rhode Island, Jersey, Maine, Vermont and Connecticut the same representation as it gives to the large states of New York, Pennsylvania and Ohio. But the scheme that we have before us proves that I was mistaken, as Prince Edward's Island, instead of having as many representatives in the Legislative Council as we shall have, will only have one-sixth of the number. For the purpose of representation in the Legislative Council, the three Atlantic Provinces are grouped together, and are to be represented together by but twenty-four votes, just the same as Lower Canada.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—As the question was as to the establishment of equilibrium between the provinces, if the scheme of the Quebec Conference gives me the same result as an elective Legislative Council, what contradiction is there in my returning to the nominative principle, which I always preferred to the elective principle? The conditions of equilibrium being the same, I give the preference to the principle which confers on legislation the best guarantee of

wisdom and mature judgment.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But supposing—what is not the case—that I had contradicted myself, in what way could my contradictions have affected the merits of the question under discussion? If it can be proved that my opinions of to-day are not based on reasonable grounds, let it be proved. If it cannot be proved, do not let anyone imagine that he has answered me by saying: “You thought differently six years ago.” Because I reasoned in 1858 on hypotheses which are controverted by facts to-day, must I then, in order to appear consistent, adhere to those suppositions which substantive truths so completely contradict?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The hon. member for Hochelaga [Antoine-Aimé Dorion] told us that the Constitution of the Belgian Senate is less conservative than that of the Legislative Council which we propose to establish under the Confederation, because the members of the Belgian Senate are in part changed every four years. To this I reply, that the conservative principle may be found elsewhere than in the manner of selecting the councillors or the senators, and that in Belgium it is found in the excessively high standard of qualification which is required of candidates for the Senate; so much so that only men of large fortune, who are everywhere few in number, can aspire to enter it. In Belgium the Constitution requires that there shall be one man qualified in every six thousand souls of population, and that man must pay one thousand florins of direct taxes. Will it be said that the Belgian Senate, so constituted, is not more conservative than our Legislative Council will be—the Belgian Senate, in which none can sit but very rich men and large landed proprietors?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—I am

¹³⁶ [Joseph Cauchon, Étude sur l'Union Projetée des Provinces Britanniques de l'Amerique du Nord \(1858\), p. 15.](#)

¹³⁷ [ibid., p. 11.](#)

answered that one-half this Senate is renewed every four years, and that the Crown may dissolve it at pleasure. But can the Crown prevent men of large fortune and large landed proprietors from entering it? It is proved that it is with difficulty that there can be found in the House of Lords any scions of the great families who flourished there under Charles II; but that House is constantly recruited from among the territorial nobility and from among men who render great political or military services to the state. By renewing it thus with the same elements, does the Crown take away its conservative character?

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The hon. member stands in perpetual dread of conflicts and disagreements. Supposing that the House of Lords had persisted in its opposition to

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the [Reform Bill](#) in 1832¹³⁸, what would have happened if William IV had refused to overwhelm it by numerous nominations to the peerage? Does anyone believe that it would have persisted to the last? No; after having long resisted, it would have bent before the storm which threatened to sweep it away.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—In 1832 the struggle was between the great proprietors and the middle classes, who wished to make their way; for the English people, properly termed the populace, have no political privileges; they are of no account in the Constitution, they hold no political position, and have no energy for the struggle, which, moreover, would not be productive of any benefit to them. It resembles in no respect the populations of the great towns in France, which make and unmake governments by insurrections or revolutions. In England it is the middle classes who make revolutions or

who threaten to make them. Growing richer daily, they advance slowly but surely towards the securing of political privileges and immunities. [The Radical school of Manchester](#)¹³⁹ at bottom wishes for nothing more, although it asserts that it is desirous of obtaining privileges for the people.

If the great nobility, in 1832, offered such determined opposition to the Reform Bill, it was because they feared that it would annihilate their influence and place them at the mercy of the will of the masses. But we have no caste here, and fortune, like political honors, is the property of every man who labors to attain it. Here every one, if he chooses, can almost without an effort become a proprietor and possess the right of having a deliberative voice in the discussion of national questions of the highest importance.

To be a legislative councillor it will be sufficient to possess real estate of the value of four thousand dollars. The legislative councillors will form part of the people, will live with the people and by their opinions, and will know and appreciate their wants; the only difference that there will be between them and the members of the House of Commons will be, that being appointed for life, they will not be as directly brought under external influence; that they will have more freedom of action and of thought, and that they will be able to judge with greater calmness of the legislation which will be submitted to them. For what reason then would they provoke contests which would neither be conducive to their interests nor in accordance with their feelings; they will not, like the House of Lords, have privileges to save from destruction. In the Constitution they will have but one part to play, that of maturing legislation in the interests of the people.

The hon. member for Hochelaga [Antoine-

¹³⁸ [Reform Act \(U.K., 1832\)](#), *Supra* footnote 116.

¹³⁹ [The Manchester School](#) refers to a nineteenth century libertarian and laissez-faire capitalism. It challenged protectionism and in 1846 successfully dismantled Britain's Corn Laws. It was a political movement led by a rising middle class of London Merchants, named after the Anti-Corn Law League in Manchester, UK. It's not formally committed to any economic theory, save for economic freedom.

Aimé Dorion] said in [his last manifesto](#)¹⁴⁰, and repeated here, that if we applied to England to amend our Constitution, we should expose ourselves to having alterations, for which we do not ask, made by some mischievous hand. The thing is possible I admit. It is possible, as it is also possible for the Imperial Parliament to change our Constitution without even waiting for us to take the initiative, as it did in [1840](#)¹⁴¹, but if there is any harm now in asking Great Britain for the Confederation of all the provinces, because she may subject us to something which is not contained in the scheme, why did the member for Hochelaga [Antoine-Aimé Dorion] wish for constitutional changes in 1858?

Did he hope to change the [Constitutional Act of 1840](#)¹⁴² without the concurrence of the Imperial Parliament? And will he be good enough to tell us by what supernatural proceeding he hoped to succeed in doing so? If there is danger in 1865, there must also have been danger in 1858. Why then should he, to day, impute to others as a crime that which he wished to do himself then? Has he forgotten all that? Does he wish to deny it? Differing slightly from the Bourbons, he has learned nothing and has forgotten everything.

Some Hon. Members—Hear, *and laughter*.

Joseph Cauchon [Montmorency]—To frighten us, he also spoke of direct taxation, to which we should have to submit, if we had Confederation. Now, in [his constitutional scheme of 1858](#)¹⁴³, with which we are all acquainted, he gave to the Federal Government the customs revenue. We should, therefore, have had to have recourse to direct taxation to meet the expenditure of the local governments. The plan of Constitution which is submitted to us treats us better than that, for it gives us enough, and more than we require, to ensure the easy working of the local organizations.

Luther Holton [Chateauguay]—Hear! Hear!
George-Étienne Cartier [Montreal East, Attorney-General East]—Yes, hear! Hear! Just so!

Joseph Cauchon [Montmorency]—The hon. member for Chateauguay [Luther Holton], who cries “Hear, hear,” ought to be satisfied if he thinks himself in the right; for when he was Minister of Finance [Alexander Galt] he told us that in order to fill up the deficit left by his predecessors, he must necessarily have recourse to direct taxation.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The hon. member for Hochelaga [Antoine-Aimé Dorion] has long wept over the misfortunes

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of his country. He has long lamented, like Jeremiah, over the thought of the disasters which were overwhelming it. And at last, in 1858, enlightened by the intelligence of his luminous friend the member for Chateauguay [Luther Holton], he thought he had discovered in direct taxation the remedy for the evils which were bringing it to its grave.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—But to-day he rejects a scheme which may save the country without its being necessary to have recourse to this extreme and objectionable remedy.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—If the scheme becomes law, not only shall we have a sufficient revenue to meet our local expenditure, but we shall also have a surplus with which, if we practise wise economy, to pay off by degrees the residue of the debt which will remain to us. The hon. member for Hochelaga [Antoine-Aimé Dorion] tells us that Lower Canada will be burthened with a local debt of more than \$4,500,000; but we

¹⁴⁰ Dorion’s letter to the voters of Hochelaga (Nov. 7, 1864). [A.A. Dorion, “Aux Electeurs du Comté d’Hochelaga,” *La Minerve* \(Nov. 11, 1864\).](#)

¹⁴¹ [The Union Act, 1840 \(U.K\).](#)

¹⁴² [ibid.](#)

¹⁴³ The editors believe this is referring to [the debates on repealing the Union Act in 1858.](#)

have clear and palpable proof that the debt of Canada, deducting the part of the Sinking Fund which has been paid, amounts to only \$67,500,000. Now our share of the Federal debt is established at \$62,500,000. There will consequently remain less than \$5,000,000 to be divided between the two Canadas, and all the arguments of the hon. member will not change so incontestable a fact as this.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We do not get these figures from the Hon. Minister of Finance [Alexander Galt]. They are given to us by a man who is perfectly independent of all Ministers and of all parties—a man whom I myself formerly reproached with being too much so; I allude to Mr. Langton, the Auditor of Accounts.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—We do not yet know, it is true, how this debt of four millions and some hundred thousand dollars will be divided between the two Canadas, but we do know, without any possibility of doubt, that the local revenues will belong to the local governments, and that they will amply suffice for all their requirements.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The honorable member for Hochelaga [Antoine-Aimé Dorion] complains that Upper Canada retains her public lands and what is owing to Government on those lands, and he maintains that Lower Canada ought to have her share of what those lands produce. But did those lands belong to us before the union, and have we not our own public lands, together with the revenue accruing from them? Have we not more lands to settle than Upper Canada? Since the discovery of our gold and copper mines the amount produced by the sale of our public lands has increased fivefold, whilst Upper Canada has hardly any land left to sell. Let our minds be opened, and we shall find that we have no reason to envy Upper Canada.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—Everything is well adjusted; for if we have a less considerable revenue than Upper Canada, our population is also less numerous. Upper Canada possesses a more considerable revenue, but one which must diminish with the decrease of the quantity of land to be sold, whilst we have a revenue which is gradually increasing.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—The hon. member would no doubt hand over the public lands to the Confederation so as to be in accordance with his plan of 1859, as set forth in [the Montreal manifesto](#)¹⁴⁴; but I am certain that Lower Canada does not share his opinion. He talked to us also of marriage and divorce. He said: “Now, you will not vote directly for divorce, but you vote to establish divorce courts.” Well! No one condemns divorce more than I do myself, and I am convinced that the hon. member for Hochelaga [Antoine-Aimé Dorion] would accept it sooner than I would. But if no mention was made of divorce in the Constitution, if it was not assigned to the Federal Parliament, it would of necessity belong to the local parliaments as it belongs to our Legislature now, although there is not one word respecting it in the [Union Act](#)¹⁴⁵. For my part, I would rather see that power removed to a distance from us, since it must exist somewhere in spite of us.

Some Hon. Members—Hear, hear.

Joseph Cauchon [Montmorency]—These reasonings on the question of marriage are extraordinary to a degree, coming from a man holding a position at the bar. They are so extraordinary, and so inconsistent with all logic and all law, that I shall not take the trouble of controverting them. The explanations of the Government have satisfied me on that point. The legislative power of the Federal Parliament in relation to marriage will only be that which is conferred by the

¹⁴⁴ [Montreal Manifesto \(Oct. 25, 1859\)](#).

¹⁴⁵ [The Union Act, 1840 \(U.K.\)](#).

Constitution, notwithstanding the singular assertions of the honorable member.

Some Hon. Members—Hear, hear, *and cheers*.

On motion of Thomas Parker [Wellington North], the debate was then adjourned.

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



TUESDAY,
MARCH 7, 1865

The Order of the Day being read for resuming the adjourned debate on Confederation, —

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the

purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.¹

• (p. 703)

John A. Macdonald [Kingston, Attorney-General West] *said*: Before the debate is resumed, I wish to say a few words. I would call the attention of the House to the telegram received today—which is rather confused in its terms—with reference to a debate in the House of Lords on the subject of the defences of Canada. According to [this telegram](#), “Earl De Grey, Secretary of State for War, admitted the importance of the question, but regretted that any doubt should be expressed of the conciliatory intentions of the Americans. The Government would ask a vote of £50,000 for the Quebec defences, while the Canadians would undertake the defences of Montreal and westward.”² The amount, according to [another statement](#), is £30,000³. The figures are apparently a mistake for £300,000.

My object in rising was to state that so far as we could gather from this confused summary of the debate, the Imperial Government were about to ask a certain amount for the defences of Quebec, while the Canadians would undertake the defence of Montreal and the country westward. I may state it is quite true that the Imperial Government made a proposition some time ago to the effect that they were willing and prepared to recommend to Parliament a vote for the defence of Quebec, as is here stated, provided this province undertook the defence of Montreal and points westward. Negotiations have been going on on this question between the Imperial Government and the Canadian Government ever since, and I think that there is every

¹ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 180](#). Inserted for completeness. The Hunter & Rose version starts with “The Order of the Day being read for resuming the adjourned debate on Confederation” and then skips ahead to Macdonald’s speech. We have inserted the motion being debate in between for clarity sake.

² [“Midnight Despatches,” Montreal Herald \(Mar. 7, 1865\)](#). The wording is almost verbatim. In the Lords’ debate, Earl De Grey, mentions that £200,000 is to be the full amount—£50,000 being for this year alone. [UK, House of Lords, “Defences of Canada—Reports of Colonel Jervis—Question” \(Feb. 20, 1865\), vol 177, cc 416-40](#).

³ [“By Telegraph,” \[Quebec\] Morning Chronicle \(Mar. 8, 1865\)](#).

reason to believe that these negotiations will result most favorably, and that arrangements will be made in a manner such as to secure the defence of Canada, both east and west, in a manner such as to ensure the fullest protection to the country, and as at the same time will not press unduly on the energies of the people.

Some Hon. Members—Hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, those negotiations are still proceeding—(they have not yet concluded)—and it must be obvious to every honorable member who has read this short synopsis of the debate in the Imperial Parliament, that it is of the greatest possible importance that Canada should not be unrepresented in England at the present time.

Some Hon. Members—*Cheers.*

John A. Macdonald [Kingston, Attorney-General West]—It must be evident to all that some of the leading members of the Administration should be in England at this juncture, for the purpose of attending to Canadian interests, and of concluding these negotiations without any loss of time whatever.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—It is desirable, as I stated yesterday, that the two questions of Federation and Defence should be discussed at the same moment, and that the opportunity should be taken of exactly ascertaining the position of British North America with respect

to her degree of reliance on the Imperial Government in a political sense, as well as with regard to the question of defence. Therefore, there should not be any loss of time whatever, and with that view the Government would ask this House—as the discussion has already gone on to a considerable length, and a great many honorable gentlemen have spoken on the subject—that it will offer no undue delay in coming to a conclusion in this matter. Of course the Government would not attempt to shut down the floodgates against all discussion; but they would merely ask and invite the House to consider the importance of as early a vote as the house can properly allow to be taken upon this question.

It is for the House to determine whether the Federation scheme which has been proposed by the Government and laid before the House is one which, with all its faults, should be adopted, or whether we shall be thrown upon an uncertain future. In order that the House may at once come to an understanding in the matter, I shall, as [I stated yesterday](#)⁴, take every possible step known to parliamentary usage to get a vote as soon as it can conveniently be got, and I have therefore now to move [the previous question](#)⁵.

Some Hon. Members—*Ironical Opposition cheers and counter cheering.*

John A. Macdonald [Kingston, Attorney-General West]—I move, sir,

| That the main question be now put⁶.

⁴ [John A. Macdonald, Legislative Assembly \(Mar. 6, 1865\), p. 649](#). Macdonald said, “[...] *we feel it all the more necessary now to call for prompt and immediate action. The Government will, therefore, at once state, that it is our design to press, by all proper and parliamentary modes of procedure within our power, for an early decision of the House—yes or no—whether they approve of this scheme or do not.*”

⁵ [Rule no. 35 the Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Canada, adopted by The House, in the 3rd Session of the 6th Parliament, and revised in subsequent Session \(1866\)](#), read in full by the Speaker below, once moved, precludes only “amendments” until the Previous Question is decided. And, according to Rule no. 19 (“Routine Business”), “*The Order of Business for the consideration of The House, day by day, after the... Daily Routine, shall be... Monday: Private Bills, Questions put by Members, Notices of Motions, and Public Bills and Orders; ... Wednesday and Thursday (Until the hour of 6 o’clock, p.m.): Questions put by Members, Notices of Motions...*” Members were able to continue debate until the latest possible time of Thursday, Mar. 10, 1865. Although the opposition may have attempted numerous amendments, this motion was consistent with the Ministry’s up or down vote on the proposed confederation scheme. Given the arduous negotiations at Quebec, the ministry consistently described the proposed scheme as a treaty and should either be adopted in full or not.

⁶ *Supra* footnote 5. The motion, “that the question be now put” is effectively a closure motion, which may be used to bring the debate on a particular motion. If the House votes in favour of a motion “that the question be now put,” the motion which is then under debate is “*put forthwith, without any amendment, or debate.*” In this case, [the main question was John A.](#)

Some Hon. Members—*More cheering.*

John A. Macdonald [Kingston, Attorney-General West]—Honorable gentlemen opposite know very well that my making this motion does not in any way stop the debate⁷.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—The House will be gratified to hear, and will still have an opportunity of hearing, from the honorable member from Chateauguay (Hon. Mr. Holton), who cries “Hear, hear,” an expression of opinion whether this scheme is so objectionable that the House would be wise in rejecting it, with nothing now offered as a substitute, and no future to look to. It will afford us all great pleasure to hear the honorable gentleman say whether we should adopt this scheme. There is an independent motion on the paper of my honorable friend from Peel (Hon. J.H. Cameron)⁸. My motion does not interfere with that. But if the House should consider that this scheme ought to be adopted, my honorable friend will then have an opportunity of proposing his motion.

Some Hon. Members—Hear, hear.

The Speaker—If honorable gentlemen

desire it, I will read the rule of the House as to the previous question. [The 35th rule of the House](#) is as follows:—

“The previous

- (p. 704)

question, until it is decided, shall preclude all amendments to the main question” —

Some Hon. Members—*Ironical Opposition cheers.*

The Speaker—

“and shall be in the following word,—‘That this question be now put.’ If the previous question be resolved in the affirmative, the original question is put forthwith, without amendment or debate.”⁹

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Mr. Speaker, I second the motion.

Some Hon. Members—*Derisive Opposition cheers.*

The Speaker—The motion is that this question be now put¹⁰.

Luther Holton [Chateauguay]—I shall not on this occasion, sir, make any remarks as to the mode of proceeding adopted by the

[Macdonald’s February 3 motion for an Address to Her Majesty](#). Once he had moved “that the question be now put,” the House began to debate whether it was appropriate to bring to an end the debate on the “main motion” (ie on the motion to endorse the Address to Her Majesty).

[On March 10, the Assembly voted in favour of the motion](#) “that the question be now put.” Once this had happened, a second vote immediately took place on the February 3 motion. With both questions resolved in the affirmative, the confederation scheme had now been formally endorsed. [On March 13, a select committee was formed to draft the address to Her Majesty](#), and laid at the foot of the Throne later that day.

The standing order regarding “the previous question” may be found in [Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Canada, adopted by The House, in the 3rd Session of the 6th Parliament, and revised in subsequent Sessions. \(1866\), Rule no. 35.](#)

⁷ See also [Feb. 3, 1865](#). Before placing the motion for an Address to Her Majesty on uniting the colonies, John A. Macdonald outlined on Feb. 3, 1865, that the Address to Her Majesty on confederation will be held day to day, at half-past seven with the Speaker remaining in the Chair (i.e., that the debate would not be proceeding by “committee of the whole”), but the rules limiting members to speak more than once would be suspended (as they are in “committee of the whole”). This provided anyone in the House with the liberty to speak as long and as many times as they wished. But it also equipped the Ministry with House standing rules, providing the option of immediately closing debate and amendments with the “Previous Question” rule.

⁸ Since the “Question be now put” was resolved in the affirmative—see [Mar. 10, 1865 for the division—Mr. Cameron’s motion proceeded on Mar. 13, 1865](#). It sought to amend the proposed Address to Her Majesty to include a direct “constitutional appeal... be made to the people, before these resolutions are submitted for final action thereon to the consideration of the Imperial Parliament”. The proposed amendment was negatived with a division of 84-35 on p. 1020.

⁹ *Supra* footnotes 5 and 6.

¹⁰ *ibid.*

Honorable Attorney General West [John A. Macdonald], further than this, that a friend, an honorable member of this House, intimated to me yesterday that this course was likely to be pursued by the Government in order to crowd this measure through the House. I scouted the idea. I thought it was impossible that a government, numbering in its ranks public men who have played a prominent part in the parliamentary history of this country for some years, could resort to so base a trick—

Some Hon. Members—*Cheers and counter cheers.*

Luther Holton [Chateauguay]—after having introduced this measure in the manner they have done, after having introduced it in a most unparliamentary and unconstitutional manner, and seeing that amendments would be made to several of the propositions contained in the resolutions adopted by the Conference which assembled in Quebec, they shut off all opportunity to amend the measure by moving the previous question.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Why was it not stated by the Honorable Attorney General West [John A. Macdonald] himself that we would be able to get at the sense of the House upon every one of the propositions, by moving amendments?

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—In full confidence that that pledge would be kept, when my honorable friend who sits near me told me he had reason to believe that this very course was in contemplation, I repeat I scouted the idea.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I shall not offer any further observations on this point at the present moment, beyond remarking that if the object be to curtail debate, as the honorable gentleman says it is,—if his real motive be in truth to arrive at an early vote upon this question—his own statement shows how utterly futile his motion is to accomplish that end. It was not at all necessary that the honorable gentleman should have told us that

we may discuss the previous question.

We are now, by a compact which I presume will not be violated—although I do not know what attempt will be made next—we are practically in Committee of the Whole, with liberty to speak as often as we please on this question. Therefore, the object stated by the honorable gentleman cannot be attained—but another object can be and will be attained; they will take their followers, whom they have already led on to do things of which they will bitterly repent when they come face to face with their constituents, and drag them still further through the mire—

Some Hon. Members—*Cheers and counter cheers.*

Luther Holton [Chateauguay]—by depriving them of the opportunity of putting on record their views, even in the inconvenient form of amendments, upon the various propositions which are proposed to be embodied in this Address to the Crown.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Sir, the honorable gentleman says that the information received by telegraph in reference to the defences renders it necessary that an early decision should be come to in the matter of Federation. But what has been the course of the honorable gentlemen opposite, throughout this debate, when the subject of the defences has been referred to? When we have said—“Put us in possession of the necessary information to consider the subject of the defences, which must be discussed in connection with the scheme of Confederation,” what has been the reply? Why, that there was no natural or necessary connection between the two subjects.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Thus, when the honorable gentlemen were asked to bring down the information in regard to the defences, they have maintained that there is no connection between the two questions; but when they have a purpose to serve by so doing, they reverse their position and say, “By all means rush this thing through with all

possible speed, in order that the country may be placed in a position of defence." I think, sir, we are entitled at this stage of the debate, and under these circumstances, to demand that all the information in possession of the Government in regard to the defences, should be laid before the House.

I believe there is no better recognized parliamentary rule than this, that when a Minister of the Crown rises in his place in Parliament and refers to despatches on matters of public importance, these despatches must be laid before the House. It is founded on the same rule which prevails in our courts, which requires that any paper referred to in evidence or argument, in order to be of use, must be in the possession of the court. I should like to ask the Hon. Attorney General West [John A. Macdonald] the question—and I pause for

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an answer—whether it is the intention of the Government, before pressing this resolution to a vote, to place the House in possession of the information for which I am now seeking?

John A. Macdonald [Kingston, Attorney-General West]—It certainly is not, and for reasons of the best kind.

Luther Holton [Chateauguay]—The honorable gentleman says it certainly is not. And yet he asks us to give a vote, in view of information which he withholds, not merely on the question of the defences, but of Confederation as well. If the honorable gentleman had used the arguments for withholding information which he has put forth, if the proposition were simply a money vote to place the country in a state of defence, there might be some reason in it, but he is using them to induce us to vote for a political

scheme embracing all sorts of things other than the question of defence. The position the hon. gentleman now assumes is unconstitutional; but being unconstitutional, it is in perfect keeping with the whole course of this Administration since its formation in June last, when it initiated its existence by pledging the Crown, in a written document, not to exercise the prerogative of dissolution until another session of this Parliament should have been held.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I say that their course in this instance is in keeping with every step they have taken since formation. Well, sir, I have put one question to the Hon. Attorney General West [John A. Macdonald], and I propose now, with the leave of my hon. friend the member for North Wellington [Thomas Parker], who is entitled to the floor, to put another question He may answer it or not, as he thinks proper; but the country will draw its own inference from his reply. Yesterday, he stated that in consequence of the result of the New Brunswick elections¹¹, it had become tolerably apparent that this scheme had received its first check. In other words, he admitted plainly that the result of the New Brunswick elections was adverse to the scheme. I may add, that he knows very well a majority of the present Parliament of Nova Scotia is adverse to it.

George Brown [Oxford South, President Executive Council]—No! No!

Luther Holton [Chateauguay]—I say, yes; and in the Island of Prince Edward, there is no probability whatever of the scheme being accepted. Well, notwithstanding this, he says that he shall press this measure to a vote. A question was put yesterday, which was answered; but there is some misapprehension

¹¹ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley's Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

as to the purport of the answer, and I think it will be admitted to be a question in regard to which there should not be any misapprehension whatever.

John Sandfield Macdonald [Cornwall]—You could not understand it.

Luther Holton [Chateauguay]—Well, I admit the obtuseness of my understanding. The question I desire to ask the leader of the Government is this—Is it the intention of the Government to press for Imperial legislation, under the Address which they are now inviting the House to adopt, affecting the Lower Provinces, or any of them, without the concurrence of those provinces? That is the question I desire to ask the hon. gentleman.

John A. Macdonald [Kingston, Attorney-General West]—It is not the intention of the Canadian Government to press the Imperial Government to pass any act whatever.

Luther Holton [Chateauguay]—Then clearly the hon. gentleman was misunderstood yesterday. He then stated that it was of the highest possible importance this measure should pass without delay, in order that the Ministry might go home and consult with the Imperial Government in respect to the bill to be introduced to give effect to this Address.

George Brown [Oxford South, President Executive Council]—And that is correct.

Arthur Rankin [Essex]—The Government do not intend to “press” for Imperial legislation.

Luther Holton [Chateauguay]—I do not want to quibble about mere words. What I want to know is; whether, in pursuance of this Address, hon. gentlemen intend to ask, or have any reason to expect that the Imperial Government—

George Brown [Oxford South, President Executive Council]—Oh! Oh!

Luther Holton [Chateauguay]—or have any reason to expect that the Imperial Government will legislate without the concurrence of the Lower Provinces? Whether, in point of fact, if the concurrence of the Lower Provinces be withheld from the scheme of the Conference,

he has reason to believe that legislation can be had thereon? I desire to know, first, whether he intends to ask for such legislation; and, second, whether he thinks it can be had?

John A. Macdonald [Kingston, Attorney-General West]—I think the House, and even the hon. gentleman himself, must see the unreasonableness of the question he asks, which is, whether I have any expectation that the British Government will exact some compulsory law against the will of the Lower Provinces

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on the question of Federation. All that I can say is, that I have no better means of forming an opinion on the subject than the hon. gentleman himself.

What I stated yesterday I repeat today, that the Canadian Government, knowing that the opinion of the people of New Brunswick has been expressed against Federation, would embrace the earliest opportunity of discussing with the Imperial Government the position of British North America, especially with reference to the present state of affairs in Canada, containing a population of four-fifths of the people of British North America, in favor of Federation, as against New Brunswick, with a population of two hundred odd thousand against it. In discussing the question with Her Majesty’s Imperial advisers, we shall probably enter into the consideration of the whole matter; but what the nature of these discussions may be, or what they will lead to or will not lead to, I cannot possibly say. They may lead to conclusions, but what those conclusions may be no mortal man can tell. We cannot say to what conclusions the Imperial Government may come.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I am obliged to the honorable gentleman for his courteous answer. I think it is, on the whole, a satisfactory answer, because the answer plainly implies this, that without the concurrence of the Lower Provinces this

measure cannot go on. That is the plain implication. We know well that we shall not have the concurrence of the Lower Provinces, and therefore it is absurd to ask this House to vote a measure which the honorable gentlemen themselves, as they have risen one after another in the course of this debate, have declared to be an imperfect measure—a measure of compromise, not such a measure as they, in many respects, desired and advocated, but a measure which they had concurred in for the purpose of inducing the Lower Provinces to become parties to it. Why, I ask, should this House be called upon to vote for the objectionable features of a scheme, when there is no longer any reason for such a vote, when it is admitted that the Lower Provinces, for whose sake these objectionable features were introduced, will not consent and cannot be coerced into it?

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—[The Hon. President of the Council \[George Brown\] told the people of Toronto, at the banquet recently held there](#), that he was entirely opposed to the new constitution of the Legislative Council, and that he opposed it in the Conference¹². We know also that that feature of the scheme is very objectionable to the whole of what might once have been called the Liberal party, but the Hon. President of the Council [George Brown] has destroyed that party, and it is not, perhaps, right to speak of it as the Liberal party any longer, they are only now to be known as those who once ranged themselves together, in Upper and Lower Canada, under the Liberal banner.

The Hon. President of the Council [George Brown] stated, that as representing in the Conference the Liberal party of Upper Canada—the Liberal party of Lower Canada having no representation in the Conference at all, as representing the Liberal party of Upper Canada, the party from that section which is in a large majority in this House, the honorable gentleman stated that he was opposed to this

feature of the scheme, a feature which is known to be as unpalatable to a large majority of this House as it is to the hon. gentleman himself.

I merely mention this to illustrate my argument. Why should hon. gentlemen, who were disposed to accept this scheme as a whole, notwithstanding these objectionable features, who were disposed to accept it, on the grounds set forth by their leaders, as a measure of compromise—why, I ask, should they now be called upon to vote in opposition to their convictions, merely to gratify the amour-propre of the hon. gentlemen on the Treasury benches, whose desire it is to carry through the House an Address which, by their own admission made to this House, must be of non-effect?

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—But that it will be the Constitution of this country, I am satisfied.

Luther Holton [Chateauguay]—The hon. gentleman boasts that it will be the Constitution of this country?

John A. Macdonald [Kingston, Attorney-General West]—What I meant was, of all British North America.

Luther Holton [Chateauguay]—The hon. gentleman said “of this country.” The hon. gentleman, therefore, admits that if he fails in procuring the concurrence of the Lower Provinces to the measure—that if they cannot be brought into the scheme for reconstructing their Governments—they are going to ask the Imperial Government to found a Constitution for the two Canadas upon these resolutions.

John A. Macdonald [Kingston, Attorney-General West]—The

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hon. gentleman has drawn erroneous inferences from what I stated. When I said I had no doubt that the resolutions now before the House would be the Constitution of this country, I meant to say I had no more doubt

¹² [George Brown, Speech at Toronto \(Nov. 1864\), Edward Whelan, *The Union of the British Provinces* \(1865\), p. 193.](#)

than that I stand here that it would be adopted not only by Canada, but by the other provinces.

Luther Holton [Chateauguay]—Ah! The hon. gentleman has “no doubt.”

John A. Macdonald [Kingston, Attorney-General West]—You are trying to twist my words; but go on.

Luther Holton [Chateauguay]—I have not had the same training as the honorable gentleman in the way of word twisting. I take his words in their plain and literal sense. He says he has no doubt that these resolutions will form the Constitution of this country. Then, sir, why do not honorable gentlemen keep faith? Why does not the Hon. President of the Council [George Brown], in an especial manner, keep faith with his party, by giving us the scheme which he pledged himself, in the event of such a contingency as this, should be brought down during this session of Parliament? The honorable gentleman does not find it convenient to answer.

I confess I did not expect an answer; but nevertheless I thought it desirable to put the question to him. I, equally with other members of the House, can draw my inferences from his silence. He knows very well it is a violation of [the programme](#) under which he entered the Government¹³; and well he knows that it is a departure from the avowal which constituted, I will not say his justification, but his sole excuse for occupying the seat which he now fills. The question is now asked whether it is intended by the Government to go to England and ask the Imperial Parliament to establish a Constitution for this country, the principles of which have never been considered, because we are considering now the scheme of Federation for the whole country?

John A. Macdonald [Kingston, Attorney-General West]—I stated that the first thing to be done by the Government, in the summer session, would be to submit a measure for fully carrying out the programme. First, carry Confederation, and when we met again we

would bring in a scheme for the local governments of Upper and Lower Canada.

Luther Holton [Chateauguay]—Yes, local governments. I am obliged to the honorable gentleman for reminding me of the local governments; but I was speaking of the General Government of Canada.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I think it follows irresistibly from the admission of the hon. gentleman to-day, that it is their intention to seek a general Constitution for Canada under these resolutions, without ever having submitted that question to the House. Well, sir, there is another reason perhaps for the course taken by hon. gentlemen yesterday and pursued today. It has always been a theory of my own—perhaps it has not yet been demonstrated by facts—

John A. Macdonald [Kingston, Attorney-General West]—Hear, hear.

Luther Holton [Chateauguay]—I say it has always been a theory of my own, and facts are rapidly demonstrating the truth of that theory, that this Government was formed in consequence of the emergencies of certain gentlemen who were in office, and desired to retain office, and of certain other gentlemen who were out of office and who desired to come in. I believe that the whole constitutional difficulties, or alleged constitutional difficulties, of this country arose from the personal or rather the political emergencies into which certain hon. gentlemen found themselves, from causes to which I shall not now advert.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Well, sir, feeling that this scheme has failed—feeling that the pretext upon which they have held office for six or nine months is about to fail them, they devise other means, as a sort of lure to the country, whereby office may be kept for a further period. I admit the dexterity with which the thing is done—a dexterity for which the Hon. Attorney General West [John A.

¹³ [“Memorandum—Confidential.” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

Macdonald] has long been famous in this country. His theory is: "Take care of today—when tomorrow comes we will see what can be done"—and by adhering to this maxim he has managed to lengthen out the term of his political existence. That, I believe, will be acknowledged to be the theory upon which the hon. gentleman acts.

John A. Macdonald [Kingston, Attorney-General West]—And a very sensible theory it is.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—A sensible theory no doubt it is. I am glad to hear that the hon. gentleman does not deny the fact; but while admitting that he has achieved a considerable measure of success in this way, whether, after all that success, he has earned the highest kind of reward of a public life—whether there is anybody who speaks or thinks of the hon. gentleman as a statesman, may perhaps be doubted. It is admitted

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that he is an adroit manager—his management being based on the theory of doing today what must be done today, and of leaving till tomorrow whatever can be deferred. I doubt, however, after all, whether, when the hon. gentleman comes to review his career, he will be satisfied that that sort of policy brings with it the highest rewards of public life.

John A. Macdonald [Kingston, Attorney-General West]—I shall be quite satisfied to allow the hon. member for Chateauguay [Luther Holton] to be my biographer.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—But while that has been his theory and his practice, and a certain degree of success has attended it, I would like to ask the Hon. President of the Council [George Brown] whether he has heretofore acted upon that theory, and whether he can quite afford to act upon it now? Most of us remember, those of us who have been for a few years in public life in this country, must remember—a very striking speech delivered by the hon. member for

South Oxford (Honorable Mr. Brown), in Toronto, in the session of 1856 or 1857—he has delivered many striking speeches in his time, but this was one of the most striking—in which he described the path of the Hon. Attorney General West [John A. Macdonald] as being studded all along by the gravestones of his slaughtered colleagues.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Well, there are not wanting those who think they descry in the not very remote distance, a yawning grave waiting for the noblest victim of them all.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—And I very much fear, that unless the hon. gentleman has the courage to assert his own original strength—and he has great strength—and to discard the blandishments and the sweets of office, and to plant himself where he stood formerly, in the affections and confidence of the people of this country, as the foremost defender of the rights of the people, as the foremost champion of the privileges of a free Parliament—unless he hastens to do that, I very much fear that he too may fall a victim—as I have said, the noblest victim of them all, to the arts, if not the arms, of the fell destroyer.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—I desire, as I am on my feet, and am not at all certain that I shall, under the new phase of things, trouble the House with any lengthened observations—I desire to say a few words on the merits of this question of defence.

Of course I hold, as I presume every man in this country holds, that the people that will not defend themselves are unworthy of free institutions. I hold that we must defend ourselves against all aggressors, in the best way we can. I think the policy we have been pursuing for some years past, of enrolling our people and training them to the use of arms and in military exercise, and in the instructing of officers who might lead them, should necessity require—I think all that is sound policy.

I would even go somewhat further in that direction than we have gone heretofore. But if honorable gentlemen propose that; we should establish a standing army—that we should equip a navy—that we should go into a costly system of permanent fortifications, they are proposing what is beyond the strength of the country, they are proposing what will speedily bring financial ruin on the country—and by bringing financial ruin on the country, and by creating thereby dissatisfaction among the people, they will prepare the way to that very event which they profess so strongly to deprecate. I believe, if it has not that effect, it will certainly result in depopulating our country. Already the work of depopulation is going on.

George Brown [Oxford South, President Executive Council]—Oh! Oh!

Luther Holton [Chateauguay]—Throughout the whole of the western counties of Canada, at the present moment, there is a greater amount of financial distress and of malaise than I have known for twenty-five years. I challenge the honorable gentlemen around me to contradict the statement. And I say we are not in a position to stand very great additional burdens on our resources.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Then what is the condition of our finances? The honorable gentleman who presides over our finances did not venture the other day to dispute the statement I made, that every branch of the revenue was falling off, and that we had an inevitable deficit for this current year staring us in the face. Is it not so?

Alexander Galt [Sherbrooke, Minister of Finance]—The hon. gentleman may repeat his own statement, but he must not put it in my mouth.

Luther Holton [Chateauguay]—The hon. gentleman did not venture to deny it, and I thought the gravity of the statement was such that he would have denied it, if he could.

Alexander Galt [Sherbrooke, Minister of Finance]—Make your statement on your own responsibility, not mine

Luther Holton [Chateauguay]—Then, I say, on my own responsibility, that every branch of the revenue has been falling off since the

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beginning of this year, except the comparatively small amount from bill stamps.

Alexander Galt [Sherbrooke, Minister of Finance]—Do you say every branch of the revenue, with the exception you mention?

Luther Holton [Chateauguay]—Yes.

Alexander Galt [Sherbrooke, Minister of Finance]—Then you will be shewn that it is not so, when you sit down.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Of course I shall be glad to hear it. That is the sort of information we want before we give hon. gentlemen a vote of credit, and allow them to go to England to do as they please for the next six months. It may be that the revenue has been brought up within the last few weeks from accidental causes. A rumor got abroad that the Hon. Finance Minister [Alexander Galt] intended to make a change in the duties, and in two or three of our large cities a rush was made to the bonding warehouses, in order to save the additional amount that would be exacted by the change in duties. This, no doubt, increased the receipts for the time being, and it is just possible that from that cause the revenue may have regained something of what it had lost during the earlier weeks of the present year.

Then, too, the state of our securities in England—which was so much improved, according to the statement of the Hon. President of the Council [George Brown], by the action of the Quebec Conference—is now anything indeed but satisfactory. I believe that with the exception of the point they touched at one time in October, or early in November, and which they touched then for a very brief space—they are lower now and have been lower for a longer time than they have been at any period before since the union I think, therefore, we are not in a position to impose heavy and unmeasured burdens upon our

people, for the purpose of establishing a standing army, or for the purpose of constructing permanent fortifications.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—But I have said more than I intended when I rose, and shall no longer deprive my hon. friend from North Wellington (Dr. Parker) of the floor.

George Brown [Oxford South, President Executive Council]—I shall detain the House but a very few minutes in replying to the hon. gentleman who has just taken his seat. As regards his statement that the revenue has fallen off to the extent of which he speaks, in every branch, it is entirely erroneous. It will be shewn when the proper time comes, when the House is asked to grant supplies, that the revenue is very far from being in the hopeless position which the hon. gentleman has stated. And I apprehend his assertion with regard to the condition of the province is as greatly exaggerated as his other statement. It is very true that many portions of our country unfortunately labor at this moment under considerable depression; but no intelligent person, who considers the circumstances, will think that this is at all extraordinary.

We are alongside a country engaged in a fearful war. Our commercial relations with that country, with which we usually have immense transactions, are very greatly disturbed. Then we have had short crops for several years, and our banks are all very properly under close-reefed topsails. These and other causes have contributed to produce the stagnation that now exists, and a general disposition to curtail business operations.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—But with all this— notwithstanding the scarcity of money, and a good deal of embarrassment and suffering from its scarcity—I venture to affirm that the great branches of our national industry were never on a sounder basis; that business men

have not for years owed less debt than at this moment; and when a better state of things sets in, the evils of which the hon. gentleman speaks will not be found to have been very deep-seated.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The hon. gentleman is exceedingly anxious that I should fulfil the promises I made to the country at the time I entered this Administration. The hon. gentleman, I think, would show a little more discretion if he allowed me to judge for myself of the best way in which I should fulfil those promises. When, in the short space of six months, the Government have come down with a matured scheme, involving such important changes, and placed it before Parliament in the candid way in which they have submitted it, I think the country has no good cause to complain, either of time having been lost in the fulfilment of my promises, or in the manner of fulfilling them.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And I think it ill-becomes the hon. gentleman, when he has heard it declared that, notwithstanding what has occurred in New Brunswick¹⁴, we still adhere to [the basis on which the Government was formed](#)¹⁵—that all we ask is time to ascertain how our scheme can best be carried into effect—and that in the brief period of a very few weeks we will be prepared to meet Parliament again, and declare the result of our enquiries—I do say it ill becomes an honorable gentleman, professing to be in favor of constitutional changes, to get up

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here and endeavor to create an unfounded prejudice against those who are thus showing in every way their determination to discharge fully and promptly their duty to the country.

The honorable gentleman says I have broken

¹⁴ *Supra* footnote 11.

¹⁵ [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

up the Liberal party. He says there was a Liberal party in Upper Canada and a Liberal party in Lower Canada, who were acting cordially together, and that I have destroyed the harmony which existed between them. I shall not enter into that discussion now. The time will come when it can be fully gone into without danger to public interests, and I promise the honorable gentleman. to give him his answer.

But I have this to state in the meantime to the honorable gentleman, that I think it is not for him at least to throw such taunts across the table, when he recollects that in a speech he made in this House only last session, on the announcement of this Coalition¹⁶, he stated that he could make no complaint as to the course I had taken; that under the circumstances I could only act as I had done.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—If he can find any act of mine in contradiction of the course I took then, he has a right to blame me. But so long as I am carrying out in good faith the pledges I gave to the country, to my supporters, and to this House, it is not from that honorable gentleman at all events that any charge against me should come.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The honorable gentleman says that the proposal for a union of all the colonies has failed. I totally deny it.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—I am not prepared to admit—I do not believe—that the representatives of New Brunswick, when the subject is fairly discussed in Parliament, and the proposition has been presented in all its lights, will reject it. When they do so, it will be time enough for the honorable gentleman to assert that the scheme has failed. Strange indeed would it have been had so large a scheme suffered no check in its progress—but

stranger still would it be were the promoters of the measure to abandon it from such a check as this.

Some Hon. Members—*Cheers.*

George Brown [Oxford South, President Executive Council]—The honorable member for Chateauguay [Luther Holton] is mistaken also when he asserts that the majority of the members of the Nova Scotia Legislature are against this measure of Confederation.

Luther Holton [Chateauguay]—I believe so.

George Brown [Oxford South, President Executive Council]—Having heard that the honorable member for Hochelaga [Antoine-Aimé Dorion] had made such a statement to this House—

Antoine-Aimé Dorion [Hochelaga]—On the best authority.

Alexander Mackenzie [Lambton]—Give us your authority.

George Brown [Oxford South, President Executive Council]—I think it better not to ask for the honorable gentleman's authority, or to use any names in such a matter as this. But I wish to say that the moment I heard that the statement had been made, I telegraphed to a friend in the Nova Scotia Legislature, and received an answer entirely contradicting the statement which had been made.

Luther Holton [Chateauguay]—Why then don't they go on with the question?

George Brown [Oxford South, President Executive Council]—I apprehend it is for them to decide when they shall go on—what is the right moment for them to go on—and not for the honorable member for Chateauguay [Luther Holton], who is entirely opposed to this measure.

Antoine-Aimé Dorion [Hochelaga]—There is strong presumptive evidence in favor of my authority against yours.

George Brown [Oxford South, President Executive Council]—That I must leave to the House to judge. The honorable member for Chateauguay [Luther Holton] says the motion made by the Hon. Attorney General West

¹⁶ Luther Holton, Legislative Assembly (Jun. 1864). Unconfirmed reference.

[John A. Macdonald] does not meet the point at which it is aimed, namely, to bring this debate to a speedy conclusion. He says it may cut off amendments, but that it will not stop debate. But that is an entire mistake. It is the only mode by which the debate can speedily be brought to an end.

Antoine-Aimé Dorion [Hochelaga]—Honorable gentlemen opposite want to stop the debate, besides stopping the amendments. That is the object.

George Brown [Oxford South, President Executive Council]—If the honorable member for Hochelaga [Antoine-Aimé Dorion] had waited till he had heard me out, he would have found I had no such meaning. With regard to the main proposition, honorable gentlemen may speak as long as they like. So long as the House does not come to the conclusion that the time has arrived for getting a vote upon that, they can talk.

John Sandfield Macdonald [Cornwall]—Thank you!

George Brown [Oxford South, President Executive Council]—Of course, no one can prevent them. And, so far as I am concerned, I can assure the honorable member for Cornwall [John Sandfield Macdonald] that I have no desire to prevent him or any one else from being heard to the fullest extent they desire. But, since the beginning of this debate, we have constantly seen incidental questions raised and the same members getting up night after night to make long speeches upon them and kill time, to a degree never witnessed before, I venture to assert, in this or in any other legislative body. And it is evident that if this motion were not put, we should have these debates continued on a variety of amendments, and

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that this discussion would be kept up to an extent which would utterly frustrate the prompt accomplishment of those great purposes for which this Government was formed.

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—As one of the friends of the present Administration, I must say that I am surprised by the conduct of the Government and the extreme position in which they choose to place themselves. For my part, I am in favour of the principle of Confederation, and one of those who maintain that by means of that principle the rights and liberties of each of the contracting parties may be preserved; but, on the other hand, I am of opinion, and I do not disguise it from myself, that it may be so applied as to endanger and even destroy, or nearly so, the rights and privileges of a state which is a party to this Confederation. Everything, therefore, depends on the conditions of the contract.

As a friend of the Administration I can understand, as well as any one, that any Confederation and particularly such a one as this which is now laid before us, can only be brought about by means of a compromise; and, on this account, Mr. Speaker—and it is probably needless to proclaim it here—I am ready and disposed to go to as great a length as it is possible for any man to go. I am also one of those who, when we are called upon to unite, under the aegis of a strong government, the different provinces of British North America, and when I see that the general interest calls for such a union, will give my cordial support to all who seek to establish such a government.

I shall always be prepared to meet them halfway; but when the question assumes a different shape, as it now does, and when, in consequence of the events announced to this House yesterday, the Constitution proposed to us seems to concern none but the provinces of Upper and Lower Canada, I say, Mr. Speaker, that the compromise between the different provinces no longer existing, we are no longer called upon to be so generous. I say that if we admit that New Brunswick, by its

recent repudiation¹⁷, and Nova Scotia and Prince Edward Island are no longer parties to the contracts agreed on between the provinces, and we have now to ask of England to modify the Constitution only in relation to the two Canadas, I say that the conditions are no longer the same as they concern us—

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—and that I am on that account much less disposed to allow the Government to proceed to present in England, as the basis of our future Constitution, the resolutions which we have been compelled to accept in very unfavorable circumstances.

I do not hesitate in saying that the position assumed by the Government is a very dangerous one for themselves, and for those who would gladly assist them to pass a good scheme of Confederation. If I understand aright, the intention of the Government, in moving the previous question, is to place their friends in the awkward position of not being able to move any modification of the plan. In our altered position we are going, therefore, to say to England that we were obliged to submit to such and such concessions in order to come to an understanding; that the other provinces have backed out of the bargain, notwithstanding these onerous concessions and the compromise which we were obliged to make, and which have not been accepted by the other parties; and that, in the face of all this, we come to pray that our Constitution may be altered so as to accord with those very same onerous conditions which we had accepted at the Quebec Conference. Why tie us down so strictly now?

Why should we not avail ourselves of the retrogression of the provinces to make alterations in the scheme which will be less onerous for us? I think it my duty to declare that the Government, in acting as they have done, place their friends in a very awkward position. For my part, Mr. Speaker, I am strongly in favor of Confederation, and am

ready to support the Government in their efforts to release the chariot of the state from the position in which it now lies; but I wish, on the other hand—and I think it is but bare justice to say it—I wish that Ministers should place us in such a position before the country, that I and all others may be able to say that we have done our best to improve the situation. This is why I so deeply regret that the Government have thought fit to take their present arbitrary attitude.

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—I acknowledge, with the Administration, that time is precious; but we ought not, in avoiding one danger, to risk falling into another. I acknowledge also that the course of events which has taken place within a few days gives reason to apprehend that British rule in the provinces of British North America may cease altogether in a few years.

I admit all these dangers, Mr. Speaker; but on the other hand I do not conceal from myself that the extreme position in which we are placed does not tend to diminish them. On the contrary, I am greatly afraid that if public opinion be too deeply stirred by the imposition of a new

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Constitution, without liberty on our part to amend it, the danger will be increased rather than diminished. So far, Lower Canada has sufficiently shown, by the voice of her leaders, that she is prepared to make all possible concessions; but after that, would it be prudent to render her dissatisfied by denying us the right of modifying the proposed plan in some degree.

We have been obliged, in order to satisfy the public mind, to allege, and truly, that the Ministry had been compelled to make some concessions to the provinces for the general satisfaction; but now that the contracting parties to the plan of Confederation retreat from their engagements, after having imposed

¹⁷ *Supra* footnote 11.

on us compromises and exacted concessions, why should we, at a critical time like the present, proceed to submit our position to the Imperial Parliament, exactly as if the Provinces had been true to their pledges?

I am of opinion, Mr. Speaker, that this is asking too much of us, and that as the Lower provinces are evidently no longer in the mind to be united with us, we French-Canadians should be greatly in the wrong if we presented our case with the same conditions as we were led to accept, in compliance with the requirements of the sister colonies. I think that both Upper and Lower Canada are now entitled to present themselves much more favorably before the Imperial Parliament, and that they may say—

“These are concessions which we had made, it is true, for the sake of the common good; but the Maritime Provinces have now gone back from their engagements, and their present desire is either to remain independent or to enter the American Republic! We have done our duty, and we are still ready to remain faithful to our engagements, which we had entered into with the contracting parties; but as they gave us up, and the concessions which we made are not now held by them to be sufficient, we are come to plead our own cause before you, and to tell you that the interests of Lower Canada now require better guarantees than we had been obliged to accept from the Maritime Provinces, for the sake of coming to an amicable conclusion.

We now come to request that England will be more favourable to us, and relieve us from our difficulties by making constitutional changes less disadvantageous to us.” In such a case, I believe that the Imperial Government would not venture to impose a Constitution on us without our consent, but would be favourable to our wishes. That the French-Canadians are all loyal subjects of Her Britannic Majesty, no one will doubt; but it would be an act of folly on the part of English statesmen to impose on them a Constitution which they would reject or very strongly resist. I say this out of a feeling of loyalty, for I

know that there are statesmen in England who understand that the loyalty of Upper and Lower Canadians most depend on their being satisfied with their new Constitution.

How would it benefit England to give us a Constitution which might suit her, as tending to perpetuate her rule in Lower Canada, but which would not be at the same time satisfactory to the majority in both Upper and Lower Canada? A spirit of discontent would be soon aroused which would cool our zeal in defending our country. This is a self-evident truth, intelligible to all the world.

I trust, therefore, Mr. Speaker, that if the measure of Confederation is passed, it will not be forced upon us, without the present House having an opportunity of weighing its merits, and amending it. I am prepared, I confess, to go as far as any man, and to make the greatest concessions, to extricate the country from its difficulties, and come to a good understanding, that we may make sure of a Confederation with the immense advantages which it might bring with it; but I am bound to confess, when I am told, in presence of the events which have just passed, that we must submit to the conditions imposed on us by the contracting parties, who have, so soon after making it, refused to ratify it—I say that I think it wrong to tie down Lower Canada, absolutely to the first conditions.

I wish the extreme position which the Government have taken up in the face of the country may be productive of the greatest amount of good to it; but, for my part, Mr. Speaker, I cannot help thinking and confessing that I have very strong fears on that subject. It seems to me that in the present circumstances, the Government ought to have granted the fullest opportunity, both to Upper and to Lower Canada, to make such suggestions as they might think fit, and not to insist on the adoption of the scheme in its present form.

By such a proceeding they would have afforded members who have amendments to move a fair and constitutional way of setting themselves right in the opinion of their fellow-countrymen, by recording them at least on

the *Journals* of the House. The position in which we placed is tantamount in its effects to the cry of "all or nothing." But, Mr. Speaker, I have always been averse to such a system; and if we look back to our past

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history, we shall find that it has never produced aught but lamentable dissension.

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—What is the present cry of the Opposition as regards the scheme of Confederation? It is this: you refuse an appeal to the people; you most unjustly hurry on the debate; you deny us all opportunity of moving amendments to the plan, or recording them on the journals of the House; and you are bent on imposing on us, without our consent, a Constitution no detail of which is made known to us, and of the general tenor of which our knowledge is also very imperfect.

Now, Mr. Speaker, I beg to ask Ministers whether it would not be infinitely better for them to quiet all these apprehensions, and silence all complaints? Why should they hurry on the debate, I do not say unconstitutionally, but I do say with dangerous precipitancy? Why should they bar the moving of any amendment to the scheme, particularly as there is nothing pressing in the occasion, and as the aspect of the question is in many respects altered from what it was previous to these late events? I shall probably be told that I am wrong in saying there is nothing pressing in the occasion; that, on the contrary, events render the immediate passing of the measure absolutely necessary; that the defence of our frontier is a question which must be settled at once—that there is not a moment to be lost.

Well, Mr. Speaker, I acknowledge, for my part, that if I vote in favor of the scheme of Confederation, it is not out of a feeling of the necessity of setting about our defence; for hitherto I have never had a thought that the Confederation of the provinces afforded any better means of defending the frontier than that which we have at present—

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—inasmuch as we have already all opportunity of combined action to the fullest extent under the protecting arm of England, but this seems not to have entered the minds of the authors of the scheme.

But I go further than this, and assert that the discussion which is daily going on on the subject of the proposed constitutional changes is agitating the public mind very strongly. As at a former epoch of our history, such changes necessarily tend to disturb the minds of the many; and this very natural agitation is attended with its dangers, and affords another proof that constitutions are not the work of a day—that time, and even a great deal of time, is necessary to settle the foundation of the social and constitutional edifice of the best disposed of the nations. The present Constitution of Great Britain is a proof of this. That is certainly well established, but it has taken ages to bring it to what it now is.

I say, then, that we should not be in too great a hurry, so as to raise discontent among the people, but that we ought to proceed with the more care and deliberation now that, as the Ministers themselves acknowledge, we are in imminent danger of war. If we are so liable to have war, I say that we are not in the best condition to undergo a sudden change of our Constitution, and that far from placing ourselves in a good attitude of defence to meet the imminent danger, we are perhaps weakening our position, by acting too strongly or prematurely on public opinion.

I say then again, that those who would force our representatives to accept the measure without amendments, for the bare reason that we must prepare to defend ourselves in arms without loss of time, are acting without justifiable or sufficient reason. I regret deeply that the previous question has been moved, so as to reduce the friends of the Government to the necessity of voting on the measure before us without being able to move any amendment, and that in the face of a total change of circumstances I pray for the

forgiveness of the House for having spoken on the subject, but I considered it a duty to protest at once against the proceeding of the Government which I had not foreseen. I shall vote therefore against the motion before us, because I am in favor of amending the scheme of the Constitution, laying on the Government the whole responsibility for their conduct if they persist in denying us an opportunity of making some modifications in the present plan of Confederation.

George-Étienne Cartier [Montreal East, Attorney-General East]—I am glad that the hon. member for the country of Quebec [François Evanturel] has, with his customary candor, communicated to us his apprehensions. I have listened to him with great attention, and I am certain that there is no difference between his views and ours. We are perfectly agreed.

Some Hon. Members—Hear, hear, *and laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—I knew perfectly well, Mr. Speaker, before I rose to give explanations to the hon. member for the county of Quebec [François Evanturel] and to the House, that the few words I have just uttered would excite the laughter of the Opposition; for the moment these hon. gentlemen see a member who is usually a supporter of the Government, rise in this House and speak with some degree of animation on any measure of the Government, they are ready to conclude, from his animation, that the hon. member is opposed to the measure.

I say again, Mr. Speaker,

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the Government is, in the present case, perfectly of the same mind as the hon. member for the county of Quebec [François Evanturel]. If they now request that the House would hasten their decision on the grand question of a Confederation of all the British Provinces of this continent (not of the two Canadas, as the hon. member for the county of Quebec

[François Evanturel] terms it), it is because they are desirous, as the Hon. Attorney General for Upper Canada [John A. Macdonald] observed yesterday, to despatch delegates to England, to lay before the Imperial Parliament the resolutions adopted at the Conference.

The Government wish to give effect to the compromise entered into between the Maritime Provinces and Canada, to enable the Imperial Government to offer their counsel to the governments of the provinces, who have backed out from their agreement, and show them that the document to which they would have their sanction is a compromise. They would prove to Great Britain that if one of the Maritime Provinces, or all of them, refuse to carry out the terms of the compromise after their solemn engagement with the Canadian Government to observe it—if, in short, they have failed to fulfil the terms of the treaty—Canada has been true to them, and desires its fulfilment.

The Constitution prayed for is not a Constitution for the two Canadas only, as the hon. member for Chateauguay [Luther Holton] said it was, putting a false construction on the explanations of my hon. colleague the Attorney General for Upper Canada [John A. Macdonald], but, on the contrary, a Constitution for all British North America.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—If the Government now press the House for a decision, it is not to enable them to go to England and ask for a Constitution for the Canadas, under a pretext that the other contracting provinces have failed to fulfil the treaty into which they had entered. By no means, Mr. Speaker. I have always had the interests of Lower Canada at heart, and have guarded them more sedulously than the hon. member for Hochelaga [Antoine-Aimé Dorion] and his partisans have ever done.

A Member—A proof of that is your sending the seat of government to Ottawa!

George-Étienne Cartier [Montreal East, Attorney-General East]—Well, Mr. Speaker, I do not hesitate to maintain that that question of the seat of government was decided favorably for Lower Canada. I have always maintained this, and I will maintain it always and against all comers. I now come to the observations of the hon. member for the county of Quebec [François Evanturel]. This is what the Government propose to do: We shall represent to the Imperial Government that Canada consented to compromises and sacrifices, and that the Lower Provinces failed in the fulfilment of their part of the treaty at the last moment.

We shall entreat the imperial Government to offer their advice to the governments of those provinces, and we entertain a hope that the influence which England necessarily exercises over those colonies will have the effect of inducing them to reflect on their proceeding with reference to us. I pray the honorable member for the county of Quebec [François Evanturel] to lay aside his fears. I assure him that not a single member of the Government has the slightest intention of asking Great Britain to legislate on the Address which we are to present, and to pass a Constitution for the two Canadas.

Our whole intention is to lay before the Government of the Mother Country our position, as it now is, in consequence of the breaking of the treaty by the Maritime Provinces, in order that they may bring some pressure to bear on them to bring about the Federal union which was designed. Even though the legislatures of those provinces should rue the part they took in the plan of Confederation, the adoption of it would be only a question of time; for probably within twelve months they will amend their decision and accept the compromise.

We say that as far as we are concerned, we can do neither more nor less than carry out the compromise; that we are desirous of acquitting ourselves of the duty we owe to the

Imperial Government, as they thought fit to sanction it in the despatch laid before this House, as well as by the honorable mention made of it in [Her Most Gracious Majesty's Speech from the Throne](#)¹⁸. It is of consequence, I say, that we should show the Imperial Government that Canada, which contains more than three-fourths of the population of all the provinces on this continent, has not failed to fulfil her part in the compromise, but that the Maritime Provinces it is which have broken their sworn engagement, and that if the compromise is not to be carried into effect, English supremacy over the American colonies may at no distant day be endangered.

We trust that all these considerations may have a salutary effect, that they will dissipate the unfounded apprehensions of the Maritime Provinces, and that hereafter the Constitution, based on the compromise which we

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shall submit to the Imperial Government, will bear sway over the several English provinces on this continent, united in one great Confederation.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—I can assure the hon. member for the county of Quebec [François Evanturel], therefore, that the only purpose of the Government of which I am a member, in urging forward the adoption of the scheme submitted to the House, is to despatch it to England in order that the Imperial Parliament may merely sanction the letter of the measure. The Government never had a thought of taking the House and the people by surprise. If we were to go to England and pray for a Constitution different from that which is mentioned in the Address, we should be branded with disgrace, and deservedly so, and should render ourselves unworthy of the position which we now fill.

These reasons are sufficient, I think, to show that there is not so much difference between

¹⁸ [UK, House of Lords, "The Lords Commissioners' Speech" \(Feb. 7, 1865\), vol 177, cc1-6.](#)

the opinion of the Government and that of the hon. member for the county of Quebec [François Evanturel], as that hon. gentleman supposes. We are agreed on the point to which he takes exception; and as he has declared that he would vote in favor of the new Constitution if the Maritime Provinces continued to be parties to it, I have reason to trust that he will do so, as the Government will be in no way bound to abide by that Constitution, unless the other contracting parties shall accept it.

William Powell [Carleton]—I must express my deep regret, Mr. Speaker, that the leader of the House should have been induced to submit to the House a motion of the character of that which you hold in your hands.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I distinctly avow myself a friend of the Administration, and as one anxious to assist them in carrying out the important scheme they have undertaken; and while according to them the fullest confidence, I must express my regret that their course in relation to this question, in this House, has certainly not been what I would have advised or been inclined to support. They selected their own mode, in the first place, as regards the manner in which this debate should be conducted, and from that mode they have departed. I did feel that when, as between the Opposition and the Government, there was something in the nature of a compact, that compact should be carried out.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I think the Opposition has its rights and privileges, and is especially entitled to have these respected by the Government, who have so powerful a majority at their back.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—When the Government departed from the understanding originally come to, as to the way in which the debate should be conducted, I believed that that departure was in the interests of the House and in the interests of the public. I do not hesitate to say it had my

approbation, as far as my individual opinion was concerned.

But, notwithstanding that it had my approbation, as tending to the convenience of the House and the advantage of the public, I did not feel that the Government were justified, so long as the Opposition were dissenting parties, in departing from the original understanding. That was my first ground of objection; and I think, in the present instance, the Government are taking a still more extraordinary course. I do not know whether a case can be found in the records of our own House, or of the English House of Commons, where the leader of the House has availed himself of technical rules to prevent a question being fairly presented.

Antoine-Aimé Dorion [Hochelaga]—To move the previous question to his own motion!

William Powell [Carleton]—I do not know if such a thing is usual, or if a precedent can be cited for it. All I can say is, that if a precedent can be cited, I regret extremely that such a course should be adopted on the present occasion. We are here engaged in the discussion of a great constitutional question, with regard to which the Administration have submitted to us the resolutions of the Conference—I do not say of self-constituted delegates, or that they acted without the sanction of the people—but certainly they have taken upon themselves a great responsibility, which I readily admit they have well fulfilled, and I am quite prepared to endorse their course, in the framing of this scheme, from beginning to end. They first of all adopt those resolutions at the Conference, and they then come down to this House and say: “Accept them in their entirety, without amendment, without variation, or the scheme falls to the ground.”

That may be all very well. It may be all very well to deny the right of an appeal to the people. It may be all very well for us as a Legislature to arrogate to ourselves the right to change our whole constitutional system That may be all very well. But, by this motion of the

Hon. Attorney General West [John A. Macdonald], they stop any gentlemen who I dissent from their views from putting their

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opinions on record.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I think that is going a little too far, and it is as a friend of the Administration that I express that opinion.

John A. Macdonald [Kingston, Attorney-General West]—We do not require your advice.

William Powell [Carleton]—The hon. gentleman may accept it or not, as he pleases.

John A. Macdonald [Kingston, Attorney-General West]—I do not accept it.

William Powell [Carleton]—Then he may take the other alternative. I think the House and the country have extended an enormous degree of consideration to this Government, but I tell the hon. gentlemen that if they continue the course they are now pursuing, a reaction will take place in the House and the country.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I hope that this House is not to drop down into being the mere echo of the Executive—so that we shall not have opinions of our own at all, or be avowed to offer any advice whatever to the Executive. If the hon. gentleman accepts these remarks in a hostile spirit, he may do so. All I can say is that I do not mean them to be so received. But I consider the course taken by the Government this afternoon is a most extraordinary one. The reason assigned is, that hon. gentlemen opposite have been offering a factious opposition, and that they intend to continue it by moving motion after motion. But even if they do, I ask, can that involve above a couple of weeks more of discussion? And I say that it is not for the credit or the character of the Government, that to shorten the discussion they should take such a course as this. I believe they have undertaken the great work they have in hand in a most patriotic spirit.

I believe that my hon. friend—though he

rejects my advice—is animated in the course he is taking by a purely patriotic spirit. But, while I believe that, I think he ought to accord to me the right of expressing my opinion as to the mode in which this debate should be conducted. I do not know whether the friends of the Administration are to be gagged as well as its opponents—

Some Hon. Members—*Laughter.*

William Powell [Carleton]—whether it is intended that we shall all be prevented from expressing our views. But I do trust the leader of the Government will withdraw this motion—

Some Hon. Members—Hear, hear.

William Powell [Carleton]—which is unworthy of him, when he has in hand this grand and magnificent project. He has all the advantages he can wish on his side, and I would advise him to avail himself of those advantages, and not to give—by pursuing a course that is certainly unusual, extraordinary, and unprecedented—the enemies of this great scheme the opportunity of saving that it was forced down the throats of this Legislature and of the people of this country.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I believe that he has the people at his back—that they endorse his scheme—that they are fully with him—and that the large majority of this House truly represent the feelings and wishes of the people in endorsing the scheme.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—I say, therefore, that he can well afford to be magnanimous and liberal to the Opposition—who are feeble in numbers, though energetic in the stand they take—and that he can carry out this scheme without having to call to his aid the technical rules of the House.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I desire to inquire whether the motion for the “previous question” made by the Government, if carried, will throw any impediment in the way of the resolution of which I have given notice? Of course I know that it can be moved; but if a

discussion arises upon it, I am afraid we shall not reach a vote upon it until the session is closed. I hope the word of promise is not to be kept to the ear and broken to the hope.

John A. Macdonald [Kingston, Attorney-General West]—I have no desire to choke off the honorable gentleman's resolution in any way. He will have an opportunity of moving and pressing his motion after the resolutions have been adopted.

John Sandfield Macdonald [Cornwall]—But it is quite clear that the moving of the previous question shuts off all amendments.

John Cameron [Peel]—My motion is not proposed as an amendment. I propose to move it after a decision has been come to on the question now before the House. It is for the purpose of having an expression of the people's will upon the Address, before it is sent to the Imperial authorities.

John Sandfield Macdonald [Cornwall]—Well, that is an amendment, but I will not argue the point just now.

Matthew Cameron [Ontario North]—I do not know that I can claim, like my honorable friend from Carleton (Mr. Powell), to be a friend of the Government, and so any advice that I may offer will not be considered as coming from a warm friend of theirs; but I apprehend that I do entertain that kind of friendly feeling for the Hon. Attorney General West [John A. Macdonald] that would induce me to advise him most strongly against the course he has been induced to adopt, had my advice been asked. I can scarcely think that that honorable

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gentleman would have adopted the policy which he has become a party to, unless he had been urged on to it by his colleagues in the Government. I am very well aware that those who are in the habit of talking most loudly of the rights and liberties of the people, when they find themselves in places of position and power, may frequently forget those rights.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I am

quite satisfied that if the Honorable President of the Council [George Brown] had been in opposition just now, we would have heard the course that is now adopted by the Government called the grossest tyranny and worst kind of outrage that could have been perpetrated upon a free Parliament such as ours.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And not only would we have heard such language on the floor of this House, but through that engine in Toronto which he moves with so much power, we should have had it sent throughout the whole country. There would not have been a man who voted for it who would not have been held up as the greatest foe to the rights and liberties of the people that could be imagined.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And now we find that hon. gentleman endeavoring to stifle, not exactly the discussion of the question, for we cannot be deprived of the right of speech, but to stifle the expression of the opinion of the House with reference to the merits of this scheme in the only way it could be effective and valuable, and in a proper parliamentary manner. The motion now made prevents our taking the sense of the House as to whether some modification of the scheme might not be adopted, or some other plan of union agreed upon that would prove more advantageous.

I have given notice of an amendment that I intended proposing in favor of a legislative union of the provinces, with provisions that the laws, the language, and the religion of Lower Canada should not be interfered with; that no legislation should take place for that section, unless that legislation was originated by a member from Lower Canada, and should not become law unless carried by a majority of the representatives from that section of the country.

I propose those provisions in order that the rights of Lower Canadians might be fully protected, and that their institutions should

not be in danger of destruction, and that they might have no opportunity of saying that a change of this kind was desired for their injury rather than for their benefit, as well as for the best interests of the provinces at large. I had intended to take the sense of the House upon this proposition, mainly for the reason that a legislative union would be more economical and more stable.

The commissioners who were sent out to Canada by the Imperial Government to ascertain what defences were required, and what they would cost, reported that £1,300,000 sterling would be sufficient for the purpose. I find the local governments to be created under this Federal scheme are to receive for their working expenses no less a sum than \$3,981,914; so that in two years, if the expenses of these local governments were saved to the country, they would amount to a sufficient sum to construct all the defences that are said to be necessary for the protection of the country against attack from any quarter.

But we are not to have the opportunity, it seems, of taking the sense of this House as to whether that would be better than the scheme submitted for our adoption. And we are also prevented from ascertaining whether the people of Canada approve of the scheme or not. It would seem that the Honorable Attorney General West [John A. Macdonald], for whose ability I entertain a very high degree of respect, has forgotten the conservative character that he has heretofore so nobly maintained upon the floor of this House, and in forgetting that character, that he has also forgotten the rights and liberties of the people.

I am not surprised that those rights and liberties should have been forgotten and trampled upon by the Honorable President of the Council [George Brown] and the Honorable Provincial Secretary [William McDougall]. They have been too loud-mouthed in their pretended championship of those rights in times past to render them above suspicion of forsaking them now; but I am surprised that the Honorable Attorney General West [John A. Macdonald] should go

with them in stifling the voice of the people.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And I am very sorry to hear it stated that members of the Government are to go to England, there to appear carrying as it were from the people of this country to the Imperial Government, opinions favorable to Confederation. Now in truth they will not do so. They cannot do so in point of fact, because they have not taken the sense of the people, and have refused even to allow Parliament to say whether or not the scheme shall be referred to the people, or whether some other scheme would not be more acceptable, and much better in every way, than the one now under consideration. They find that the people of the Lower Provinces are strongly opposed to the scheme, and yet they propose to go home and ask the Imperial Government to carry out the measure, though they well know it cannot

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be enforced upon the people of the Lower Provinces.

If the great urgency which they profess to see for the carrying out of this scheme arises from a desire to have the defences made secure, why do not they ask Parliament for power to place the country in a proper position of defence? Why do not they ask for that if it is so urgently demanded, and leave this great Confederation question in abeyance until the people in all parts of the country have had fair opportunity of understanding it in every point of view. They have not yet had that opportunity, and I think the honorable gentlemen on the Treasury benches, in depriving them of that opportunity, and especially in doing it in the manner in which they are now doing, have taken a course which will redound to their own and to the country's disadvantage.

The people only require to be awakened to the course that is being pursued, to understand that these opinions and views are to be disregarded, or are of no consequence, to call forth that sentence of condemnation which

will hurl honorable gentlemen on the Treasury benches from place and power, and cause names honored in the past, to sink into dishonored oblivion.

If the proper steps had been taken, gentlemen from Lower Canada would never have been able to say that representation by population could not be safely given to Upper Canada, and would have no grounds for fearing that their rights would not be protected, and that therefore they must reject it. If they refused to grant representation according to population when full provision is offered them for the protection of their institutions, it would be without other reason than that of the sulky woman or the spoiled child, and I do not believe that the representatives of the people of Lower Canada are made up of that kind of stuff. They only wish to be assured that their rights are not to be interfered with.

If they desired more, let them reflect that the hon. member for Montmorency (Hon. Mr. Cauchon) in addressing the House the other evening, instanced the position in which the English House of Lords stood when the country was in danger of being plunged into a revolution by their resistance to a just popular demand. He gave us to understand that that body might have been swept away before the indignation of the people, if it had not yielded to the pressure and allowed the [Reform Bill](#)¹⁹ to pass. If that was the case in reference to so strong and highly respected a body as the English House of Lords, let them reflect upon

what might be the result of resisting a legislative union and forcing a scheme so expensive as the present one, so full of elements of contention and dissolution, upon the people of Canada.

If the people of Lower Canada, comparatively few in numbers, with the Government to aid them, continue to persist in refusing to give the people of Upper Canada that which is their right, and which can do no wrong to any other portion of the country, perhaps they will find that the people of these provinces will take the same stand that endangered the House of Lords, in England, and the same results follow, and then it will be too late to ask or offer terms. The Honorable Attorney General West [John A. Macdonald] ought not to have allowed a free expression of the views of the members of this House to be stifled in the way that it is now being done. The Government ought to have allowed the amendment to be put respecting which I have given notice, and also that providing for taking the sense of the people.

Perhaps it was thought that the motion to be made by the honorable member for Peel (Hon. Mr. Cameron) would answer the purpose as well; but it cannot do so, because it is not to be proposed until after this scheme has been carried. That amendment, to be of any service to the purpose I had in view, ought to be made before these resolutions are voted upon. After the House has expressed itself in favor of the resolutions, the representatives become leaders to the people. They should lead us, but

¹⁹ [Reform Act \(U.K., 1832\)](#). The House of Lords successfully blocked the bill twice over the span of 1831-1832. The Bill sought to incorporate into the Constitution the electoral enfranchisement of the working and middle classes. Led by Charles [Earl] Grey, Whig reformers in the Commons believed this reform was necessary to preserve the existing social and political order—and believed it may have even become necessary to prevent violent revolution, while Tory opposition in both the Commons and Lords fervently argued for safer and more practical reform. The first Bill passed the Commons on Mar. 22, 1831, by a single vote of 302-301, but a dissolution of the House followed when adverse amendments were carried in committee. A large majority of Whig Reformers returned, and a second Reform Bill was carried in the Commons in Jul. 1831 but thrown out by the House of Lords in Sep. 1831. Violent riots ensued the month after across England. A third Reform Bill passed the Commons in Dec. 1831 by a majority of 162, but adverse amendments successfully passed by the House of Lords in May 1832. While talk of creating new peers was threatened by this time, the measure was actually acted upon by Earl Grey and refused by King William IV in May 1832. Earl Grey's resignation in May led to what is known as the crisis of the "Days of May". The failure of Lord Wellington to form a Tory government, along with significant extra-parliamentary conflict and public dissatisfaction, led to the abstention of Tory Lords from the vote and the enactment of the third Reform Bill in July 1832.

we should then be leading them by seeming to pronounce our opinion on the subject beforehand in favor of Federal union, although I am satisfied that a majority, or at all events a very respectable minority of this House, is not in favor of the scheme now presented, and most of the honorable gentlemen who have spoken have declared a preference for legislative union.

If the scheme is forced through the House under this motion for the previous question, no amendments being allowed to be placed on record, it will not appear to the Imperial authorities that there is that great amount of dissatisfaction with the scheme which is well known to exist, nor will it appear to them that any other scheme might have proved more satisfactory to the people, giving, in their opinion, greater stability of government, economy in management, and a means of maintaining our connection with the British Crown by better and stronger bonds, than is likely to be the case with a Federal Government. For these reasons Mr. Speaker, I repeat that I sincerely regret that the Honorable Attorney General West [John A. Macdonald] has been led to make the motion

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which has been placed in your hands.

Some Hon. Members—*Cheers.*

William McDougall [Lanark North, Provincial Secretary]—I am not surprised, Mr. Speaker, that honorable gentlemen who are opposed to the policy of the Government on this question, and desirous of overthrowing it, should feel a little disappointment at the course that has been announced to-day. But I cannot understand how honorable gentlemen who are friendly to that policy, and desire that it should prevail, should, at this stage of the discussion, find fault with the course of proceeding which we have felt it our duty to propose. Sir, we have been discussing this question now for nearly four weeks, and I am sure no honorable member will venture to deny that the discussion has, for the last ten days, dragged

very heavily; that there has been a marked disinclination on the part of honorable gentlemen opposite to go on with it.

Antoine-Aimé Dorion [Hochelaga]—No, no.

William McDougall [Lanark North, Provincial Secretary]—The honorable gentleman says “No,” but the fact is that adjournments have been moved several times as early as half-past nine o’clock, because no honorable gentleman was ready or inclined to speak against the measure.

Antoine-Aimé Dorion [Hochelaga]—Only once, and that on account of the illness of the honorable member for Brome [Christopher Dunkin].

William McDougall [Lanark North, Provincial Secretary]—The honorable gentleman is mistaken. On another occasion the honorable member for Hochelaga [Antoine Aimé Dorion] himself moved the adjournment at an early hour, because his friends were not ready to go on with the discussion, and hon. members who were in favor of the scheme have several times been obliged to speak, when they were not disposed to do so, in order to fill up the time and drag the discussion along. Well, sir, the Honorable Attorney General West [John A. Macdonald] stated to the House yesterday, in such terms that no one could have misunderstood him, that the Government felt it to be their duty to avail themselves of every parliamentary expedient for the purpose of ascertaining the opinion of this House upon the question as promptly as possible.

Today the announcement has been repeated, and good and sufficient reasons given for the adoption of this policy. The hon. members for Carleton [William Powell] and for North Ontario [Matthew Cameron] complain that there has been a departure from the usual practice of this House in making this motion, and charge us with stifling discussion; but these honorable gentlemen surely do not need to be

informed that this motion does not stop the debate. The House can discuss the “previous

question" to any extent. Strictly, perhaps, honorable members are limited to giving reasons why the question should not now be put, but among those reasons are all the arguments yet to be adduced, pro and con, on the main motion.

William Powell [Carleton]—Then what good will it do?

William McDougall [Lanark North, Provincial Secretary]—The good it will do is this: it will prevent factious and irrelevant amendments, and enable us to get a decisive expression of the opinion of the House upon the real question before it.

Some Hon. Members—Hear, hear.

William McDougall [Lanark North, Provincial Secretary]—It is all very well for the honorable member for North Ontario [Matthew Cameron] to tell us that he wishes to propose his scheme of a legislative union, with local legislation controlled by the members of each province; but sir, it happens that he occupies a seat on that side of the House, and not on this. It is the duty of the Government, who are responsible to Parliament and to the people, to propose their measures, and if the honorable gentleman can convince the House that those measures are not adapted to the circumstances and interests of the country, we shall be obliged to leave this side of the House, and then the honorable gentleman from North Ontario [Matthew Cameron] can come over here and submit his scheme to Parliament.

Some Hon. Members—Hear, hear.

William McDougall [Lanark North, Provincial Secretary]—But as we are here, and have taken it upon us to submit these resolutions, we are determined to obtain as early as possible (without, however, preventing any honorable member from expressing his views upon them) a vote of this House. The outcry raised by gentlemen opposite against the propositions of the Government to facilitate the discussion by giving the whole time of the House to it, proves that delay is their real object. If they have any arguments to offer against the scheme, they have had ample opportunity to

present them.

They have thought proper to talk of everything but the merits or demerits of the scheme itself, until the patience of this House, and I think also of the country, is exhausted. I am happy to believe that a very considerable majority of the members of this House are ready and willing to vote yea on the question, and they ought not to be any longer detained from doing so, especially in view of circumstances that have arisen on this as well as on the other side of the Atlantic, to which my colleague the Hon. Attorney General [John A. Macdonald] has already directed the attention of the House.

François Evanturel [Quebec County]—I understood that the Government had stated that the question of Confederation was an open one.

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I never understood that they had stated that amendments could not be proposed. It was to be treated not as a party question, but the fullest latitude was to be allowed, as if in committee of the whole; but now the Government shuts down upon friends as well as opponents. I think their course most illogical, and I would like to have the Hon. Provincial Secretary [William McDougall] explain it.

William McDougall [Lanark North, Provincial Secretary]—I apprehend there are few honorable gentlemen in the House whose impressions on the subject are similar to those of the honorable gentleman.

Some Hon. Members—Hear, hear.

William McDougall [Lanark North, Provincial Secretary]—It was fully understood by the House that the scheme was brought before Parliament as the result of the Conference of all the colonial governments, and as a Government measure. I think, sir, it was further distinctly stated that being in the nature of a treaty, it was absurd to suppose that it would be competent for any of the legislatures to amend the scheme, because the moment the door is thrown open to

amendments in one legislature, the same privilege would be claimed by each of the others.

What kind of a scheme would it be after each legislature had tinkered it to suit its own views, and what length of time does the honorable gentleman think it would take to arrive at a common agreement if that course were pursued? In the very nature of things, whether this is the best or the worst scheme that could have been devised, we cannot get around the fact that it is of the nature of a treaty, and, therefore, must be voted upon by a simple ye and nay.

Some Hon. Members—Hear, hear.

William McDougall [Lanark North, Provincial Secretary]—It is in that view that the Government have submitted it to this House, and it is upon that view that the verdict of this House must be pronounced. As I have already stated, the determination to which the Government has come is to press the main motion, pure and simple, upon the attention of the House, and to use every legitimate parliamentary means to get a decision, and by that decision we are prepared to stand or fall.

I hope there will be no misunderstanding on the part of honorable members. It is not the intention of the Government, in any manner, to deprive honorable gentlemen of the opportunity—the fullest opportunity—of expressing their views on this scheme. But what we do intend to prevent, if we can, is the attempt to divert the attention of the House from the resolutions of the Conference to propositions like that of the honorable member for North Ontario [Matthew Cameron], who desires to submit another and a totally different scheme, which he knows well must be rejected by every member of the proposed Confederation. This proposition must be discussed, if discussed at all, in some other way than as an amendment to, or substitute for, the scheme of the Quebec Conference.

John Sandfield Macdonald [Cornwall]—I think, sir, that the large majority of the members of this House will agree with me that

the proposition made by the leader of the Government to prevent amendments being submitted by moving “the previous question,” has taken us all by surprise. I think this House should hold this step to be a gross breach of the understanding which was entered into at the time it was agreed that the House should be considered as in committee of the whole, with you, sir, in the chair. For it was then fully understood that though no amendment would be allowed to be adopted, if the Government could prevent it, yet there would be no objection to their being moved in the ordinary way. It was therefore understood that this House was, for all practical purposes, in Committee of the Whole, and as “the previous question” could not be moved in Committee of the Whole, it was consequently out of order to move it now.

I would ask hon. gentlemen on the Treasury benches, if they did not solemnly enter into a compact of that nature with this House? If they committed an error in deciding to retain the Speaker in the chair on the conditions referred to, they are now taking advantage of their own wrong. Sir, the Opposition proper have abstained from placing on the paper any notice of amendments. They found that several amendments which embraced their views were to be moved by gentlemen who were friendly to the Administration. Those gentlemen could not suppose for a moment that their motions were to be choked off, whatever might be the intention of the Government in relation to similar amendments if proposed from this side of the House. But “the previous question,” thus moved, applies ruthlessly to friends and foes. To quote the language of the honorable member for Carleton [William Powell]:—“It is now quite clear that they (the Government) are going to put the same gag on their friends that they devised for their opponents.”

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Let us enquire who are those who compose the Administration, and who, after violating their solemn agreement, now venture to trample

upon the rights and privileges of the representatives of the people, in this House? I need only remark that nine members of this Government, and who were in the Administration before the Coalition

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was formed, had a vote of want of confidence recorded against them by this same House, for acts of malfeasance, which must be fresh in the memory of honorable members, since which time they have evaded an appeal to the country in order to test whether their new and strange combination would be ratified by the people. And these gentlemen who have hatched up a coalition, by inviting three members of the then Opposition to join them on the most monstrous terms ever known in any country, are at this moment proposing to ask this House for a vote of credit, and for plenipotentiary powers to authorize them in England to speak for the people of Canada.

My hon. friend from West York (Hon. Mr. Howland) stands in a different position from his two reform colleagues. He came generously to the aid of his friends who first joined the Coalition, but he stipulated that he must first go to his constituents. On a reference to his speech at the hustings, it will be found he said in effect, that the scheme of Confederation was now before the country — that he knew no more about it than they did themselves, and that he must say there were features in the scheme which he did not like. I acquit him of being in the same category with hon. gentlemen who have been voted down by this House, because he has obtained by his election a quasi authority to deal with this grave subject.

But what have the others attempted to do, Mr. Speaker? How different is their conduct and their practice to-day from what they promised would be their conduct towards the House at the commencement of the debate! And how widely have they strayed from the

programme laid down at the time the Coalition was formed! I shall read for [the information of the House what were the views of the hon. member for South Oxford \[George Brown\] in 1864](#), when he stamped himself, and took with him a large portion of the reform party to the enemy's camp so unexpectedly, and upon so short a notice:—

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 constituted on the well-understood principles of Federal Government.

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—²⁰

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—

—and even were this otherwise, there were so many parties to be consulted, that its adoption was uncertain and remote.²¹

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—What is the date of that?

John Sandfield Macdonald [Cornwall]—

The hon. gentleman knows very well that it is found [in the ministerial explanations](#) at the close of last session, little more than six months ago.

Mark the words, Mr. Speaker, Mr. Brown then stated that Federation had not been considered by the people, and that its adoption was therefore uncertain and remote. Is it because he found a good opportunity of getting into power, and because he visited the Lower Provinces, and negotiated, and got explanations from them, that the period so remote six months ago must now be

²⁰ George Brown comments in the coalition negotiations as reported by [John A. Macdonald, Legislative Assembly \(Jun. 22, 1864\), p. 205.](#)

²¹ [ibid.](#)

considered immediate? [He substitutes](#) the word “immediate”—for “remote” a most extraordinary perversion of words:—

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.²²

Further on I read:—

Mr. Brown accordingly waited on the Governor General, and on his return the memorandum approved by Council and by the Governor General was handed to him, and another interview appointed for 6 P.M., Mr. Brown stating that he did not feel at liberty either to accept or reject the proposal without consulting with his friends.²³

In [that memorandum](#) I find the following passages:—

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

That failing a successful issue to such negotiations, they are prepared to pledge themselves to legislation during the next session of Parliament—(hear, hear)—for the purpose of remedying existing difficulties by introducing the Federal principle for Canada alone, coupled with such provisions as will permit the Maritime Provinces and

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the North Western Territory to be hereafter incorporated into the Canadian system.²⁴

Then [the record](#) proceeds:—

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

“The Government are prepared to pledge themselves to bring in a measure, next session, for the purpose of removing existing difficulties, by introducing the Federal principle into Canada, coupled with such provision as will permit the Maritime Provinces and the Northwest Territory to be incorporated into the same system of Government.”²⁵

The language of these quotations cannot be misunderstood; for nothing can be cleaner than that the smaller scheme, that is, the scheme for the Federation of Upper and Lower Canada, was then promised and contemplated as the one which was to precede that now under consideration. Again I quote [from a speech of the Premier \[Étienne Pascal Taché\]](#) made in the other House on the introduction of the resolutions now before us:—

The honorable member (Hon. Sir E.P. Taché) here gave a history of the several changes until the Macdonald-Dorion Administration²⁶ died, as he stated, of absolute weakness, falling under the weight they were unable to carry. Their successors (the Taché-Macdonald Government²⁷) were not more successful, and being defeated, were thinking of

²² George Brown comments in the coalition negotiations as reported by [John A. Macdonald. Legislative Assembly \(Jun. 22, 1864\), p. 205.](#)

²³ [ibid.](#)

²⁴ [“Memorandum—Confidential” ibid., p. 205.](#)

²⁵ [ibid., pp. 205-206.](#)

²⁶ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864). The administration ended on May 30, 1864.

²⁷ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864). The administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight – an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton’s The Road to Confederation \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\), pp. 387-](#)

appealing to the country, which they might have done with more or less success, gaining a constituency here and perhaps losing another elsewhere. They had assumed the charge of affairs with an understanding that they would have a right to this appeal, and while they were consulting about it, they received an intimation from the real chief of the Opposition (Mr. Brown), through one of their own friends, to the effect that he was desirous of making overtures to them with the view of seeking to accommodate the difficulties.

The honorable gentleman and some of his friends then came into contact with the leaders of the Government, and it was agreed between them to try to devise a scheme which would put an end to the misunderstandings, and at the same time secure for Canada and the other provinces a position which would ensure their future safety, and procure them the respect and confidence of other nations. They arranged a large scheme and a smaller one. If the larger failed, then they were to fall back upon the minor, which provided for a Federation of the two sections of the province²⁸

Here is a recent declaration by the Premier [Étienne Pascal Taché] that they had arranged a large scheme and a smaller one. Is it not important to us in Upper Canada to know what the nature of the latter scheme is? Assuredly, it is not too much to ask that the little scheme should be left with us—while they run away to Downing-street with the large one. We might be profitably employed in the meantime in digesting the various details which promise so much solace and contentment, and which for ever is to settle all sectional difficulties between Upper and Lower Canada. I hope the supporters of the Administration will insist at once upon the smaller bantling being left with us,—this House agreeing to pay all expense of its care and protection during their absence.

Some Hon. Members—Hear, hear, *and laughter.*

John Sandfield Macdonald [Cornwall]—Instead, therefore, of fulfilling their promise they boldly propose to their reform followers the scheme which the hon. member for South Oxford [George Brown] had declared to be premature, and which six months ago he

insisted must be postponed to a remote period. It is scarcely possible to find words sufficiently strong to characterize in proper terms so flagrant a breach of a compact as the one which I have been describing.

It was of course well known, last summer, that the several legislatures of New Brunswick, Nova Scotia and Prince Edward Island had contemplated a legislative union of their provinces, and a resolution was passed by each body authorizing delegates to be appointed from their respective governments to meet for that object. Charlottetown having been selected as the place of meeting, the several delegates assembled there. Instead of permitting that Convention quietly to arrange a scheme such as was contemplated by their legislatures, and permit reasonable time for its promulgation, or a declaration of its failure to be made, the gentlemen on the Treasury benches bethought themselves of a plan by which to scatter the Charlottetown delegates, caring nothing for the disappointment which such an attack must have necessarily created among the people of the sister provinces.

I blush to think that a fearful responsibility attaches to this Government for their interference with an arrangement which was to make the Maritime Provinces one people. But not satisfied with their visit to Charlottetown and breaking up the scheme which was

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being discussed there, they now coolly ask us to give them authority to proceed to Downing-street to report the utter failure of their own grand scheme, which, as I remarked in a former debate, they yet hope to manufacture into a live constitution for these distracted provinces, through Downing-street influence.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—It is well known that our financial condition is truly alarming, and instead of proceeding with

³⁹⁰ Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

²⁸ [Etienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 9.](#)

the legislation of the several measures now before the House, and submitting, according to custom, the Budget, so that the real condition of our affairs may be fully exhibited to the people, the gentlemen on the Treasury benches have suddenly come to the conclusion, not only to withhold this important information, but, forsooth, we are asked to pass a vote of credit to be accounted for at the next session. A prorogation is shortly to follow, and the country will be left in a state of uncertainty as to its future, until it shall please these gentlemen to return from their mission.

When we consider the effect which the blandishments of the Treasury benches but too frequently produce upon members sent to this House to carry out certain avowed principles and measures; when we see the class to which I allude violating the promises made to their constituents and going over "body and bones" to a Government they were elected specially to oppose, we need not be astonished shortly to learn that influences and blandishments in higher quarters will have the like effect on the gentlemen opposite when abroad, who will ever be ready to find a plausible excuse for any gross betrayal of the trusts reposed in them by pliant and subservient followers. The avowed object for the immediate prorogation of the session is the imminent danger which threatens this province, and yet we are kept in the dark as to the real cause for alarm.

We are told, however, that a large outlay, but the amount is not stated, is to be devoted to fortifying certain portions of Canada by the Home Government; and that we are to be asked to contribute an unknown sum of money towards the same object. But when we ask for more definite information, we are met by the assurance that it would not be for the public interest to afford further information just now. We are told to wait patiently and to be content with the fact that certain gentlemen on the Treasury benches are to proceed to England with the view of arranging the amount to be appropriated by Canada for its defence, and towards the maintenance of a

more effective militia organization than we have heretofore been called upon to make. I maintain, sir, that the understanding in respect to such contributions could be as well arrived at by means of dispatches and correspondence between this Government and the Colonial Office.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I protest against the transference of the negotiations on these matters to Downing-street, before we obtain some more satisfactory replies to the questions we have addressed to the gentlemen on the Treasury benches. The representatives of a people overburdened with heavy taxes, have a right to insist on knowing the limit beyond which the gentlemen on the Treasury benches should not consent to make this province liable. We know that it is a difficult matter to obtain money in England at present and we are not even informed of the terms on which the Finance Minister [Alexander Galt] is now borrowing. We have had no information upon this question. We are kept in ignorance of the position in which we are to be placed.

Now, I think that the policy of the people of this country should be to vote what they think they can bear, and no more. There is no member of this House, there is no man in this country, I believe, who is unwilling to give his quota of taxes for the work of defence; but there must be a limit to everything.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The principle laid down by three of the honorable gentlemen on the Treasury Benches whom I now see on the other side of the House, when with myself they were members of a former administration, is as sound now as it was then; and if the force of the American army two years ago was not such as to induce us to recommend, by way of guarding against danger from that quarter, large outlays for defence, I do not see why my old colleagues should now consent to entertain a proposal involving an enormous sum of money at the present time.

Now, I shall read [extracts from a Minute of Council, dated 28th October 1862](#), in reply to the Duke of Newcastle's suggestion that we should raise fifty thousand volunteers:—

The proposal of His Grace to organize and drill not less than 50,000 men is not now for the first time presented to the province. The measure prepared by the late Government and rejected by the Legislature, contemplated the formation of a force to that extent, and Your Excellency's advisers cannot disguise their opinion that the province is averse to the maintenance of a force which would seriously derange industry and tax its resource to a degree justifiable only in periods of imminent danger or actual war. The people

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of Canada doing nothing to produce a rupture with the United States, and having no knowledge of any intention on the part of Her Majesty's Government to pursue a policy from which so dire a calamity would proceed, are unwilling to impose upon themselves extraordinary burthens. They feel that, should war occur, it will be produced by no act of theirs, and they have no inclination to do anything that may seem to foreshadow, perhaps to provoke a state of things which would be disastrous to every interest of the province.²⁹

This was the opinion of the honorable gentlemen only two years ago.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—How many of them are on the Treasury benches now?

John Sandfield Macdonald [Cornwall]—I have already said that there are three of those gentlemen there.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Well, to go on a little further, His Grace recommended direct taxation, to which [we replied](#):—

Without entering into a discussion of the relative merits of direct or indirect taxation, Your Excellency's advisers feel

that it would not be prudent, suddenly or to any large extent, to impose direct taxation for military purposes. This is not the occasion for adopting a principle hitherto unknown in the fiscal policy of the province, and assuredly this is not the time for plunging into an experiment for which the people of the province are unprepared. No more serious mistake can be committed than to conduct an argument upon the supposition that the ability of the Canadian people to sustain taxation is greater than has hitherto been acknowledged in the fiscal arrangements of the Government.³⁰

And I may remark that the condition of the country at this moment is much more calamitous than when this report was made. When the hon. member for South Oxford (Hon. Mr. Brown) was on his feet a few minutes ago, he spoke of the prosperity of the merchants in Upper Canada, and said the condition of the country was not such as to justify the remarks of the hon. member for Chateauguay (Hon. Mr. Holton). Sir, he forgot to speak of the situation of the farmers, of which I shall speak presently more at length. [This report](#) goes on further to say:—

The wealth of the country is in its lands. If the people are in the enjoyment of comparative wealth, it is so invested as to be not readily available for the production of a large money income. Your Excellency's advisers believe that no government could exist that would attempt to carry out the suggestion of His Grace for the purpose designed.³¹

That was the language of our Government when asked to train fifty thousand men and to familiarize them to the use of arms.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I feel that the pressure which has been brought to bear upon the Imperial Government by the [Goldwin Smith](#) politicians—by the Manchester School³²—to get rid of the

²⁹ [Minute of the Executive Council \(Oct. 28, 1862\) in "Report on the State of the Militia of the Province" \[No. 15\] in *Sessional Papers* \(1863\).](#)

³⁰ [ibid.](#)

³¹ [ibid.](#)

³² Goldwin Smith was a British historian who advocated anti-imperialism. Smith held, "a conviction that 'colonial emancipation' should take place as rapidly as possible because it was – except for India and Ireland – inevitable. This conclusion appeared in a series of articles published in the *London Daily News* in 1862–63 and then in pamphlet form as *The Empire* in 1863. There he presented a distillation of the opinions of his friends John Bright, Richard Cobden, and others of the so-called Manchester school who believed that

colonies, is having its effect. [The telegram received today](#) indicates that the burden of the defences is to be borne by the colonies, as the telegram now before me states:—

Earl Russell regretted the discussion, and stated that the Government declined to make any movement while the Canadians declined to take measures themselves; but as they now showed a different disposition, the Government comes forward to assist them.³³

Mr. Speaker, I ask this House, if the honorable gentlemen on the Treasury benches have made any proposals to the Home Government, whether we are not entitled to know what they are? I say that we ought not to leave this House till we have advised them in this matter—till the opinion of this House, representing the people of this country, has been elicited.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—We are the persons who ought to advise them in this matter; and without seeking that advice, they are taking a step in advance of their legitimate duty.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The Duke of Newcastle asked us in the same despatch to place the money required for increased military organization in Canada beyond the domain of Parliament! Such a proposal was met in fitting terms, becoming a people enjoying British freedom. We could not submit it to Parliament, and we did not. It was said in the same despatch that the credit of the country was endangered in the markets of Europe, and that if we were willing to show that we were prepared to defend ourselves, if we went to this vast outlay, we would materially assist in the maintenance of our credit abroad. [Our reply](#) to that was, that—

The maintenance of the provincial credit abroad is

undoubtedly an object which the administrators of the affairs of the province should at any cost accomplish. Your Excellency's advisers submit that their various measures demonstrate the sincerity with which they are striving to preserve the public credit unimpaired. They contend, however, that not the least important of the agencies to be employed to this end is the exhibition of a due regard to the means at the command of the province. They hold that they are more likely to retain the confidence of European capitalists by carefully adjusting expenditure to income, than by embarking in schemes, however

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laudable in themselves, beyond the available resources of the Canadian people.³⁴

[It being six o'clock, the Speaker left the chair before the honorable gentleman concluded his remarks.]

The Legislative Assembly stopped for dinner recess.

After the recess,

Luther Holton [Chateauguay] said—With the consent of my hon. friend from Cornwall [John Sandfield Macdonald], I desire, before the debate is renewed, to call the attention of the Hon. Attorney General West [John A. Macdonald] to the matter of the previous question which he has moved—to recall to his recollection the statements that were made when the agreement was come to that this debate should be conducted in all respects as if the House were in Committee of the Whole, and to appeal to his sense of justice to adhere to the letter and spirit of that agreement. It will be remembered that, on behalf of hon. gentlemen sitting on this side of the House, I objected very strongly to the proposition to consider these resolutions as a single resolution, and insisted that they were of a nature that required them to be considered in Committee of the Whole House.

The hon. the leader of the Government objected to that on this ground. He said that

Britain's economic power, under free trade, was so great that the formal, political empire could be disbanded without economic loss." Ramsey Cook, "Smith, Goldwin," *Dictionary of Canadian Biography* (2003).

³³ "Midnight Despatches," *Montreal Herald* (Mar. 7, 1865).

³⁴ [Minute of the Executive Council \(Oct. 28, 1862\)](#) in "Report on the State of the Militia of the Province" [No. 15] in *Sessional Papers* (1863).

the resolutions were a treaty—I do not think the position sound, but I am not combating that just now—and that the Government were bound to bring all their influence to bear to pass them in their entirety; and in reply to some objection made by myself, he said hon. gentlemen would have no difficulty in putting their views upon record by amendments moved to the scheme. I thought at the time that that was placing us at a very great disadvantage, and that we were entitled to have the propositions considered separately and a vote taken, yea or nay, on the Several resolutions; but I was overruled and the agreement was come to, which you, sir, declared, rising in your place, to be that the debate should be conducted in all respects as in Committee of the Whole.

Well, I have two things to urge—first, that in Committee of the Whole the previous question cannot be moved; and second, that a distinct assurance was given by the Government that amendments could be moved to the resolution. These are the very words of the hon. gentleman as given in [the official report](#), which has been this moment put into my hands:—

Hon. Atty. Gen. Macdonald said “no.” The proposition submitted to this House is—That an Address be submitted to Her Majesty, praying that a bill should be passed based on these resolutions. All amendments might be moved to that one resolution. It would be the same thing, in fact, as to move them upon each resolution separately.³⁵

Now, the hon. gentleman says that we may not move amendments, and none can be moved if he succeeds in getting the previous question affirmed by the House. I state—and I am sure I have only to state it to him to convince him of the justice of it—that a persistence in moving the previous question will be simply a violation of the assurance, the hon. gentleman gave to the House, and of the distinct understanding arrived at by the House at the opening of the debate, and stated by you, sir, from the chair.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Am I to understand that the hon. gentleman adheres to his motion?

John A. Macdonald [Kingston, Attorney-General West]—I certainly do adhere to it.

Luther Holton [Chateauguay]—And has the hon. gentleman nothing to say to my objections?

John A. Macdonald [Kingston, Attorney-General West]—To what?

Luther Holton [Chateauguay]—In reference to cutting off amendments by this motion.

John A. Macdonald [Kingston, Attorney-General West]—Why did not the hon. gentleman put them?

Luther Holton [Chateauguay]—We relied upon the assurance given by the hon. gentleman that there would be no attempt to cut short discussion, no attempt to prevent a full and free expression of the opinion of the House upon every feature of the scheme. I ask him now again if he intends to adhere to that declaration?

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I will, Mr. Speaker, on reflection, make a few remarks in answer to the hon. gentleman. He speaks as if it was a great concession to the majority of this House and to the Government that the arrangement was made at the opening of the debate. Why, sir, it was no concession whatever to the Government or to the majority of the House.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Acting on behalf of the Government, and with the full approbation of my colleagues, I made a motion that an Address should be presented to Her Majesty, praying Her sanction to the resolutions adopted at the Quebec Conference. That motion was quite parliamentary in its character, and there was no parliamentary reason whatever why it should be considered in Committee of the Whole. The hon.

³⁵ [John A. Macdonald, Legislative Assembly \(Feb. 9, 1865\), p. 15.](#)

gentleman could not, by any rule known to

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parliamentary practice, force us to go into committee or require us to discuss any one of these resolutions by itself. It was then quite open to me, according to the usage of the House, to make a motion for an Address to Her Majesty for the purpose stated, and it was not as a favor to the Government that the arrangement was made to discuss it as if the House were in Committee of the Whole.

On the contrary, it was a concession of the Government to the minority in the House; for I stated, of my own mere motion, that although I had a right to proceed in the ordinary manner with the Speaker in the chair, and to restrict honorable gentlemen to a single speech in accordance with the rules that govern debate—that although this was my undoubted right according to parliamentary practice, yet, for the purpose of allowing the fullest and freest discussion, I suggested that the same rule should obtain as if the House were in Committee of the Whole, when every member could speak twenty times if he felt so disposed, and present his views fully on all the points of the scheme. That was the proposition made by the Government; it was a fair, liberal, even generous one.

But how were we met by honorable gentlemen opposite? We were ready to proceed with the discussion at once, and to present the subject to the House without delay. But it was stated that that would be unfair—that the members of the Government should first make a statement, and allow it to go to the House and country, so that neither should be taken by surprise in a matter of so much importance, and that honorable gentlemen might have the fullest information upon which to make up their minds. We did make our statement, and when asked for a week's delay in order that these speeches might be fully considered, we consented to it.

Supposing that after this postponement the

debate would go on at once, we gave hon. gentlemen opposed to the scheme a whole week to consider our remarks, to prepare themselves for debate, to work out objections to our arguments, and pick out all the flaws they could find in the scheme itself. We did this because we thought it fair, and because we believed hon. gentlemen were sincere in their professed desire to have the fullest information upon the subject.

Well, the debate began, it has gone on now for three weeks since that postponement, and as my hon. colleague the Hon. Provincial Secretary [William McDougall] has said, it has dragged on wearily, with no prospect of an early termination. And how have we been met by hon. gentlemen opposite? Has it been in the same spirit that actuated the Government throughout the debate? We asked them to come forward, and honestly and fairly, in the presence of the House and country, to discuss the scheme; but instead of so doing, they have deliberately trifled with the question and wasted the time of the House.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—No, no!

John A. Macdonald [Kingston, Attorney-General West]—The hon. gentleman as a man of honor cannot deny it, as a man of candor he cannot deny it; and if he should deny it, his character as a man of honor and candor would sink in the estimation of this House.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I say it distinctly that this was the plot of hon. gentlemen opposite, to delay the consideration of this subject. Their policy was to wait, [like Micawber](#) for “something to turn up,”³⁶ to see what would happen favorable to them in New Brunswick, to learn what would be done in Nova Scotia, and to embrace every pretext of delay that presented itself. The hon. gentleman was playing, deliberately playing, a trick. He talked about a base trick having been played upon the Opposition, but was it not a base trick in him

³⁶ Phrase associated with Wilkins Micawber, a character in [Charles Dickens, *David Copperfield* \(1850\)](#).

not to discuss this question, but to put it off upon every possible excuse, to interrupt hon. gentlemen when they discussed it, making innuendos, suggesting motives for delay, trying to disparage the scheme and ourselves in the estimation of the House and country, and getting others to say what he would not dare to say himself.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—That was the plan of the hon. gentleman. He complains of not being able to move an amendment, but the Opposition attempted to move none. It was friends of the Government who offered the only amendments yet presented. The policy of the Opposition was just this—they wished to spend the whole of March and the best part of April in the general discussion upon my motion; and then, when they could do nothing more to nauseate the House and disgust the country with the subject, when they had wearied the members and made the reporters sick with their talk—

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—they were to spend the remainder of April, all May and June, and run the debate well into summer, upon the amendments they intended to propose

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one after another.

Some Hon. Members—Hear, hear, *and laughter.*

John A. Macdonald [Kingston, Attorney-General West]—It is because these honorable gentlemen have not endeavored honestly and candidly to discuss the question, but have played the game of prolonging the debate to midsummer and preventing the House coming to a final decision upon it, that the Government have taken the step now proposed, and have said to these hon. gentlemen:

“Here, you have had a month to move amendments and make speeches. You have been allowed to sit here discussing the

question every night during that time, and sometimes till one or two o’clock in the morning. You have not fairly discussed the scheme, nor moved any amendments to it. You appear, on the contrary, determined to obstruct the measure by every means in your power. You have deliberately laid a plot to throw it back with the view of defeating it in this underhand manner. We are not going to allow that, nor should be worthy of the position we hold as a Government if we did allow it;” and, sir, I should be unworthy of the character the hon. gentleman (Hon. Mr. Holton) gives me of being a good parliamentary strategist, if I allowed this plot of preventing the House coming to a vote to succeed.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Now, in resorting to measures to prevent the success of this game played by the Opposition, we have not taken hon. gentlemen opposite or the House by surprise. We gave them from the middle of winter almost to the beginning of spring, and the opening of navigation, to discuss the question and propose amendments; and when we saw they were determined to waste the time of the House and country indefinitely, I came down yesterday and, on behalf of the Government and with the full approbation of my colleagues, stated fairly and frankly that it was of the greatest consequence, the utmost consequence, to the best interests of this country, that this question should not be allowed to drag on before Parliament, but that a vote should be taken without delay, in order that we might be able to tell the sister provinces and inform Her Majesty that the contract we made with them, the arrangement we entered into with the governments of those provinces, had met the full approbation and consent of the Parliament and people of Canada.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—And I gave fair notice that the Government considered the recent political

events in New Brunswick³⁷, and the state of affairs in that province, called not only for action, but prompt action by this House; and that every proper and legitimate means known to parliamentary practice would be taken by the Government for the purpose of getting this House to come to a full and final decision upon the question.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—We have never taken hon. gentlemen by surprise. On the contrary, we have allowed them every latitude in this debate, and have given them fair notice all through of what we intended to do. But how have we been met by them? Have we been met in the same spirit of frankness and sincerity? No—and I say it without hesitation, we have been met throughout in a spirit of obstruction and hostility; and, instead of discussing the question fairly on its merits, hon. gentlemen opposite are dragging on the debate slowly for months, in order to tire out the patience of the House and country.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I ask the House whether they will permit such a shabby, such a miserable game to be played successfully? Will they allow a question so closely identified with the best interests of Canada to be thrown across the floor of the House like a battledore between the hon. members for Cornwall [John Sandfield Macdonald] and Chateauguy [Luther Holton]? Will they allow these hon. gentlemen to trifle with it, not so much because they are opposed to the scheme itself or disapprove of its general principles, as because of those by whom it is presented for the adoption of the House.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, there has been some little misapprehension as to the effect of the motion I have proposed to the House, which it is as well should be removed. It has simply and

only this effect—that it does not prevent hon. members expressing their views fully and freely upon the subject, but calls upon every hon. gentleman to give—if I may use an Americanism—a straight and square vote upon the question, and to state plainly whether or not he approves of the scheme of Confederation as a whole.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—As I stated when I opened this debate upon my motion, and as has been over and over again stated by several of my colleagues, we agreed with the governments of the sister provinces upon a future Constitution for the whole of British North America, and we ask this House to approve or disapprove of that Constitution. We told the House that we had made this treaty with the sanction of Her Majesty and of the Imperial Government.

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Luther Holton [Chateauguy]—With some qualifications.

John A. Macdonald [Kingston, Attorney-General West]—No; we told the House that we had the previous sanction of Her Majesty and of Her Majesty's representative to our meeting. The Conference met and sat under this authority, and we worked out a scheme for the Constitution of the provinces. That scheme may be a good or it may be a bad one; but whether it be good or bad, we have a right to ask this House to approve or disapprove of it, to accept or reject it. We had the sanction of Her Majesty and the Imperial Government to our meeting—because this House knows that the union of these colonies is a matter of great Imperial as well as of great local interest—and under that sanction we have worked out a Constitution and made a bargain with the other provinces.

We have pledged ourselves as a Government to come down to the Canadian Parliament and say:—"Here is a Constitution

³⁷ *Supra* footnote 11.

which we have agreed upon for the future government of these provinces. We have agreed to submit it to this House, just as the governments of the other provinces have agreed to submit it to their respective legislatures. We have a right to ask the members of this House whether in their judgment it is a scheme that, with all the faults and imperfections it may have, ought to be entered into by the Parliament of this country. We exercise this right, and ask you to declare by your votes, yes or no, whether we were right in framing this measure, and whether it is such an one as ought to be adopted by this House."

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—This, Mr. Speaker, is the position of the Government; and what though amendments should be carried—what though the amendment of which the honorable member for North Ontario [Matthew Cameron] has given notice should succeed, and the House should declare in favor of a Legislative instead of a Federal union (supposing the honorable gentleman did present and carry such a motion—what good could it possibly do? The contract that we entered into with the other provinces would be broken, this Legislature would be violating the solemn engagement under which we are to the other colonies, and we would have a Constitution drawn up which none of the other provinces would adopt. We know that they would reject it—we know that Lower Canada would go as one man against it.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Well, the other provinces go against this.

John A. Macdonald [Kingston, Attorney-General West]—At all events the governments of the other provinces will submit the question to their legislatures and take their opinion upon it, and we have a right to ask this

House:—"Do you or do you not approve of it? If you disapprove of the scheme altogether because of its general principles, why vote it

out. If you think that it ought to be a Legislative and not a Federal union, why vote it out. If you think it wrong to create a life peerage instead of an elective Legislative Council, why vote it out. Vote it out for any or all of these reasons if you like; but give us at once an honest, candid and fair vote one way or the other, and let the sister colonies know without delay whether you approve of the arrangement or not."

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—And, sir, amendments are a mere matter of folly and absurdity.

Some Hon. Members—Hear, hear, *and ironical cheers from the Opposition.*

John A. Macdonald [Kingston, Attorney-General West]—Honorable gentlemen opposite cry "Hear, hear." I do not of course speak of the merits of any proposition in amendment for a legislative union, or an elective Legislative Council, or for any other change in the provisions of the scheme; but I state this in all earnestness, that for all practical purposes the carrying of any amendment to this scheme is merely to lose the only chance of union we can ever hope to have with the Lower Provinces for the sake of some fancied superior Constitution which we cannot get any of the colonies to agree to.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—All we ask this House to do is what the other branch of the Legislature has already candidly done, to discuss the matter fairly and honestly upon its merits, and then to come to a vote upon it. Those who think the Constitution likely to place the country in a worse position than it now occupies, will vote against it. Those who think, on the other hand, that it is an approximation at any rate to what is right, that it will bring the colonies together into closer communication, that it will form the basis of a powerful and enduring alliance with England, will vote for it with all its faults.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Now, as to the consequences

of this motion which I have proposed, this House ought to know that not a single speech can be cut off or shorn of its dimensions by it, and that every honorable gentleman can discuss the question of Confederation, giving, as fully as he desires, the reasons why he will vote for or against the scheme proposed. All the motion will do, all the Government wish to do, is to keep the question before the House; and the honorable member for North Ontario [Matthew Cameron] can speak as well to it as if he had

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his amendment in his hand, and can, as he usually does, make as able a speech as if there were half-a-dozen amendments proposed to it. The whole scheme, in fact, is as much in the hands of the House, and as fully before it and open to discussion, as it was on the day I moved its adoption.

All this motion will do is to prevent honorable gentlemen opposite playing the trick which I have spoken of—drawing the discussion away from the main question before the House, getting up debates upon the powers of the General Government and of the local governments, upon an elective or an appointed Legislative Council, and upon all sorts of side issues upon which the changes would be rung night after night and week after week, through the spring and summer, till the House became weary with the surfeit of talk, and the country disgusted.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—That, sir, is the aim and object of honorable gentlemen opposite, but I hope this House will not be so foolish as to fall into the trap they have laid, and I know honorable members are fully aware of the designs of these honorable gentlemen. They cannot complain that they have not had an opportunity of moving amendments. They have had three weeks to do it, and they have not yet moved one or given notice of one.

Then, sir, what will be the consequences, on the other hand, if the previous question is not carried? If it is rejected, and the main question is not put, Confederation is defeated. And I will at once inform the House that to vote that the main question be not put, will throw Confederation over forever, and forever destroy the last hopes of a friendly junction between the colonies of British North America.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Why the last hopes?

John A. Macdonald [Kingston, Attorney-General West]—Because if we reject now the agreement come to by all the governments of all the provinces, we can never expect to get them to meet again to make another.

Luther Holton [Chateauguay]—But one of these Governments has ceased to exist³⁸.

John A. Macdonald [Kingston, Attorney-General West]—The hon. gentleman knows perfectly well that the governments of all the provinces are pledged to the scheme, but that the legislatures have not yet expressed themselves upon it. If any of them appear now to be hostile to it, that feeling may disappear when it is fully explained to them. Even the Hon. Attorney General Palmer, of Prince Edward Island, may himself become convinced of its desirability, and vote for it. We cannot say how those legislatures will vote, but what we propose to do is to lay our action before the Imperial Government, and ask it to exercise its influence with the other colonies in securing the passage of the scheme.

And I have no doubt that if the Mother Country gives friendly advice to the sister colonies in that kindly spirit in which she always gives it, if she points out that in her view this scheme is calculated to serve, not only our interests, but the general interests, welfare and prosperity of the Empire, I am quite satisfied that the people of those colonies, whatever may be their local feelings, will listen at all events with respect, and perhaps with conviction, to the advice so

³⁸ Meaning New Brunswick. *Supra* footnote 11.

given by the Imperial Government. I have no doubt, indeed I am satisfied, that if the Imperial Government gives that advice, it will be in the spirit of kindness and maternal love and forbearance, and that if England points out what is due to ourselves as well as to the Empire, and shows what she, in her experience and wisdom, believes to be best for the future interests of British North America, her advice will be accepted in the spirit in which it is offered, and sooner or later with conviction.

Some Hon. Members—*Cheers.*

John A. Macdonald [Kingston, Attorney-General West]—For all these reasons I think the members of the Government would be wanting in their duty in this great strait, this great emergency in our affairs, if they did not press for the decision of this House as quickly as possible.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Why, there is the question of defence, which the honorable member for Cornwall [John Sandfield Macdonald] admits to be of the most pressing importance, that requires immediate attention and demands that further delay in dealing with this scheme should not be allowed.

Luther Holton [Chateauguay]—What has defence to do with this scheme of Confederation? The honorable gentleman has stated, over and over again, that it has nothing to do with it.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—The honorable gentleman is mistaken. The two questions are intimately connected.

Luther Holton [Chateauguay]—Why, when we asked for information the other day as to what it is proposed to do in the matter of defence, the honorable gentleman said that that was a different subject from this altogether.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—The honorable member for

Hochelaga [Antoine-Aimé Dorion] certainly did move a series of resolutions asking for information upon this subject, which we refused, because they were offered for the purpose of

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obstructing and delaying the debate on this scheme.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—When I say that there is an intimate connection between these two questions of defence and Confederation, I mean this: that the progress of recent events—events which have occurred since the commencement of this debate, has increased the necessity of immediate action, both with regard to defence and to this scheme. Honorable gentlemen opposite have been in the Government, they have been behind the scenes—and they know that the question of the defence of British North America is of great and pressing importance, and they know that the question of the defence of Canada cannot be separated from it.

And honorable gentlemen have been informed, and will find by the scheme itself, that the subject was considered by the Conference, and that it was arranged that there should be one organized system of defence for the whole of the provinces and at the cost of the whole. Well, it is now of the greatest importance that some members of the Government should go home immediately, in order that England may know what the opinion of Canada is upon this question of Confederation, as well as upon the question of defence.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Is that what you want them to go for?

John A. Macdonald [Kingston, Attorney-General West]—Yes. The season is fast approaching when it will be necessary to commence these works—the only season during which they can be carried out at all; and that man is not true to his country, that

man is not a true patriot, who, for the sake of a petty parliamentary triumph, for the sake of a little party annoyance—for the conduct of the Opposition amounts to nothing more—would endeavor to postpone some definite arrangement on this important question of defence.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Yes, Mr. Speaker, this opposition is either one or the other of two things—it is either for the sake of party annoyance, or it is a deliberate desire to prevent anything being done to defend ourselves, in order that we may easily fall a prey to annexation.

Some Hon. Members—*Cheers.*

John A. Macdonald [Kingston, Attorney-General West]—I do not like to believe that honorable gentlemen opposite entertain any wish to become connected with the neighboring republic, and therefore I am forced to the conviction that they are actuated by the miserable motive of gaining a little parliamentary or party success. There are only two alternatives of belief, and one or the other of them must be correct.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I believe the honorable member for Chateauguay [Luther Holton] is in his heart strongly in favor of a Federal union of these colonies; but because it is proposed by honorable gentlemen on this side of the House, he cannot and will not support it.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—So long as my honorable friend the Hon. Finance Minister [Alexander Galt] sits here on these benches, so long as [Mordecai sits at the King's gate](#)³⁹—

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—and so long as the honorable gentleman sits on the opposite instead of this

side of the House, so long will he find fault and object. Hit high: or hit low, like the flogged soldier, nothing, will please him.

Some Hon. Members—*Renewed laughter.*

John A. Macdonald [Kingston, Attorney-General West]—But I believe the House will not sanction such, pitiful conduct as honorable gentlemen opposite exhibit. I believe we will have a large, an overwhelming majority, to sustain us in the course we have adopted; and that we should be highly blameable were we to exhaust the patience not only of ourselves, but of our supporters, by allowing this conduct to be pursued much longer unchecked. These, sir, are my answers to the questions of the honorable member for Chateauguay [Luther Holton].

Some Hon. Members—*Cheers.*

Luther Holton [Chateauguay]—I have the satisfaction of having provoked from the hon. gentleman altogether the best speech he has delivered during this debate. So much I freely admit, and I think his own followers will confess that this is the first time he has spoken with anything like his usual spirit and force during the whole debate. This was perhaps inevitable, because in his other speech, and notably in his introductory speech, he labored under the consciousness that the scheme was at variance with his own antecedents, and was not approved of by anybody. We had, therefore, at that time none of that vivacity, none of that strength of declamation, none of that humor with which his brief speech this evening has overflowed.

But, sir, to return to the point to which I called your attention when you resumed the chair. To that point the hon. gentleman has not been pleased to speak. He has gone off on all sorts of subjects. He has said he will not hold himself bound by the arrangements which he himself entered into at the opening of the debate. He says he does not consider himself so bound; and I must be allowed to say a word or two in reference to his excuse for his

³⁹ [Esther 2:19-23](#). Mordecai overheard an assassination plot against the king while sitting at the gate. He tells Queen Esther and saves the king's life.

departure from that agreement. He says that I and other hon. gentlemen on this side have been instrumental in wasting the time of the House. Emphatically I deny that statement.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—That we did resist the unfair attempts on the other side of the House to change the order of the debate

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which was deliberately established, whereby the debate was to be resumed every evening at half-past seven, I do not deny. I frankly admit it, and claim that we were justified in so doing; at all events I am prepared to take the responsibility of having contributed my share to that result. But as to the debate on the main motion, I defy the Hon. Attorney General [John A. Macdonald] to indicate one hon. gentleman on this side who has wasted a single moment of the time of the House—who has spoken beside the question—and who has spoken in order to postpone the question and to protract the debate. And for proof of this assertion, I venture to say that when we get the extended reports of this debate, it will be found that the space occupied by the speeches of honorable gentlemen who support this measure is at least twice that which is occupied by the speeches of hon. gentlemen on this side of the House.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—That's just the complaint made on this side, that you will not speak.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—Oh, we are wasting time by not speaking—that's the charge!

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—It is quite obvious that the honorable gentleman's leader would never have made a blunder of that kind. We have wasted the time of the House by not speaking! Well, sir, it is a very novel way of talking against time, by holding our tongues!

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—But, Mr. Speaker, I am not going into the general debate. I shall not proceed with this matter further. I rose for the purpose of appealing to the sense of justice and common fairness of hon. gentlemen. That appeal has been disregarded. They adhere to that unfair step of theirs, and of course we must meet it as we can.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Mr. Speaker, the hon. gentleman found fault with what I stated just now. But what I said was quite correct; and that is, that we wanted to give as free scope to the debate as could be afforded on both sides of the House. When, however, hon. gentlemen on the other side had their opportunity to speak, they were never ready; and we all remember that on two occasions they actually moved the adjournment of the House, one night at nine o'clock, and again, when the hon. member for Brome (Mr. Dunkin) was unable to continue his speech, at ten o'clock. Some hon. gentlemen on this side had promised to speak, and I well recollect that the hon. member for Lincoln (Mr. McGiverin) had to come to their relief, and filled up the space in the debate, in order to give the opportunity to the Opposition of being ready on the following day.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I cannot allow the Hon. Attorney General West [John A. Macdonald] to run away from the question by one of those "artful dodges," for which he is so well known in this House and the country.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The question put to him by my honorable friend the member for Chateauguay (Hon. Mr. Holton) was, whether he did not agree to the debate being continued on certain terms, and in such a way as that full opportunity should be given to hon. members to move their amendments.

It is very well for the Attorney General West [John A. Macdonald] to say that that arrangement was made, not for the benefit of the House, not for the advantage of the public, not for the convenience of honorable members, but out of mere courtesy by the Government. Sir, the proposition was his own. The hon. gentleman himself came to the House and stated the manner in which the debate should be conducted, actually proposing that the rule which prevented honorable members speaking more than once on the same question, with the Speaker in the chair, should be suspended, in order that every member should have the same freedom of discussion as though we were in Committee of the Whole.

That was the proposition of the Hon. Attorney General West [John A. Macdonald] himself, thinking it the most proper way to conduct the course of the debate. He went further, and stated it as his opinion that after the debate commenced, it should go on each day after half-past seven, leaving the afternoon sitting for the other business of the House. This was another of the hon. gentleman's voluntary statements. Then, going on, what do we find? We find [the Hon. Attorney General West \[John A. Macdonald\], immediately after, in answer to my hon. friend on my right \(Hon. J.S. Macdonald\), saying:—](#)

His idea was that after the debate commenced, it should go on each day after half-past seven, leaving the afternoon sitting for other business.⁴⁰

[And again—](#)

The suspension of the rules he proposed was for the protection of the minority, by allowing each member to speak and state his objections as often as he pleased....

He agreed that Mr. Cameron proposition was a reasonable one. The

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Government would, in the first instance, lay their case before the House, and through the press before the country, and then allow a reasonable time for the country to judge of the case as presented by the Government.⁴¹

[The Hon. President of the Council \[George Brown\] also said:—](#)

Although the Hon. Atty. Gen. had proposed that the discussion should continue day after day, he had not suggested for a moment that the vote should be hurried on; the debate at any period might be adjourned, if deemed necessary, to allow time for the expression of public opinion. There were 130 members, and almost every member would desire to speak on the question; and he thought clearly the proper course was to devote every day, after half-past seven, to the discussion, to allow all members on both sides to state their views, that they might go to the country and be fully considered.⁴²

This, then, was the manner in which the Government brought the proposition before the House—the matter was to be discussed without hurry, and the whole of the 130 members on the floor of the House were to be allowed to express their opinions fully, and their views were to go to the country to be fully weighed and considered. After that we heard [the Hon. Attorney General West \[John A. Macdonald\] saying:—](#)

Of course it was competent to the House to vote against the Address as a whole, or to adopt amendments to it; but, if they did so, it would then be for the Government to consider whether they would press the scheme further on the attention of the House.⁴³

Still further, [the Hon. Attorney General West \[John A. Macdonald\] said:—](#)

All amendments might be moved to that one resolution. It would be the same thing, in fact, as to move them upon each resolution separately.⁴⁴

This, Mr. Speaker, occurred during the preliminary discussion.

John A. Macdonald [Kingston, Attorney-

⁴⁰ [John A. Macdonald, Legislative Assembly \(Feb. 3, 1865\), p. 13.](#)

⁴¹ [ibid., p. 14.](#)

⁴² [George Brown, LA. \(Feb. 3, 1865\), p. 14.](#)

⁴³ [John A. Macdonald, LA \(Feb. 3, 1865\), p. 15.](#)

⁴⁴ [ibid.](#)

General West—That is right.

Luther Holton [Chateauguay]—But you back out of it now.

George-Étienne Cartier [Montreal East, Attorney-General East]—Why did you not move?

Antoine-Aimé Dorion [Hochelaga]—I was saying that this occurred in the preliminary discussion which took place on the floor of the House when the Hon. Attorney Gen. West [John A. Macdonald] himself brought in the resolution upon which the discussion of this measure should be based. We proposed that, as the best protection for the minority, we should go into Committee of the Whole; but the Hon. Attorney General West [John A. Macdonald] said that we should have all the advantages, and more, too, than if we went into committee. He promised that we should be allowed to express our views as often as we pleased, while we would have the benefit of greater order being kept, with the Speaker in the chair, than would be possible in Committee of the Whole.

We relied upon this agreement being kept, and believed that not only would members be allowed to express their views without check, but that the public would have time to hold meetings and petition. We therefore consented at once to the eight days' adjournment, which was suggested by the honorable member for Peel (Hon. J.H. Cameron), and which was considered by all a most reasonable proposition. Well, the Government took eight days to send their speeches to the country, and four days after the debate was resumed, we find the honorable member for Montreal Centre (Hon. Mr. Rose) putting a notice on the paper to do away with the solemn agreement which was entered into on the floor of Parliament between the honorable members on the ministerial side and the minority in opposition.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The honorable gentlemen on the Treasury benches closed the exposition of their case on the 8th of February. On the 16th the debate was

resumed, and on the 21st—Saturday and Sunday intervening—just two nights' debating having taken place in the meantime—the honorable member for Montreal Centre [John Rose] went to every member to get a round robin signed for the purpose of breaking a solemn agreement, which had been entered into in good faith, between the Government and the minority.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Having failed, after two nights' discussion, to carry the resolution of which he had given notice, after, I say—the honorable member for Montreal Centre [John Rose] had been foiled in his attempt to carry that motion—the Hon. Attorney General West [John A. Macdonald] put a notice on the paper to the same effect, thereby assuming the responsibility of all that had been done in this respect by the honorable member for Montreal Centre [John Rose]. And in the absence of the Hon. Attorney General West [John A. Macdonald], the Hon. Attorney General East [George-Étienne Cartier] moved that resolution for breaking the agreement which he and his colleagues had solemnly entered into.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—And, sir, not only did they attempt to break this agreement, so as to prevent discussion on the part of the minority, and to stifle the expression of public opinion, which was

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manifesting itself at public meetings, which were being held everywhere throughout the country, and making itself known to this House through the right of petition; but we now find the hon. gentlemen taking advantage of every rule and technicality known to parliamentary practice to accomplish the same object.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—And, forsooth, the hon. gentleman rises in his place and attempts to justify himself by calling the Opposition a factious opposition, and by

charging it with wasting the time of the House. They are anxious to strangle the discussion after five or six days' debate, when more time had been employed by hon. members on that side than by hon. members on our side, having already succeeded in forcing on the discussion at half-past three in the afternoon, instead of half-past seven, according to the agreement. And now, sir, we are witnessing the extraordinary spectacle of a Government moving the "previous question" to their own motion.

Some Hon. Members—*Cheers.*

Antoine-Aimé Dorion [Hochelaga]—Well, indeed, might the hon. member for Carleton (Mr. Powell) ask if there could be found a precedent for such a course! Hon. gentlemen who can accomplish such a thing as the "double shuffle"⁴⁵ can never be much embarrassed for the want of a precedent. They who have so long, by means of parliamentary tricks, succeeded in maintaining their position, are now inventing a new dodge in order to choke off discussion on this question. Already, sir, have we seen, on one celebrated occasion—in the Corrigan case—the Hon. Attorney General West [John A. Macdonald] rising in his place and moving a resolution, and afterwards inviting his own followers to vote against it.

Some Hon. Members—*Cheers.*

Antoine-Aimé Dorion [Hochelaga]—And now, following a similar course, he is proposing the "previous question," the object of which is, in ordinary parliamentary practice, to prevent a vote being taken on the main proposition. Whenever an hon. gentleman does not want to vote in favor of the question before the House, and dares not

vote against it, he moves or gets a friend to move the "previous question," which is that the question be now put, and votes against it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Such is the invariable practice in England, where parliamentary usage is better known than in this country, and we here find a government resorting to a similar dodge in reference to a measure of their own, and the most important measure that was ever brought before the country.

John Sandfield Macdonald [Cornwall]—And a strong government, too.

Antoine-Aimé Dorion [Hochelaga]—Yes, and a strong government, as my honorable friend says—a government which boasts of having an immense majority, and of having the power to carry such measures as it pleases. It is such a government as this, I say, which is dragging its supporters still deeper through the mire—which is saying to them: "You shall vote for the scheme without putting your views on record, and without giving the people an opportunity of expressing their opinion in the usual constitutional manner."

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—But what do they gain by such a course? They acknowledge it will not stop discussion. And thus they will not gain a single hour or a single minute in point of time. But this they will gain—if their supporters are blind enough to follow them, those who are pledged to their constituents not to vote for the scheme without, first submitting it to the people, will be forced into eating up all the promises that they have made while in the presence of their constituents.

⁴⁵ Six months after the 1857 election, the Macdonald-Cartier ministry found itself unable to maintain its support in the legislature and was forced to resign on Jul. 29, 1858. The Brown-Dorion coalition quickly formed a new coalition and sworn-in a new Ministry on Aug. 2, 1858. Legislation since 1852 (16 Vic. Cap. 154, Sec. 3) required newly appointed ministers resign from their seats and run for re-election before the Ministry could face a vote of confidence. Following the resignations of the newly appointed Brown-Dorion ministers, a rebuilt Macdonald-Cartier ministry was now in the majority, and within 4 days they re-formed government without having to resign their seats due to application of a provision (20 Vic. Cap. 22, Sec. 7) that allowed cabinet members to change from one portfolio to another within thirty days. The Macdonald-Cartier ministry formed government until 1862. The constitutionality of the new ministry was unsuccessfully challenged in *Macdonell vs. Macdonald* [1858].

It may be possible that they will find some who will thus, following the example shown them by the Government, give the denial to their solemn promises, and turn their backs on the pledges they have given—they may find, I say, a few of their followers doing this; but I shall be much mistaken if the majority of the members of this House who have gone to public meetings in the country—who have met their constituents face to face, and who have faithfully pledged themselves to vote for an appeal to the people, will be dragged, as the honorable gentlemen on the other side attempt to drag them, into doing that which their own consciences and their promises to their constituents alike forbid.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—It will be discreditable to this House, should honorable members be found in such a position—if, by a more dodge of this kind, Ministers themselves can not only break their own promises, but compel their supporters to break their promises as well. I hope, for the honor of this House and the country, there will not be found one of those who have promised to vote for an appeal to the people, recording his vote for the question now before the Chair. Let it be clearly understood, that every honorable member who votes for the previous question declares against any amendment being moved to the main motion,

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against any expression of opinion on the part of the members of this House being placed on record.

In voting, too, for the “previous question,” he also votes to condone the breach of faith of which honorable gentlemen have been guilty towards this House. And, sir, honorable gentlemen must have sunk very low in the estimation of their own friends, when two or three of their warmest supporters have to rise, one after the other, to charge them, as was

done this afternoon, with a breach of faith, and with not having kept their promises to this House and to the country.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—In my opinion, the honorable gentlemen would have shown a little more dignity and self-respect had they not thus exposed themselves to the taunts of their own friends. But I cannot believe that the House will consent to be led away by the dexterous management of the Hon. Attorney General West [John A. Macdonald]—by the fictitious indignation which he is always ready to summon to his assistance, and with which he has burst upon the House to-day. In respect to the factiousness of the Opposition, I repeat that I never witnessed in this House such a spectacle as that which has just been displayed by hon. gentlemen on the other side.

Never, in my life, did I hear a strong government rising in its place, and upon a question of this magnitude, involving the dearest interests of the country, exclaiming—“You shall accept the scheme as a whole; you shall not even have the opportunity of moving a single amendment.” The honorable gentleman, sir, treated as an absurd proposition that of the honorable member for North Ontario [Matthew Cameron]—which is also the desire of the Lower Provinces, for a legislative union, with guarantees for the laws, language and religion of the inhabitants of Lower Canada, instead of a Federal union.

But, sir, is it not the case that a great many members of this House, nay, some in the Administration, would prefer that to the proposed scheme of Federation? Is it not also the case that in Nova Scotia, Hon. [Mr. Howe has set his face against Federation](#)⁴⁶, and is a strong advocate of legislative union, which the honorable gentlemen opposite treat as an absurdity. Well, sir, whether it is an absurdity or not, every honorable member of this House

⁴⁶ Joseph Howe, who was Premier of Nova Scotia from 1860-1863 was a leading anti-Confederation advocate. See his anonymous [Botheration Letters \(Jan. 11-Mar. 2, 1865\)](#), a series of twelve editorials against Confederation which appeared in the [Halifax] *Morning Chronicle*.

ought to have an opportunity to put his views on record, and of saying: "I want a legislative union, and not a Federation; I want an elective, and not a nominative Council."

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Sir, the honorable gentlemen say that a legislative union is an absurdity, that an appeal to the people on this question is also an absurdity; but this is only in keeping with their whole course of conduct, which is to treat the people of this country with contempt, and altogether to disregard the wishes of their representatives in Parliament.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Not only do they treat this side with contempt, but they treat with even greater contempt their own friends, whom they are trying to coerce into approval of their unconstitutional course of conduct.

Some Hon. Members—*Cheers.*

John Sandfield Macdonald [Cornwall] resumed his speech, which was interrupted at the dinner recess⁴⁷, by saying: [His Grace proceeds to point out a course](#) which, if followed, would most assuredly secure the accomplishment of the object he had in view. He says:—

Whatever other steps may be taken for the improved organization of the militia, it appears to Her Majesty's Government to be of essential importance that its administration and the supply of funds for its support, should be exempt from the disturbing action of ordinary politics. Unless this be done, there can be no confidence that in the appointment of officers and in other matters of a purely military character, no other object than the efficiency of the force is kept in view. Were it not that it might fairly be considered too great an interference with the privileges of the representatives of the people, I should be inclined to suggest that the charge for the militia, or a certain fixed portion of it, should be defrayed from the Consolidated Fund of Canada, or voted for a period of three or five years.⁴⁸

I trust the House will bear with me while I

[read the opinion of the Canadian Government](#) on this extraordinary proposition:

Another suggestion embraced in His Grace's despatch is well calculated to excite surprise. Your Excellency's advisers allude to that portion of the despatch in which His Grace proposes to remove the control of funds required for militia purposes from the domain of Parliament. His Grace is evidently aware that the proposition wears the aspect of "an interference with the privileges of the representatives of the people," and it is certain that any measure liable to this construction never will be, and ought not to be entertained by a people inheriting the freedom guaranteed by British institutions. The Imperial Parliament guards with jealous care the means of maintaining the military and naval forces of the Empire. Its appropriations are annually voted, and not the most powerful minister has dared to propose to the House of Commons the abandonment of its controlling power for a period of five

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years. If the disturbing action "of ordinary politics" is a reason for removing the final direction of military preparations from Parliament, it is in every sense as applicable in England as in Canada. What the House of Commons would not under any circumstances of danger entertain, is not likely to be entertained by the Legislature of Canada.

Whatever evils are incident to representative institutions, the people of a British province will not forget that they are trivial in comparison with those which are inseparable from arbitrary authority. Popular liberties are only safe when the action of the people retains and guides the policy of those who are invested with the power of directing the affairs of the country. They are safe against military despotism, wielded by a corrupt government, only when they have in their hands the means of controlling the supplies required for the maintenance of a military organization.⁴⁹

I will now quote one more extract from the [same report](#), which will exhibit the opinion entertained at that time by us in relation to the political union of the provinces. What I am now about to read was written in answer to a proposition made from the Colonial Office that a fund should be raised by the British North American Colonies, and which should

⁴⁷ John Sandfield Macdonald stopped his speech at recess on p. 725. This renews the debate on the Confederation scheme.

⁴⁸ [Despatch from Duke of Newcastle to Governor Viscount Monck \(Aug. 21, 1862\) in "Report on the State of the Militia of the Province" \[No. 15\] in *Sessional Papers* \(1863\).](#)

⁴⁹ [Minute of the Executive Council \(Oct. 28, 1862\) in "Report on the State of the Militia of the Province" \[No. 15\] in *Sessional Papers* \(1863\).](#)

be expended under the direction of the Secretary of State for the common defence of the whole country. [The extract here cited](#) will place the House in a position to understand what was then intended to be done:—

A union for defence is proposed by His Grace the Secretary of State for the Colonies, a union of the British North American Provinces, for the formation and maintenance of one uniform system of military organization and training, having a common defensive fund, and approved by Her Majesty's Government—a union, whose details would emanate from the Secretary of State, and whose management would be entirely independent of the several local legislatures. Your Excellency's advisers have no hesitation in expressing the opinion that any alliance of this character cannot at present be entertained.

An Intercolonial Railway seems to be the first step towards any more intimate relations between the British North American Provinces than those which now exist. The construction even of this work is by no means certain, although this Government, looking at it mainly as a means of defence, has entertained the preliminaries, in common with delegates from the provinces of Nova Scotia and New Brunswick. It is premature, just now, to speculate upon the possible political consequences which may never be consummated.

Certain it is, however, that there can be no closer intercolonial union of any kind until increased facilities for intercommunication are provided; and equally certain that the provinces, supposing them to be hereafter united, will never contribute to an expensive system of defence unless it be subject to their own control. Speaking for Canada, Your Excellency's advisers are sure that this province will continue to claim the exclusive right of directing the expenditure of the public moneys.⁵⁰

Sir, these were the replies to the various propositions submitted by His Grace in relation to our contributions towards the defence of this country, and to the means for supplying the same. If different ground is now taken by honorable gentlemen on the Treasury benches, it seems to me that they abandon the rights which belong to a free people—the right of controlling the expenditure of our own money, the denial of which caused the revolt of the American colonies in 1776. In the observations I have made on the question of

defence, and the willingness of the people of this country to contribute their share, I wish to be understood that the proportion asked of us shall be according to our ability.

What I say is that in the condition in which the country is at this moment, it would be idle for us to undertake an outlay which would hopelessly embarrass our exchequer. To organize a large force in connection with the outlay for fortifications, would require a large number of men, who would be withdrawn from the industry of the country—and, that industry being heavily taxed, without any return being expected; and the soil refusing perhaps to be as prolific as in other years, most serious embarrassments would overtake us in the attempt to defend ourselves in a war which we had done nothing to provoke. And, having no knowledge of the Imperial policy which might bring about such a war, I say it becomes the people of this country, before they undertake a large outlay for defence or military organisation, to consider what portion we can bear of the burdens sought to be imposed upon us.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I say nothing of the sensational style of speaking which the Attorney General West [John A. Macdonald] gets up about other topics, in order to get away from the point raised by my honorable friend Chateaugay [Luther Holton], who stated the case in a way that any one who desired might have met it fairly. When a plain answer is wanted to a pointed question, honorable gentlemen opposite invariably fly off to something else. I will not allude to the debate which incidentally followed after the recess this evening, and before I resumed my observations a little while ago, farther than to make a remark on the statement of the Attorney General West [John A. Macdonald], that I sneered at the question

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⁵⁰ [Minute of the Executive Council \(Oct. 28, 1862\).](#)

of defence. The honorable gentleman stopped there, and I do not know what he intended to add. I suppose it was to be the same courteous and elegant language which he addressed to my honorable friend the member for Chateaugay [Luther Holton]—language which, as regards its audacity and vituperative character, no other member of this House would condescend to use. Complaints from this side of the conduct of the Government generally, the honorable gentleman meets by getting up in a dreadful fury, and singling out honorable gentlemen on this side for personal attack. Such conduct, I think, is unworthy of the leader of this House.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I deny that I have ever sneered at the defence question. During my life, it has been more than a sentiment with me—it has been a principle that this country should be defended. I know it is a duty we owe to the Empire, as a self-governing colony, to contribute a fair proportion of our means for defence. And I am sure I speak the sentiments of every honorable member on this side, when I say that we are prepared, to the extent of our resources, to contribute all we can for that object. But it is not only that we are called upon to contribute means for our defence; we shall be called upon also, in the time of danger, to contribute men, to shed the best blood of the country, to see our fields devastated, our towns destroyed, our trade and commerce ruined. All these are consequences of a State of war, which must necessarily fall upon us, in the event of that calamity arising.

We have all that to consider, and we have the consciousness also that, without a very large amount of Imperial aid, it would be impossible for us for a long time to resist an invasion of this country. But, while taking this ground, let us not be led away by this buncombe talk of loyalty—by the dragging in of the name of the Sovereign and the name of the Governor General by hon. gentlemen opposite. To over-awe and whip in their supporters, they say to them that they must do

what they bid them, because the Queen has said this, and the Governor General has said that, and they constantly refer to “loyalty.” For my own part, I never invoke the aid of that term—for I always take it for granted that men are loyal, until they prove by word or deed that they are disloyal.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The imputations cast on our loyalty are a gratuitous insult offered to true Britons, who have proved in times past, and are ready to prove again, their loyalty and their valour; men, whose attachment to the soil on which they were born makes them still more anxious to keep their hearths and firesides free from the pollution of the invader. Those who have come here only yesterday cannot feel the strength of the ties which bind us to our native land; and yet they have the audacity to charge us with being annexationists.

So far from submitting to this imputation, I charge the gentlemen on the Treasury benches, by the course of legislation they have introduced—by the sudden manner in which they have changed their tactics, and proceeded to organise a Constitution which familiarises the people of this country more to American institutions than anything ever done here before—I charge them with having done much, to hasten annexation. I put it to honorable gentlemen whether the outside talk of annexation is not assuming a very alarming aspect.

Some Hon. Members—*Ironical cries of “Hear! Hear!” from the Ministerial benches.*

John Sandfield Macdonald [Cornwall]—Yes, and I charge honorable gentlemen with the fatal consequence of placing the issue before the English public, the people of this country, and the people of the United States—that either this self-made, unauthorised Constitution must be supported, or else the rejection of it will be tantamount to annexation, and consequently that we are annexationists at heart who do not approve of this measure.

We, who raise our voices honestly against

the scheme, being desirous really to perpetuate our connection with the Mother Country, and to defend this province with the means we have, are to be stigmatised as annexationists by the Minister of Agriculture [Thomas D'Arcy McGee], who sends it forth to the world, that there are annexationists not only here but down in the Lower Provinces. He, forsooth, is the man of all others to talk about loyalty! I have listened with disgust—

Some Hon. Members—Oh! Oh!

John Sandfield Macdonald [Cornwall]—with disgust, at the assumption with which the honorable gentleman passes judgment on those who will be found standing by the British flag when he will be nowhere.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Yes; I can scarcely restrain my anger when I hear that honorable gentleman reading us a lecture on loyalty. It is “Satan reproving sin.” When he gets into a government with a number of super-loyal gentleman, he forsooth must stigmatise as disloyal every one who will not go just his own way.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—I had said all these things you refer to, before you took me into your government.

Some Hon. Members—*Laughter.*

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John Sandfield Macdonald [Cornwall]—Whilst the honorable gentleman was with us, we kept him as close as we could, and it was a hard task.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—We managed, however, to keep him right, and he took his part in settling the principles which were laid down in [the answer we gave to the](#)

[Duke of Newcastle](#)⁵¹.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Some of the views laid down in that document are very good.

John Sandfield Macdonald [Cornwall]—And no doubt, when he disagrees with the gentlemen with whom he is now associated, and leaves them as he left us, he will have different views again.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—I will never go back to you.

John Sandfield Macdonald [Cornwall]—The honorable gentleman was glad to come to us. It was the first lift he got in Canada.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—I never sought you.

John Sandfield Macdonald [Cornwall]—I was led into this digression in consequence of the taunts and imputations cast upon us this evening by the leader of the House. We were obliged to him for saying, in [his speech at the opening of this debate](#), that we are all loyal in this country⁵²; and yet [the Attorney General East \[George-Étienne Cartier\] in his speech made on the following day](#), said there were annexationists here—there were the John Dougall party and the extreme democratic party⁵³. It is not for me to reconcile the statements of the two honorable gentlemen. One says there are no annexationists, the other says there are. The Hon. Attorney General East [George-Étienne Cartier] spoke of an annexation sentiment in Montreal. Whether he is right or not, we know that that city became notorious for its annexation proclivities at a former time.

With regard to the prosperity of the country, and its condition at this present time, I have

⁵¹ [Minute of the Executive Council \(Oct. 28, 1862\) in “Report on the State of the Militia of the Province” \[No. 15\] in *Sessional Papers* \(1863\).](#)

⁵² [John A. Macdonald, *Legislative Assembly* \(Feb. 6, 1865\), p. 28.](#)

⁵³ [George-Étienne Cartier, *Legislative Assembly* \(Feb. 7, 1865\), p. 61.](#) Cartier said, “And, while referring to the opponents of Federation, he could not help adverting to the strange manner in which extremes met and worked in unison to oppose Federation...we had the party who formerly composed what might be styled Mr. Papineau’s Tail—the extreme democratic party—joined with Mr. Dougall’s Tail.” Papineau refers to French-Canadian nationalism, while Dougall refers to Protestant, anti-Catholicism.

some observations to make, and will leave the House to deduce therefrom how far the Administration will be justifiable in asking from this House authority to make the outlay which they may propose for purposes of defence. I have said that the cry of annexation has arisen from the attempt made by honorable gentlemen opposite to shape our Constitution after the American model. And there is nothing more natural than, when the commerce of the country is at a stand-still, when indebtedness presses hard and heavy upon the farmers and mechanics as well as merchants, and all branches of trade are depressed—nothing is more natural than that people should look somewhere for relief.

This leads me to state that the desire for change—which it is said this proposed scheme it intended to meet—has not been produced so much by any sectional difficulties, as by the embarrassments which have overtaken the country. Make the institutions of this country analogous, except in some very trifling instances of difference, to those of the United States, and let us feel that our commerce is too limited, and embarrassments have overtaken us—and the result will be that the policy of honorable gentlemen opposite with regard to this question will make people look to the States, in spite of themselves.

I wish to show that the state of the country ten years ago was much more prosperous than it is now. The condition in which we found ourselves in 1852 and 1853 justified us to a great extent in going into a large indebtedness for the Grand Trunk. And probably the healthy condition of the farming interest and of every branch of trade at that time, justified to some extent the enactment of the [Municipal Loan Fund Act](#)⁵⁴, which enabled municipalities to borrow money for all sorts of improvements.

Having referred to the state of prosperity

which then prevailed, I shall next allude to the cause, which, in my judgment, more than anything else contributed to produce the disastrous difficulties which have since overtaken the country. I first quote from [the despatch of Lord Elgin in 1852](#), to show what was our condition about that period, when transmitting to the Colonial Office the Canadian Blue Book for the previous year:—

I had the honor, with my despatch, No. 2, on the 9th September, to transmit two copies of "Tables of the Trade and Navigation of the Province of Canada for 1851," and I now enclose the Blue Book, together with a printed copy of the "Accounts of the Province," and of a Report by the Commissioner of Public Works for the same year. These documents furnish much gratifying evidence of the progress and prosperity of the colony, and justify the anticipations on this head expressed in my despatch, No. 94, of the 1st August, 1851, which accompanied the Blue Book of 1850.⁵⁵

That is the official statement made by the then Governor General to the Mother Country. And what does he say in the following year? In 1853, after going over a number of facts, showing the advancement of trade and commerce, and the general progress of the country, he says, in the last sentence but one of [his despatch](#):—

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I enclose the supplement of a local newspaper, which contains copies of the addresses that were presented to me at various points in my progress up the Ottawa. Your Grace will observe with satisfaction the uniform testimony which they bear to the prosperity of the country and the contentment of the inhabitants. Reports which reach me from other parts of the province speak on this point the same language.

Canada has enjoyed seasons of prosperity before, but it is doubtful whether any previous period in the history of the colony can be cited at which there was so entire an absence of those bitter personal and party animosities which divert attention from material interests, and prevent co-operation for the public good.⁵⁶

⁵⁴ [An Act to establish a Consolidated Municipal Loan Fund for Upper Canada \(Province of Canada, 1852\).](#)

⁵⁵ [Despatch from Earl of Elgin to Right Hon. Sir John Pakington \(Dec. 22, 1852\) in Earl of Elgin, Condition and Prospects of Canada in 1854 \(1855\), p. 51.](#)

⁵⁶ [Despatch from Earl of Elgin to Duke of Newcastle \(Aug. 16, 1853\) in Earl of Elgin, Condition and Prospects of Canada in 1854 \(1855\), p. 83.](#)

I could quote also from the essays written at that time by the member for South Lanark (Mr. Morris), the Solicitor General East (Hon. Mr. Langevin), and the late John Sheridan Hogan, to shew the unprecedented progress which was being made by Canada at that time. And what was the first thing to mar that prosperity?

I wish to call the attention of honorable gentlemen to the fact, that the first step in bringing about the embarrassment we are now laboring under, was the repeal of the Usury laws. In the first place, the bill of the honorable member for South Oxford (Hon. Mr. Brown) in 1853, took away the penalty attached to lending money at usurious rates. Money was then got freely—farmers and others borrowed heavily—and we commenced our downward career. Afterwards all restrictions on the lending of money were taken off. At first people could get money at six per cent, but afterwards capital came in from abroad, and the country was flooded with money, but at unlimited interest.

I appeal to honorable gentlemen, who represent the farming portions of Upper Canada—I appeal to honorable members for Lower Canada, if they can rise in their places and say that the condition of this country at present is not deplorable; that there is not an amount of private indebtedness which is frightful to contemplate? And why is this? It is because so many are borrowing money on account of the facility of obtaining it at high rates; then, getting embarrassed, they borrow for three or four years more at 15 or 20 per cent; next they have to borrow at 80 or 40 per cent, and finally are stripped of their property and ruined.

Alexander Mackenzie [Lambton]—Does the honorable gentleman want an answer to the appeal he made a moment ago?

John Sandfield Macdonald [Cornwall]—Certainly.

Alexander Mackenzie [Lambton]—Well, I have to say for one, that while there is a considerable amount of money borrowed in the part of the country which I represent

myself, there is an amount of accumulated wealth there tenfold what it was at the time, the honorable gentleman has referred to; and there is not anything like that amount borrowed now that there was at that time.

Some Hon. Members—Hear, hear.

David Stirton [Wellington South]—I have no hesitation in endorsing that statement, as applicable also to the part of the country which I represent.

Alexander Mackenzie [Lambton]—And I should have added that money can be borrowed at lower rates now than at the time referred to.

John Sandfield Macdonald [Cornwall]—Well, it appears that I have the testimony of two honorable gentlemen against me. As regards the statement of my honorable friend who comes from the Oil Springs, we can easily understand why money has flowed in there, where they sell a hundred acres for a million of dollars—and why, at the time his section of country has become rich, other parts of the country may remain poor.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—At the time the usury laws were repealed, I had the honor, Mr. Speaker, to be in the seat which you now occupy, and I have therefore no opportunity of urging my opposition to the bill then brought before the House by the honorable member for South Oxford (Hon. Mr. Brown) with all that energy and earnestness which characterises that honorable gentleman.

But whenever the attempt was subsequently made to restore the usury laws, or to reimpose the restrictions on the rate of interest, my vote will always be found to have been with those who were opposed to what is called free trade in money, and today I feel more satisfied than ever that it is the repeal of the usury laws which has brought about a large amount of the depression and the difficulties under which the country now suffers.

It is true that for two or three years after the repeal of the usury laws, the country was prosperous. Property was valued at enormous

rates; large amounts were borrowed from the Municipal Loan Fund, and were spent on local improvements generally, yielding no return whatever.

Then there were large sums borrowed from the different moneyed corporations that came into the country—such as the Canada Loan and Credit Company—the Trust and Loan Company—and the various insurance companies that are daily investing their surplus funds in valuable

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property in this country. Where does that money go? It does not remain here. It is drained off in the dividends of the banks, and of the various companies that are lending at usurious rates of interest. It is going out of the country. And what do we get in return? More facilities for borrowing.

And I ask honorable gentlemen from Upper Canada—I do not know how far this is applicable to Lower Canada—whether it is not true that an immense number of our youth, now in the armies of the United States, have gone away because the properties held by their fathers are so heavily mortgaged that they had no hope of retrieving them. Speaking for my own section, I can say that there is scarcely a young man who can now look forward, as was the rule ten or twelve years ago, to succeeding his father in the family homestead. I say then that this generally depressed state of the country, without any prospect of relief, causes a large amount of uneasiness in the public mind.

And there is no doubt that a good deal of the feeling in favor of the scheme which honorable gentleman take credit for, is influenced by the desire to look for some change, as a relief from the depression under which we labour. And I am not without authority for the statement I am now making. I shall read from an article published only a day or two ago by one, whose name I am sure is well known to the commercial community generally—who has contributed more than anyone else to the statistics of our trade and commerce by his

labors in Toronto, and subsequently in Montreal—I allude to the Editor of the *Trade Review*.

I shall read from that article, and shall then ask the House to say whether I have been exaggerating. I am now speaking more of the condition of our farmers, and those who have been induced to borrow on account of the facilities afforded for getting money; I shall come presently to speak of the trade and commerce of the country, and shall prove from the same source that the statistics of our trade show both to be in a deplorable condition. I do this to show that we should not blindly incur an immense liability in the matter of defence, when we have no means of meeting the outlay that may be imposed upon us.

When the Hon. Solicitor General (Hon. Mr. Langevin) and the member for St. John's (Mr. Bourassa) had a race every year to see who would be foremost in bringing in his bill to reduce the rate of interest, the member for South Oxford (Hon. Mr. Brown) of course insisted on the maintenance of his pet scheme, which, in my opinion, has done more harm to the country than anything else. I regret that the House should have agreed so far with the honorable gentleman in maintaining that policy. As I said before, in a country like this, where our wealth is in our lands, where we own but little money—when our crops fail, how can we meet the extravagant demands made upon us by those from whom we borrow?

But I will proceed to read what the *Trade Review* of February last says about our present laws on the subject of usury:—

The framers of these laws evidently intended them, we think, to protect the trader and the farmer from the extortions of money lenders, and, as such, they may have been suited for the time, when banking was solely in the hands of one or two corporations, which, of course, were monopolists. But competition has now fairly effaced all possibility of oppression from such a source. These laws, in fact, instead of guarding the interests they were intended to protect, only serve to drive their representatives into the enemy's quarters, and leave them at the mercy of the oppressor.

Mercantile paper, which our banks are not willing to discount at seven per cent, is handed by the needy trader—who is in want of money to meet the pressing demands of some creditor, or to retire some notes falling due—to a broker, by whom, perhaps, after getting a bond over part of the trader's property, the paper is discounted at a rate more nearly assimilated to that at which respectable bankers are selling "current fund" drafts upon New York (say fifty per cent, discount) than a fair rate for commercial paper. This is the kind of protection our usury laws afford. Rather a rude nurse, we should call them, for our undeveloped "resources, and our infant manufactures."⁵⁷

That is the language of the reviewer, one whose business it is to review, not only the monetary condition and the commerce of the country, but every branch of our industry and trade, and he seals with his judgment the statements which have been made as to the deplorable condition into which the existing usury laws, in this and in former years, have brought the country. That is one of the consequences of free trade in money. The honorable member for South Oxford [George Brown] in answer to a remark from this side, said this afternoon that the commercial interests of Upper Canada were in a most prosperous condition.

George Brown [Oxford South, President Executive Council]—I did not say "a most prosperous condition." What I said was this; that the honorable member for Chateauguay [Luther Holton] had exaggerated the difficulties now existing in Upper Canada; that the

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troubles in the United States, short crops and other causes had caused a depression in Upper Canada; but that this, I considered, was merely temporary, and that with one or two good crops all this would disappear.

John Sandfield Macdonald [Cornwall]—But these are hard truths which I have been reading. And I think it is better to tell frankly our condition, than to base our estimates on a condition which we do not really enjoy. Let us not send out extravagant statements about our

situation which will not stand the test of an impartial scrutiny. Let us rather make known here and in the Mother Country our real resources, than make false representations of a state of prosperity which does not exist. Then this is our prospect, as stated by the editor of the *Trade Review*, and honorable gentlemen must remember that our present prospects have a great deal to do with the course they should take in legislating on the future constitution of our government:—

A very general degree of anxiety is apparent among mercantile men as to the prospects of a healthy trade during the coming season. There are so many unfavourable circumstances combining to affect our commerce, that this anxiety is by no means without a cause. Excessive importations last year, implying large internal and foreign indebtedness; decreased exports, equally implying inability to readily reduce this indebtedness, are facts that in themselves are sufficient to create a marked change in the immediate condition of trade. There can be no doubt but that the grain crop throughout Western Canada falls short of even diminished expectation, the fine sleighing of the past two months having failed to induce deliveries to any large extent by farmers. Taking into account, however, that throughout the autumn the deliveries were insignificant, it was generally anticipated that during the winter the amount of produce to be brought out would be very large.

But unfortunately, notwithstanding a continuance of excellent roads, a very great pressure for money, and a fair demand at moderate rates, at no point in all the province have the receipts yet reached those of previous years. The only inference is, that the crop is not only a short one, but that the money being realized for it falls far short of general expectation. The result must be to materially lessen the debt-paying power of the people, and render them less likely to make new purchases. Not only will this be the internal effect, but when it is understood that one section of the province will require for consumption very nearly all the surplus produce of the other, the difficulty to discharge foreign indebtedness is intensified."⁵⁸

Mr. Speaker, I again quote from the *Trade Review*. It tells us that the probable excess in Upper Canada will be more than swallowed up in Lower Canada. The article goes on to say:—

Another cause for anxiety is the general condition in

⁵⁷ *Trade Review* (Feb. 1864). Unconfirmed reference.

⁵⁸ *ibid.*

which the retail trade of the country is found. The numerous failures that are daily occurring, and the wretched dividends which real estates are likely to pay, indicate a condition of things not at all desirable. Not only is there constantly apparent a manifest lack of capacity, but, as we remarked last week, a degree of rascality is being developed, which cannot fail to be highly injurious to general confidence. We do not now propose to enumerate the causes for these frequent casualties, or point out the policy of trade that has induced them: it is sufficient to say, that recent events make it more than usually incumbent upon importers to scan their credits very closely; to lessen large amounts in few hands; and to use every legitimate precaution for safety rather than profit.

We need hardly another cause to account for the anxiety of merchants as to the future. But another cause we have in the restricted policy which the banks will of necessity be compelled to pursue. All that we have been attempting to describe will act with far greater force upon the banks than upon individuals. A small movement of produce implies an equally small circulation of bills; any lack of confidence in the retail trade will hasten the policy which has been for some time evident, viz., the contraction into large cities of the means of the leading institutions. Even in the ordinary condition of affairs, the banks would not do other than contract in a year of short crops and low prices.

But another cause for contraction will be the contemplated withdrawal of Southern gold now in deposit. The passage of the Alien Bill may have one of two effects;

1st, it may cause the withdrawal of a considerable sum of gold held by the banks; or

2nd, it will certainly necessitate preparation for such a withdrawal, should it even never take place. Either consequence implies a conversion into bullion of some property not now in that shape. The banks now unitedly hold five and a-half millions of dollars in gold, against which there is a circulation of notes of over nine millions. This proportion will doubtless be maintained, and any considerable drafts for deposits will be met by bills of exchange on England, the banks either using their credit there, which they can do with interest at five per cent., or they can sell the securities in which their foreign deposits are invested.⁵⁹

Sir, there is the future, drawn only last month, of the condition of Upper Canada—short crops and nothing to export, and nothing staring us in the face but actual distress and actual want. Then, if that is imminent, does it not behove us to regard closely the conduct of

the gentlemen on the Treasury benches? We ought to admonish them not to go heedlessly and needlessly

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into extravagance which this country cannot bear.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The effect of this legislation, the unhinging of the public mind, and the high expectations formed of the advantages which are to result from the adoption of this scheme of a new Constitution—all these things have contributed to make the people unhappy and to drive the population out of the country.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I put it to the House, whether the honorable gentlemen on the Treasury benches have not given, as the main excuse for pressing the Confederation scheme, the imminent danger which surrounds us. Does the emigrant choose that country where he cannot profitably invest his capital; where he cannot find profitable employment on his arrival, nor lands in convenient situations, which he can convert to immediate use, where extravagance has been induced by the facilities afforded for borrowing and for wild speculations; and above all, where he expects to be called upon to perform military duties in the face of a powerful enemy immediately on the borders of his new home? I think that if, in the face of all these circumstances, the gentlemen on the Treasury benches pledge themselves to an excessive outlay, we ought to be told now what are the prospects in store for the people of Canada.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—But, sir, they are silent on that point. We know this, however, from past experience—we know that it will be impossible for us to regulate the conduct of the honorable gentlemen on the Treasury benches, when

⁵⁹ *Trade Review* (Feb. 1864). Unconfirmed reference.

they get to Downing Street, surrounded by the influences which will meet them there. Sir, we have occasion for alarm.

We remember that when Hon. Mr. Hincks went to England in 1854, notwithstanding we had voted one million eight hundred sterling in 1852 for the Grand Trunk, he returned to Canada just in time to call Parliament within a day of the prescribed period appointed for its meeting, and proposed, as the important measure for that session, £900,000 stg. additional; and this vote was forced through Parliament during the following session, when it transpired, for the first time, that the agreement to advance this sum out of the public exchequer had been entered into by Mr. Hincks and Lord Elgin whilst in London. We are now called upon to give these gentlemen a vote of credit; to give them the control of a large sum of money, to spend as they think proper; to allow them to betake themselves to England to bind us to an agreement for all time to come.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—We see, sir, day after day, as I have said before, how gentlemen come to this House and disregard the pledges they have made their constituents. Once in their places here, they forget the vows by which they obtained them. I could give a long list, in my experience of a quarter of a century in this House, of members who have betrayed the confidence reposed in them by the people who elected them.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Is it vain to appeal to members now to control the power the Government are asking from us, after we have protested against this sort of thing year after year; when we are refused those explanations which should be given to this House; when the country is deeply embarrassed, I fear, beyond redemption?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I have to apologise to the House for the length

of time during which I have occupied its attention. But I hope the House will believe this, that I am not actuated by any factious motives in this matter.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I stand here as one who has no vote of his to recall; as one who has always maintained that, under our Constitution, as it is, prosperity and enjoyment might be secured, with all their concomitants, were we free from demagoguism, which has produced a very large proportion of the difficulties by which we are surrounded.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I think I have demonstrated that there is sufficient cause for alarm to make us anxious for the future. For all we know, we may find ourselves in a very awkward predicament when the question turns upon Confederation or annexation. I sincerely regret to notice the prevalence of this tone of annexation, and I say that, since the honorable gentlemen opposite got on the Treasury benches, this tone has been much more decided on this question than ever before.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Sir, I need only refer to the declaration of the honorable Premier [Étienne Pascal Taché] in the other House, who stated the other day that we were on [an inclined plane towards annexation](#)⁶⁰, but which the Confederation scheme was calculated to arrest. I regret also, as much as anyone, the position in which we are placed, and that, with such a large population, we are, like mendicants, knocking at the door of the Lower Provinces, imploring them against their will to step in to save us, forsooth, from destruction.

Some Hon. Members—Hear.

John Sandfield Macdonald [Cornwall]—It is no wonder that the

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⁶⁰ [Étienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 6.](#)

people there refuse to cast their lot with ours, after hearing the opinion the honorable gentlemen on the Treasury benches have so frequently expressed of each other. And what will be the consequence if an attempt is made to coerce them? Why, they will be like the damsel who is forced to marry against her will, and who will, in the end, be most likely to elope with someone else.

Some Hon. Members—Hear, hear, *and laughter.*

John Sandfield Macdonald [Cornwall]—With the tricks which the gentlemen on the Treasury benches know so well to play, we will only hasten the day when the Lower Provinces will perhaps endeavor to withdraw from the Mother Country and seek another alliance. I resume my seat, sir, regretting the manner in which the Government have tried to stifle the full and free discussion of this great question.

Some Hon. Members—*Cheers.*

James Cowan [Waterloo South]—I cannot agree altogether, Mr. Speaker, with the honorable member for Cornwall [John Sandfield Macdonald] as to the causes which led to the prosperity of this country from 1854 to 1858, nor yet with the picture he draws of our present circumstances. That hon. gentleman attributes our prosperity to the repeal of the Usury laws. I do not doubt but that the repeal of the Usury laws had some effect, but there were other causes which had much more to do in producing that prosperity than the repeal of the Usury laws. In the first place we imported money by the million to build our railways, and in the second place, not only had we abundant harvests, but short crops in oilier countries gave us fabulous prices for everything we raised. Instead of eighty or ninety cents, wheat was worth two dollars a bushel and upwards, with millers scouring the country with teams to carry it from the barn to the mill.

Such a tide of prosperity, Mr. Speaker, never set in on any country; the result was that it unhinged the sober calculation of almost everybody, and we ran into debt individually,

municipally, and provincially, as if pay-day had never been to come. Well-to-do farmers, with perhaps a thousand dollars or two in their pocket, thought they might purchase an adjoining farm, but it was well if they escaped with the loss of the money paid down. In many instances the homestead was sacrificed ere the new farm was paid for, while houses planned and built then have not yet received their furniture.

But, Mr. Speaker, if our prosperity was unprecedented, so were our reverses. The commercial crisis of 1858 came on us when we were almost without a crop. The disastrous frost of the 11th of June destroyed the one-half, if not three-fourths, of the fall wheat—Spring wheat—all except the Fife sort, then but sown, was so blighted as in many instances not to be worth the cutting. And many a farmer was not only destitute of potatoes to eat, but had even to purchase his next year's seed. The only article from which numerous farmers got any return was surplus stock, which that season brought fair prices—lean as well as fat—in the American markets.

But these reverses were not without a salutary effect. All speculation was instantly stopped. Farmers began to practice anew frugality and economy, and turned their attention to rearing stock as well as cereals. The consequence is that the country was in a great measure recovered from the shock of 1858, and, notwithstanding rather short crops and comparatively low prices, I cannot help thinking that the hon. member for Cornwall [John Sandfield Macdonald] takes altogether too gloomy a view of the state of the country.

But though I cannot coincide with the gloomy views of the member for Cornwall [John Sandfield Macdonald], neither can I accept the bright prospect of the member for South Wellington [David Stirton], as being descriptive of the agricultural interest, generally, throughout the province. It is all very well for my hon. friend, who resides in one of the most fertile counties in Canada, and whose farmers devote their attention to rearing stock—stock second to none in the

province—to talk of agricultural prosperity. But in less favored sections it cannot be denied that there is much individual suffering, caused by the midge and the unprecedented drought of last summer.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot] said—Mr. Speaker, when, a few nights ago, I had the honor to assert in this House that the Government would adopt every means to cause their scheme of Confederation to be passed without amendment, and would have recourse to motions of the nature of that which is engaging our attention at the present time, I certainly did not expect that my prediction would be so soon accomplished, and I acknowledge that I did not believe that it was so well founded as it has proved to be.

What do we see Mr. Speaker? We see an example of the most deplorably restrictive action which can possibly be displayed by a government. After delivering, to satiety, speeches lasting several hours, speeches to

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which we have listened with the greatest possible attention, the Administration, alarmed at the agitation which is arising everywhere throughout Lower Canada, and dreading reaction, takes every means to prevent discussion, and to cause the House to vote without allowing it an opportunity of proposing amendments to the informal scheme which it is desirous of imposing upon the country.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Among those who were witnesses of the unworthy behavior of some of the honorable Ministers, who now sit on the opposite side of the House, at the time of the celebrated “Double Shuffle”⁶¹ of 1858; among those who saw those men record an oath at ten o’clock at night which they violated the very next day—among those, I say, the breach of faith, of which the Hon. Attorney General West [John A. Macdonald]

has just given so sad an example to this House, will excite no surprise, for those gentlemen have long accustomed us to such unworthy actions on the part of a Ministry which has lost all sense of honor and of the respect which they owe to the House.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—It is evident, Mr. Speaker, that the Government is afraid of amendments which might be proposed by the Opposition to their scheme, and of the vote which would be taken on those amendments; discussion alarms them, and the Hon. Attorney General for Lower Canada [George-Étienne Cartier] dreads nothing so much as an appeal to the people, notwithstanding that he would appear to hold in contempt the protests which come to us in the shape of petitions from all the counties in the district of Montreal.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Yes, Mr. Speaker, these numerous petitions prove to us that several honorable members of this House do not represent here the opinion of their constituents in respect of the new Constitution which it is wished to impose upon us. There are representatives here who are ready to vote in favor of the scheme of Confederation in spite of earnest protestations from the counties for which they were elected. I shall content myself with mentioning a single one—I allude to the honorable member for St. Hyacinthe [Rémi Raymond]. Well, Mr. Speaker, that honorable member has declared that he will vote against the appeal to the people, and in favor of Confederation, notwithstanding that out of two thousand inhabitants whom he represents, or rather does not represent, in this House, seventeen hundred have formally enjoined him, by a petition signed with their names, to adopt the contrary course.

Some Hon. Members—Hear, hear.

A Voice—How many of those are electors?

Maurice Laframboise [Bagot]—They are all electors; and if you like, you may convince

⁶¹ *Supra* footnote 45.

yourself of the truth of what I state by examining the signatures, which are those of duly qualified electors who voted at the election of the honorable member for St. Hyacinthe [Rémi Raymond]. I say then, Mr. Speaker, that the imposing and significant movement which is now going on in Lower Canada alarms the Ministry, and that if the Lower Canadian representatives obey the popular voice, and do not disregard it as some of them appear disposed to do, they will vote against the motion proposed by the Honorable Attorney General for Upper Canada [John A. Macdonald]; for if those honorable members support this motion, they will simply declare that they do not wish for amendments to the scheme, that they are opposed to an appeal to the people and to any alteration whatever of the scheme.

Maurice Laframboise [Bagot]—The other night the honorable member for Montmorency [Joseph Cauchon] declared in this House that this signified nothing; that a representative was not bound to respect the wishes of his constituents, and that we were at perfect liberty to vote as we might think fit on any measure whatsoever, and especially on the scheme of Confederation. At all events, Mr. Speaker, I shall venture to hold a different opinion from that of the honorable member, and I say that every man who shews a proper respect for his position in this House cannot vote contrary to the expressed wishes of his constituents; it is a doctrine which was never called in question until the honorable member for Montmorency [Joseph Cauchon] considered that he might cast a doubt upon the correctness of it.

Well, a fact that none will venture to deny is, that several members promised their constituents that they would vote in favor of an appeal to the people; and, by compelling them to-day to accept the motion of the Honorable Attorney General for Upper Canada [John A. Macdonald], every chance of their doing so is taken away. Placed as they are in this dilemma, the members who made that promise, and who at the same time are in favor

of the Government, ought not to hesitate as to the course to be pursued; they ought to throw out this motion, for, if it should be adopted, Confederation will at once become an accomplished fact, and the appeal to the people will have to be given up.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—The Honorable Attorney General for Lower Canada [George-Étienne Cartier] has reproached the Opposition with pressing the adjournment of the House at ten, and half-past ten o'clock at night; but let him remember that he himself pressed an adjournment at the same hour, in order to give his colleague, the honorable

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member for Dorchester [Hector-Louis Langevin], an opportunity of speaking on the following evening.

George-Étienne Cartier [Montreal East, Attorney-General East]—I moved the adjournment at a later hour of the evening; the clock on your side marked a later hour than half-past ten.

Maurice Laframboise [Bagot]—Well, then say that the Ministerial clock showed the hour which I have mentioned, and the two clocks generally agree, better than we agree ourselves.

Some Hon. Members—Hear, hear, *and laughter.*

Maurice Laframboise [Bagot]—In conclusion, Mr. Speaker, I have no hesitation in saying that our parliamentary history shows no precedent for so unworthy a proceeding as the present. I say that it is the intention of the Government to send their measure to England to receive the Imperial sanction before the people of this country have had time to judge of it, and before their representatives have had an opportunity of amending it in any way whatever. This measure, or this new Constitution, after it shall have so received the sanction of the Imperial Government, will have to be accepted by Lower Canada, whether it suits her or not.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Mr. Speaker, I venture to hope that greater independence will be exhibited by our Lower Canadian representatives than our Ministers are willing to believe will be exhibited, and that our Lower Canadian members will not consent to allow themselves to be so led by the nose by their leaders. We were promised, at the commencement of this debate, that all the members should have an opportunity of expressing their views on the scheme, and of making amendments to it, should they think proper to do so; and now, treading all their promises under foot, the Ministry thus lays its ultimatum before us: you must adopt the scheme which we submit to you, without attempting to change a single iota. For my part, Mr. Speaker, I consider that I should be failing in the performance of my duty as a representative if I did not record my protest against such conduct, and such scandalous neglect of all the principles of responsible government.

Some Hon. Members—*Applause.*

Matthew Cameron [Ontario North]—I very much regret that I find it necessary to detain the House, even for a few moments, for a second time on the same day, on the same subject; but I desire to repel, in the strongest manner, the insinuation that the Hon. Attorney General West [John A. Macdonald] has cast on those hon. gentlemen who are opposed to the Confederation scheme—the charge that we are either actuated by feelings tending towards the annexation of Canada to the neighboring republic, or else that we desire to offer factious opposition, and that we have no good motive in seeking for delay with reference to the consideration of this question. Now, speaking for myself, I must say that I do not believe that there is an honorable gentleman on the floor of this House, or even within the length and breadth of British North America, who would less desire to see any change in the constitutional relations existing between these provinces and the Mother Country than myself.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—In my opposition to the scheme I am actuated by a feeling, that adopting it in the manner in which it is now proposed to be done will tend more to drive us towards that annexation, which is held up as such a bugbear, than anything that could be done by honorable gentlemen on the Treasury benches in half a century, if our Constitution were allowed to remain as it is.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Then, as to our being called obstructionists, I would call your attention, Mr. Speaker, to the circumstances surrounding this debate. In the first instance, as has been represented by several honorable members, it was proposed that the matter should be considered as if in Committee of the Whole; but for purposes of preserving order and convenience for transacting other business, that the Speaker should remain in the chair. Though the Hon. Attorney General West [John A. Macdonald] does not consider that proposition in the same light as it was understood on this side of the House, and by myself, yet I am satisfied that the intention of hon. gentlemen in proposing it, was that the debate should go on in the same free and unrestrained manner, due order being preserved, as if the Speaker was not in the chair.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Hon. gentlemen on the Treasury benches then proposed that they should have the opportunity of laying the scheme before the House and the country in as full and careful a manner as they pleased—that they were to take their own time to do this, and were to be allowed to speak without any interruption. That privilege was accorded to them most heartily and cordially by the Opposition. There was no interruption whatever from this side of the House during the whole of their five long speeches.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—But

the very moment they had accomplished their object, and we desired to have exactly the same opportunity—that of laying our views before the House and the country in the same manner, and letting them follow the speeches of the honorable gentlemen on the Treasury benches in proper order—they objected in the most arbitrary manner. The Hon. Attorney

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General East [George-Étienne Cartier] claimed the right to reply at once to every speech delivered on this side of the House.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—

Then again a motion was made by the Hon. Attorney General West [John A. Macdonald] that until disposed of, the consideration of this question should be taken up every evening at half-past seven o'clock, and that was at once concurred in on our part. In a very short time afterwards it was proposed, and the proposition was endorsed and pressed by the Government, that this solemn agreement should be broken up, and the whole business of the country on the floor of this House suspended until the debate should be brought to a close.

In reference to that, I did oppose the course pursued, because I did not think it was for the interest of the country, or that it would facilitate the business of this House. We find that several days were occupied in discussing whether that resolution should be adopted from day to day or not. Who is responsible for that discussion and delay? Was it hon. gentlemen on this side of the House, who desired to carry out the arrangement proposed by the Government themselves, or was it the hon. gentlemen on the Treasury benches, who sought to break up the agreement that had been entered into, of which they themselves were the authors?

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I have also, Mr. Speaker, in this connection, to make my acknowledgments to the Hon. Attorney General West [John A. Macdonald] for the

very elegant compliment he paid the honorable member for Peel [John Cameron] and myself, in characterising us as the “shanghais” from their, the Ministerial side of the House

Some Hon. Members—Hear, hear, *and laughter.*

Matthew Cameron [Ontario North]—but though he did give us the credit of being the only ones that had laid eggs that amounted to anything, the others being all addled, he might have reflected a little, and in doing so have found that the eggs that these “shanghais” had laid will produce birds that in all probability will cut the combs of honorable gentlemen on that side of the House.

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—The hot haste with which those honorable gentlemen are proceeding with this measure is fostering and providing that heat that will bring into vitality and life those very eggs that they referred to; and when the country understands the character of the brood which is produced by those eggs, honorable gentlemen will find that they have been counting without their host in hatching them.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—Counting their chickens before they are hatched.

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—Exactly; counting the chickens before they are hatched. Honorable gentlemen parade before this House an indefinable something that they are careful to keep in the background, which they seem to intimate, if they were only to divulge, would bring almost every member of the House around to their view of the question at once. Mr. Speaker, if there is any information of that kind in their possession, we should know what it is.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—If we have a herculean labor before us to meet some approaching difficulty, this House should know what that labor and that difficulty is,

that we may prepare to meet it as speedily and as bravely as possible.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I do not find that the honorable gentlemen are making any preparations for meeting the lack of defence under which they say the country exists, between the present time and the assembling of this House in the summer. And yet they bring the matter up to frighten the House into submission to their views. They have a puppet from which, by keeping it sufficiently behind the screens, they throw a distorted shadow upon the wall and tell us to look at the giant; but when the shadow is traced to its origin, it will be found, I apprehend, to be nothing but a puppet after all. If they were to come out boldly and give this House all the information of which they boast the possession, I am very much mistaken if the mystery would not turn out to be a mere scarecrow. They make a great cackling about the hawk, and then when the whole brood of chickens is gathered under their wings, it turns out that the source of their pretended fright is nothing but a harmless dove after all.

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—Honorable gentlemen on the Treasury benches are constantly endeavoring to lead us to suppose that there is imminent danger of a war with the United States, and yet each honorable member, as he rises, declares that for himself he has no apprehension of anything of that kind. They ought to consider that if there is any ground for apprehension, if there is any danger of the United States attacking Canada and getting into a war with England, such a war will be upon us almost immediately.

When the nation emerges from the strife in which it is at present engaged, they will have learned a costly lesson of the horrors of war and the financial burdens it imposes; and I am satisfied that so intelligent a people as they are universally admitted to be, will not rush into a contest with a power like that of England, unless they do so while smarting under

wrongs they imagine they have suffered at the hands of England

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in connection with the war in which they are now engaged. After they have had time to reflect and to sit down and count the cost of the strife through which they will have passed, in treasure and blood and intellect, and their national wounds have had time to stiffen, there will be little danger of their again rushing into another similarly disastrous contest.

I heard a gentleman describing this matter a short time ago, by an illustration which I will here repeat. His position was that the respective probabilities of a war with the United States, at an early or a remote period, might be learned from what is often seen when two men have been engaged in a round of fisticuffs. They pummell and bruise each other in the most shocking manner; and while the wounds they have received at each other's hands are fresh, while their blood is up, and while they are smarting under their injuries, if a bystander interferes with either of them, even sometimes by a little wholesome, well meant advice, the wounded man will be ready to pitch into him at once, almost without thought of the odds that may exist against him. But after such an individual cools off and his wounds become stiff and sore, and he gets time for reflection, he has no desire whatever to enter into a contest.

And so, I apprehend, will it be with our neighbors on the other side of the line. When they get cooled down after the present contest, return to their almost desolated homes again, and see the vacancies that have been caused, and when their leaders count up the millions upon millions of dollars that their present war will have cost them, and the claims that will be made upon them for compensation, war losses, and numerous other matters, they will feel a very great aversion to entering upon hostilities which will bring down upon them the whole power of England.

Therefore I hold that if we are going to

expend money in defences, it ought to be done without a day's unnecessary delay. And yet hon. gentlemen propose to delay submitting a measure for the consideration of the House until another session. They will prorogue this session without making any appropriation for defence, and go home to England to push through a scheme which there is now no object in hurrying forward.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Hon. gentlemen on this side of the House are not actuated in their opposition to the scheme by any desire to occupy the place of any one of the hon. gentlemen on the Treasury benches, but their object is to protect the interests of the people, on whose behalf they have been sent to this House, and on their behalf to see that we have a government carried on upon economical principles, so that the people may be led to respect and sustain it.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—But if we have a government that is extravagant in their ideas, how can we expect the people to respect that government? And what is there so well calculated to place this country on the inclined plane to slide into the American Union—so graphically described by the head of the Government in the Upper House—as extravagance on the part of our Government? If we have to spend the sum that the commission has recommended in erecting works of defence, and then provide corresponding forces of men and equipments, the expense will be monstrous. And yet, forsooth, because we ask for information, and object to the coercion they have attempted, they charge us with being obstructionists. Do they mean to say that it is factious conduct for the representatives of the people to demand that they be consulted before their very Constitution is trampled upon and another forced upon them?

Canada is by far the most numerously populated, most wealthy and most important of all the colonies to be affected by the change, and yet the people of this province are the only

people that are to have no opportunity of saying whether the change is acceptable or not, nor are their representatives in Parliament to have even the opportunity of moving a single amendment to it.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—If opposition to that kind of thing entitles me to the epithet of obstructionist, then I glory in the name of an obstructionist.

Some Hon. Members—*Applause.*

Matthew Cameron [Ontario North]—I shall vote against the motion that has been made by my hon. friend the Hon. Attorney General West [John A. Macdonald], and I again express my sincere regret that he should have been induced to bring in such a motion, calculated, as it is, to stifle the proper and ordinary expression of this House. To tell us that we may discuss the question as much as we please is most gratuitous, and is nothing but a sham, alongside of the fact that the motion shuts us off from bringing forward any amendments, or placing our views upon the subject upon the records of the House.

How often have hon. gentlemen on that side of the House told us that if we were not prepared to accept the measure, we ought to be prepared to propose a better one? But no sooner do we give notice of what we consider a better one, than we are virtually gagged, and told that we shall not have the opportunity of even proposing them to the House. If that is the way that a free

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people is to be treated, hon. gentlemen will soon find out that they are on the wrong track; and when Parliament is again summoned, they will be met by a voice from the people that will show them that they have adopted a course that will consign names that have heretofore been honorable, to political oblivion, on account of this outrage upon the rights and liberties of a free people, and it will be an oblivion that will be richly merited.

Some Hon. Members—*Loud cheers.*

Thomas Scatcherd [Middlesex West] said:

—The resolutions under debate, involving as they do an entire change in the Constitution of this country, I regard as of greater importance than any question that has been debated before this House since the union. So sweeping a change seldom takes place except after war or insurrection.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—But we have had neither war nor insurrection—

Some Hon. Members—Hear.

Thomas Scatcherd [Middlesex West]—we have enjoyed a very long season of peace and quietness, and at no time has there been an agitation among the people for such a change as that now proposed. I believe this scheme to have been undertaken mainly because the leaders of the two political parties saw that they had no hope left of continuing in office on the one hand, or getting into office on the other, while they fought against each other.

I have heard it asserted in this House and out of this House, that so grave had become the position of public affairs, that all government had become impossible, and that the gravity of the occasion required that men of all parties should unite to find a solution of existing difficulties. I hope this was not a mere pretence, put forward by men in office to continue in office, and by men out of office to get into office. It is a fact well known, that so long as either party could govern without the assistance of the other, no advance was made toward a union between the leaders.

The changing of two or three votes in this House would have indefinitely postponed the scheme now under consideration. That there was no necessity occasioned by a dead-lock in carrying on the Government must be apparent, when we consider that political parties, by a little forbearance, would have avoided the dead-lock. Surely, if parties could unite as they did in [June last](#)⁶², they could have united to prevent the difficulty complained of,

and have put off the evil day perhaps forever, without entering upon a scheme to subvert the Constitution. If a dead-lock existed, it ought to be attributed rather to the contention of parties than to any defect in our form of government.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—The union between the Canadas took place in 1840; for some time afterwards each section was represented in the united Legislature by forty-two members. Upper Canada at the time of the union had a population of 486,000, and Lower Canada 661,000. After the union took place, from 1844 to 1848, the majority of the Government was a very narrow one. The Government was kept in power by two or three votes; yet during these years there was not a suggestion in favor of a change of Constitution for the purpose of increasing the majority.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—The same number of members continued to represent each section of the province until 1854, when the number from each section was increased to sixty-five, and has continued so to the present time. From the year 1854 until the present time, there has existed among the people of Upper Canada a strong agitation in favor of representation according to population. That principle was agitated by the Reform party at every election. It was the principal political topic, and members were required to pledge themselves to maintain it under all circumstances upon the floor of this House. And not only was the Reform party committed to that principle, but many Conservatives were forced to declare themselves in favor of it.

In 1858 some of the members of [the Government sent an official letter to England](#)⁶³, in which the difficulties of the country were graphically referred to, and the agitation was characterized as being fraught

⁶² ["Memorandum—Confidential," Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

⁶³ [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & Oct. 25, 1858\) in Colonial Office, "Confidential: Question of Federation of the British Provinces of America," \(Nov. 1858\).](#)

with great danger to the peaceful and harmonious working of our constitutional system, and consequently detrimental to the progress of the province. This document was laid before Parliament in February, 1859, and in November of the same year [the Toronto Convention](#) met, where the Reform party was represented by about 570 prominent gentlemen from all parts of Upper Canada⁶⁴.

At that meeting the grievances of which Upper Canada complained were discussed in an able manner by gentlemen fully acquainted with them, and capable of setting them forth. Although the project of a Federal union of the provinces had been brought before Parliament and the country in February, and the Convention met in November, and ample time was given for its agitation, we find that the Convention did

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not consider that it afforded a proper remedy for the evils that existed in Upper Canada. [The resolutions passed by that Convention](#) with respect to the grievances of Canada, and the proper remedy for them, were as follow:

No. 1.—Resolved, That the existing Legislative union of Upper and Lower Canada has failed to realize the anticipations of its promoters, has resulted in a heavy public debt, burdensome taxation, great political abuses, and universal dissatisfaction through Upper Canada, and it is the matured conviction of this assembly, from the antagonism developed, from difference of origin, local interests, and other causes, that the union in its present form can no longer be continued with advantage to the people.⁶⁵

So much for the grievances.

No. 5.—Resolved, That in the opinion of this assembly the best practical remedy for the evils now encountered in the government of Canada, is to be found in the formation of two or more local governments, to which shall be

committed the control of all matters of a local and sectional character, and some joint authority charged with such matters as are necessary, common to both sections of the province.⁶⁶

Such was the remedy. [The 4th resolution](#) shows that the Federation of the provinces was not entertained as a remedy for the evils complained of by the Convention, for it resolved:—

That without entering on the discussion of other objections, this assembly is of opinion that the delay which must occur in obtaining the sanction of the Lower Provinces to a Federal union of all the British North American Colonies, places that measure beyond consideration as a remedy for present evils.⁶⁷

Now, if it had been the opinion of the people of Upper Canada, as represented in that Convention, that a Federal union with the Maritime Provinces would prove a remedy for the grievances they were laboring under, they would have taken it into consideration. Either it did not suit the leaders of the Reform party at that time to take up that plan as it was brought forward by men opposed to them, or else they did not believe it the true remedy. If they had believed it the proper remedy, there was nothing to prevent them uniting with the Government to carry it out, with the cooperation of the other provinces. The only drawback to the adoption of the scheme was the fact that its proposers were in office and likely to remain there. That to my mind is the only reason which can now be alleged for not taking it up at that time.

One of the reasons assigned for calling that Convention together was, that although the population of Upper Canada was much larger than that of Lower Canada, and was constantly increasing, yet Upper Canada found itself without rower in the

⁶⁴ The Reformers of Upper Canada met in Toronto on Nov. 9-10, 1859. "[Meeting of the Liberal Convention of Upper Canada,](#)" *The Globe* (Nov. 10-11, 1859), "[The Convention Yesterday,](#)" *The Globe* (Nov. 11, 1859), "[Meeting of the Liberal Convention of Upper Canada,](#)" *The Globe* (Nov. 12-16, 1859), and [Constitutional Reform Association of Upper Canada, Address of the Constitutional Reform Association to the People of Upper Canada](#) (1859).

⁶⁵ "[Meeting of the Liberal Convention of Upper Canada,](#)" *The Globe* (Nov. 10, 1859).

⁶⁶ *ibid.*

⁶⁷ *ibid.*

administration of the affairs of the province.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Another principal grievance under which Upper Canada labored was the unjust levying and distribution of the public moneys. It was contended that seventy per cent, of the annual taxation was collected from Upper Canada, and only thirty percent, from Lower Canada; on the other hand, when the money came to be expended, for every dollar that was expended in Upper Canada, a dollar was also expended in Lower Canada. And that appears to have been the opinion of prominent members of both political parties; representation by population was demanded by the people of the western section as a cure for that state of things. They considered that if they were represented in this House according to numbers, they would be able to prevent the unjust distribution of the public revenues of the province.

Now, the great measure before this House has been considered by some as designed to create a nation, by others as a means of increasing largely the material and commercial interests of the country. I cannot see that the Federation of the provinces has anything of a national phase in it. For those who are dissatisfied with remaining as colonists of Great Britain, it may be very well to look forward to the creation of a nationality or state of national existence. When you speak of national existence, you speak of independence; and so long as we are colonists of Great Britain we can have no national existence.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—In New Brunswick this question has been treated purely as a question of material interest to the people.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—In a

work recently published by the Hon. Mr. Cauchon, I find the following statement of the way in which the question is treated in New Brunswick. The honorable gentleman says, page 26:—

The only point for them to consider in making a selection would be the material question of profit or loss; more or less of trade, more or less of taxes. The truth of this is clearly shown by the project of Confederation itself, in which it would be seen that the exceptions affect only Lower Canada, and in the speeches made by Mr. Tilley, in New Brunswick, in which he states frankly and unequivocally, that with that province there can be but one paramount question in the discussion of the scheme, namely, that of pecuniary interest. Will New Brunswick, under the union, pay more or less, receive more or less; will the taxes imposed,

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under the union, be more or less than they now are? The question has been thus received by the press and public men of that province, and they have so discussed it, with a view to accept or reject it.⁶⁸

To my mind, that is the way in which the question ought to be treated in this province. As a national matter it ought not to be considered at all. The true question is, whether the people of this province will be called upon to pay more or less taxes, and enjoy more or less prosperity.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—The agitation in connection with representation by population has continued during the past ten years. Going back to the time of the defeat of the Cartier-Macdonald Administration⁶⁹, we find that that Administration had considered it an open question. The Macdonald-Sicotte Administration⁷⁰, which succeeded, resolved to treat it as a closed question. They agreed to leave it in abeyance, but I never understood that their supporters from Upper Canada agreed to abandon it. It was stated distinctly at the time of the formation of that Government, that any abandonment of the question was a matter altogether with the Government, and

⁶⁸ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), p. 26.](#)

⁶⁹ Led by George-Étienne Cartier & John A. Macdonald (1858-1862). The administration ended on May 24, 1862.

⁷⁰ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

was not binding upon their supporters.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—That government adopted what was called the double-majority principle⁷¹, but I never understood that a majority of their supporters from Upper Canada agreed to accept it as a basis, or a means of securing the settlement of the grievances of Upper Canada. What the Upper Canada Reform party agreed to was, that as there was great corruption and extravagance in the administration of the finances of this country, for the sake of securing administrative reform they would allow the question of representation by population to remain in abeyance for a time. However, the double majority principle would not work.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—The Macdonald-Sicotte Government were defeated⁷², and the Macdonald-Dorion Government⁷³ was formed. They treated the question in the same way as the Cartier-Macdonald⁷⁴ did—left it an open question. While that government continued in office, there was no special agitation for representation according to population, although in the House it was very generally supported by members from Upper Canada. That government resigned, a new government was formed⁷⁵, and, during the period of that new government's existence, the hon. member for South Oxford [George Brown] had his committee appointed to take into consideration the representation question. That committee, it appears, had the matter under consideration for a long time. They

made [a report](#) the same day [the Government was defeated](#)⁷⁶, but came to no conclusion whatever, except in the general statement that most of its members looked in the direction of a Federal Government.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—This government was defeated on the question of the \$100,000 paid to the city of Montreal. That vote took place on the 14th of June, the latter part of [the resolution](#) being as follows:—

And in view of the facts above recited, this House would be failing in its duty if it did not express its disapprobation of an unauthorized advance of a large amount of public money, and of the subsequent departure from the conditions of the Order in Council under which the advance was made.⁷⁷

There was never a vote aimed more distinctly than that at the Honorable the Minister of Finance [Alexander Galt]; it was declared by a majority of this House that he was the means of the loss of this \$100,000 to the country. The majority voted in that way, and affirmed that resolution. The moment it was passed a Ministerial crisis occurred, and it was understood that the Ministry had the sanction of the Governor General to dissolve the House; within a few days, some of the very men who condemned the Minister of Finance [Alexander Galt] were willing to overlook his offence, to treat the vote of the House as of no consequence whatever, and to become colleagues of that honorable gentleman in the Government.

Some Hon. Members—Hear.

Thomas Scatcherd [Middlesex West]—Thus the present Coalition was formed with

⁷¹ The "double majority" principle advocated that the Ministry should be supported by two sectional majorities, one for upper and another for lower Canada, in the legislature. J.S. Macdonald believed this principle was not only necessary but already inherent in the sectional nature of the united Canadas. The Macdonald-Sicotte ministry in 1862 in fact practiced the principle. See [Bruce W. Hodgins, *John Sandfield Macdonald, 1812-1872* \(University of Toronto Press, 1971\).](#)

⁷² The administration ended on May 15, 1863.

⁷³ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

⁷⁴ Led by George-Étienne Cartier & John A. Macdonald (1858-1862).

⁷⁵ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864). *Supra* footnote 27.

⁷⁶ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91.](#) The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384.](#) The administration was also defeated on Jun. 14, 1864. *Supra* footnote 27.

⁷⁷ [Legislative Assembly \(Jun. 14, 1864\). Journals, p. 390.](#)

its policy of Confederation I believe that the agitation for representation by population had been less active for three years preceding the formation of that government than at any time during the last ten years; but the mere fact of the Government being deflated seemed to be a sufficient excuse for these honorable gentlemen to join men to whom they had been opposed for years, and to come down to this House with a proposal for a Confederation of the provinces.

For my own part, I am not opposed to a Confederation of these provinces, on a proper basis, although I would rather have seen a legislative union of them preferred. I have no sympathy with those members in their opposition to the scheme, who, while opposing it, are equally opposed to legislative union and representation by population. I think, from the increase of population in

- (p. 750)

Upper Canada, that some change is necessary; and I cannot understand how hon. members, who are opposed to this scheme and also to a legislative union, and to any change in representation, can expect sympathy from Upper Canada's members. It is not the principle of the scheme that I object to. My objections I will state. Part of the new Constitution proposes the construction of the Intercolonial Railway.

Now, when that question was first brought up in 1862⁷⁸, I was opposed to it. When it was first announced as the intention of the Macdonald-Sicotte Government⁷⁹ to undertake the building of that road, I expressed myself as decidedly in opposition to it, on the very first opportunity that offered, and I have never since seen any reason to change the position I then took.

In connection with this subject, I beg leave to cite the opinions of the hon. member for South Oxford [George Brown], as then expressed. I do not do so in order to show that he has changed his mind with regard to this road, for I believe he does not conceal the fact himself. I make this citation to show not only what his views were, but what were the views, I believe, of the majority of the people of Upper Canada at that time, views which in my opinion they still entertain. It is stated that the road ought to be built because it is necessary for the military defence of the country. It is stated that it ought to follow the longest route, because the shorter one will bring it too near the boundary line of the State of Maine.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—When it is considered that this road will unite with the Grand Trunk at Rivière du Loup, and that the Grand Trunk is at places within twenty-six miles of the boundary of Maine, I think that the amount it will contribute to the military defence is of very little value. It is ridiculous to suppose that the Americans would not be able to cut a railway only twenty-six miles from their territory. If we are not strong enough to hold and protect the road which runs through Maine, the Intercolonial would be of very little importance or use.

The opinion expressed in the *Globe* about this railway as a work of military defence was this; I quote from [the issue of the 18th September, 1862](#):—

But as our opinion of military matters may not be worth much, we are prepared to adduce corroborative testimony in its support. And then he cites the following from Blackwood's Magazine—:

On the whole we are inclined to think that until our military frontier is rectified, the construction of a railway between St. John and the St. Lawrence would, as far as

⁷⁸ As Provincial Secretary in the Macdonald-Sicotte Ministry, Dorion oversaw the transformation of the Grand Trunk project into an intercolonial railway project but denounced the larger intercolonial project as financially ruinous for the province in his resignation letter, published in *Le Pays* on Oct. 22, 1862 (and read in the Assembly Feb. 17, 1863). As co-premier in the Macdonald-Dorion Ministry in 1863-1864, the intercolonial railway project was promoted as a military rather than a commercial project. See [Jean-Claude Soulard, "Sir Antoine-Aimé Dorion" in *Dictionary of Canadian Biography*, Vol. 12 \(University of Toronto Press, 1990 \[1997\]\)](#).

⁷⁹ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

military operations are concerned, be money thrown away. If the Intercolonial Railway is to be built, let its friends justify it upon *bona fide*, grounds, and not upon the bogus plea that it is necessary for the military defence of the province.⁸⁰

That was the opinion, I believe, of the majority of the people of Upper Canada at that time, that as a military defence this road would be completely useless. But we find that the proposition to build the road is inserted in one of [these resolutions, the 68th](#), in the following terms:—

The General Government shall secure, without delay, the completion of the Intercolonial Railway from Riviere du Loup through New Brunswick to Truro, in Nova Scotia.⁸¹

The [next resolution](#) refers to the Northwest Territory, and is as follows:—

69. The communication with the Northwest 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.⁸²

According to [these resolutions](#) the construction of the Intercolonial Railway is made a part of the Constitution of the country, and the road will have to be built. On the other hand the enlargement of the canals and the opening up of the North-West will depend upon the contingency, whether the finances of the country will permit of the performance of these works.

Now, the opening up of the North-West is a subject that has engaged the serious attention of many people in Upper Canada. By a large majority of the population it is considered as most important for the interest of this country that that territory should be opened up to settlement. I find the Great North-West is thus referred to by the [Hon. Mr. Cauchon, in his](#)

[pamphlet on the Union of the Provinces of British North America, page 56](#):—

And what is Canada in extent compared to the Western prairies, the area and fertility of which can scarcely be appreciated or judged even with reports before us furnished by Mr. Dallas, Governor of the Hudson's Bay Company, and Dr. Rae, an old factor, well known from his reputation as an astronomer, and as having discovered the remains of Franklin and his unfortunate companions. The latter, instructed to attempt the discovery of

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a passage through the Rocky Mountains for the Transcontinental Telegraph Company, states that the river Saskatchewan is a great public highway, flowing through immense fertile valleys, in which wheat and barley might be grown in abundance.⁸³

[Mr. Dallas alludes to it](#) in the following words:—

The whole country is more or less adapted to colonization. Two years ago I rode on horseback in the month of August over the greater part of that country. We had to wade as it were knee deep through tares and fitch. I saw there horses and oxen as fat as any I ever found on the best pasturage grounds in England. Those animals had passed the winter in the open air, without a mouthful of hay; this will give a better idea of the climate here than if I were to furnish the variations of the thermometer.

I look upon this country as well adapted to settlement, and extraordinarily healthy. Everything seems to thrive here; the wheat crop is of course rather uncertain, but all other cereals and vegetables obtain the same perfection that they do in England. Towards the north we find an area of timber land, and undulating prairies, which extend over the whole country. The lakes and rivers abound in fish, and the prairies with every species of game, etc.⁸⁴

Now, sir, that is a description of the country held forth to the people of Upper Canada as a kind of set-off against the Intercolonial Railway, to be opened up whenever the state of the finances will permit. I object to the scheme, for the reason that it makes the opening up of such a country a mere contingency; and to show the interest taken by

⁸⁰ ["Intercolonial Railway," The Globe \(Sep. 18, 1862\).](#)

⁸¹ [Quebec Resolution 68. Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

⁸² [Resolution 69. *ibid.*](#)

⁸³ [Joseph Cauchon, The Union of the Provinces of British North America \(1865\), p. 56.](#)

⁸⁴ [Alexander Grant Dallas in Joseph Cauchon, The Union of the Provinces of British North America \(1865\), p. 56.](#)

the people of Upper Canada generally, I will refer to [an article that appeared in the *Globe* about the time the Macdonald-Sicotte Government⁸⁵ proposed to build the Intercolonial Railway, on the 19th of September, 1862](#). It said:—

We observe that Mr. Foley has the good sense to reject the suggestion of Mr. Howe that the Quebec and Halifax road is in fact an important link in the great Pacific Railway through British territory. Not a pound of freight nor a passenger which may come over the Pacific Railway, when it is built, will ever seek the port of Halifax. It is an absolute injury to the Pacific Railroad to represent that it is necessary to construct four hundred miles of an utterly unproductive line before commencing the greater work with one fifth of the sum per annum which is to be devoted by the ministerial scheme to the Intercolonial Railroad. We can open a practicable communication across the continent and annex to Canada half a continent of the richest land yet unoccupied by civilized man. Not a penny are we to receive for this purpose, but £50,000 per annum thrown away upon the rocks of Riviere du Loup.⁸⁶

That, sir, was the opinion expressed by the *Globe* newspaper so late as September, 1862, and I call the attention of the House to the fact that as a very large proportion of the expense of building this railroad is to be borne by Upper Canada, would not the same sum, if so applied, open up this magnificent country? Are we not, in fact, deferring the opening of it up by spending a large sum of money in the opposite direction?

George Brown [Oxford South, President Executive Council]—Oh, no; quite incorrect.

Thomas Scatcherd [Middlesex West]—Then another complaint that has long been made in this country is, that we have a very large public debt; that the people are very highly taxed for the necessaries of life, and that in fact the chief articles consumed by the people can bear no more taxation. I think there can be no doubt that this complaint is true to quite as great an extent as has ever been urged. Let us look back and see what duties were paid upon the principal articles of consumption ten

years ago, compared with the duties that they now bear.

I hold in my hand a statement showing the rates of duty from 1855 to 1865, and also the values of the chief articles for consumption imported into this province for the half-year ended 30th June, 1864:—⁸⁷

⁸⁵ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

⁸⁶ ["Intercolonial Railway," *The Globe* \(Sep. 19, 1862\)](#).

⁸⁷ Table 2.1 (our classification) can be found on the next page.

Table submitted to Legislative Assembly from **Thomas Scatcherd [Middlesex West], p. 751**

Table 2.1—Articles Imported, Value, Duty

| Articles | 1855 | 1856 | 1857 | 1858 | 1859 | 1865 | Value | Duty |
|--------------|---------|---------|---------|---------|---------|---------|-----------|---------|
| | Per ct. | \$ | \$ |
| Coffee | 8 ½ | 8 ½ | 10 | 10 | 15 | 23 ½ | 89,106 | 21,118 |
| Molasses | 16 | 11 | 11 | 18 | 30 | 27 ½ | 118,285 | 33,007 |
| Sugar | 27 ½ | 20 | 17 ½ | 21 | 30 | 47 | 779,967 | 373,963 |
| Tea | 11 ½ | 11 ½ | 11 ½ | 12 ½ | 15 | 26 | 1,089,674 | 275,126 |
| Cotton Goods | 12 ½ | 13 ½ | 15 | 15 | 20 | 20 | 3,277,985 | 664,381 |
| Iron " | 12 ½ | 13 ½ | 15 | 16 | 20 | 20 | 776,225 | 151,422 |
| Silk " | 12 ½ | 13 ½ | 15 | 17 | 20 | 20 | 430,773 | 85,845 |
| Woollen " | 12 ½ | 14 | 15 | 18 | 20 | 20 | 2,517,669 | 499,084 |

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Well, sir, we find that some of these articles have been taxed to an amount equal to one half their value. The person who buys and pays 50 per cent, duty, gets in fact in value only one-half of the money paid. With the duty derived from these articles it is proposed by this scheme to do, what? Why to spend \$20,000,000 on this railway, and that money will have to be raised some way or other out of the earnings of the people. I will cite [another extract from the *Globe*](#) with respect to the paying or supposed paying qualities of this road. [On the 23rd of September, 1862, it said:—](#)

The scheme of the Government for the construction of the Intercolonial Railway opens an account that never will be closed; every storm of snow in the inhospitable regions below Riviere du Loup will lay a new burden on the people of Upper Canada. The taxpayers will watch the passenger travel and freight traffic with the liveliest interest, as indicating the extent of the demands upon them for the year. The road will be run with a perfect consciousness that there is a prompt paymaster behind. With all the care that public companies can employ, the expenditures upon the small items connected with the running of a railroad is above all things difficult to control; but what sums will be spent when it is the Government that will manage and the people of the province that will pay?

It was bad enough when they consented that Canada should pay five-twelfths of the expenditure, when in fact it will not receive one-twelfth of the benefit. Who can fail to see the hand of the Grand Trunk in this? It is the dream of many persons in Nova Scotia that this Halifax and Quebec Railway will draw to their harbor the trade of the West, but it is a dream and nothing more. No passenger, no shipper of freight, will ever think of going or sending to Halifax when he can find shipping at Quebec or Portland. He will not add the cost of seven hundred miles of railroad to the expenses of transit to benefit the people of Halifax. As to freight, the thing is not to be spoken of. Neither freight nor passengers would such a line draw from any point higher than Riviere du Loup. There is a refreshing coolness in the demand that Canada shall pay for the construction of a road which is professedly designed to draw away trade from its great estuary.⁸⁸

Is that not equally the case now as then?
Who can fail to see the hand of the Grand

Trunk in this Confederation scheme?

Some Hon. Members—Hear, hear, *and laughter.*

Thomas Scatcherd [Middlesex West]—Again, with respect to this Intercolonial Railway, I find the following language used in the *Globe* on the 26th September, 1862:—

With Upper Canada decidedly opposed to the scheme, and Lower Canada divided, we are happy to say that we do not see any great danger of hasty action. We are only astonished that the Ministry should have committed themselves to a scheme which finds so little support in any part of the province. The Lower Province delegates humbugged them beautifully. It is evident that Blue Nose is a sharp fellow. He is rubbed bright on his rocks. We shall have to be careful in our dealings with him. If Lower Canada is afraid of him because he is British, we must learn to watch him because he is not very rich but very keen and shrewd.⁸⁹

Well, it was supposed when the members of the Macdonald-Sicotte Government⁹⁰ were dealing with these men in 1862, that they were humbugged beautifully, but when we got the best men in the country, the ablest and most talented men, to deal with them, what kind of bargain did they make with these shrewd blue noses?

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Why, instead of Canada paying what was proposed by the Macdonald-Sicotte Government, the Lower Provinces made a much more favorable bargain with the cleverest men we have.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—I contend, sir, that this scheme, at one jump, proposes to increase the public debt twenty millions of dollars. And another thing stated is, that a sum necessary for the purpose will be expended for the defence of the country; and if we are to place any reliance upon [the report of Col. Jervois](#), the sum of about six millions of dollars will have to be expended upon the

⁸⁸ ["The Intercolonial." *The Globe* \(Sep. 23, 1862\).](#)

⁸⁹ ["The Intercolonial Railroad," *The Globe* \(Sep. 26, 1862\).](#)

⁹⁰ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

defences⁹¹. From [the reports which reached us to-day by telegraph](#), it appears that the Imperial Government will expend for our defence only the sum of £50,000⁹².

George Brown [Oxford South, President Executive Council]—The hon. gentleman is mistaken. The Hon. Attorney General West [John A. Macdonald] distinctly stated today that there was an error in the telegraphic report of the debate in the Imperial Parliament, and it is highly indecorous for the hon. gentleman to repeat these statements after they have been shown to be erroneous. And I am now in a position to state, that we have had an answer to a telegram sent specially to New York to ascertain the fact from the London papers, that the sum asked for by the Imperial Government for the defences of Quebec was £200,000, not £50,000 as stated by the hon. member.

Thomas Scatcherd [Middlesex West]—Before the hon. member makes charges, he ought to have ascertained that this telegram had been brought to my notice. I took the statement as it appeared in the published telegraphic reports. He has no right to charge me with repeating an incorrect statement.

Some Hon. Members—Hear, hear.

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George Brown [Oxford South, President Executive Council]—It was not to that that I particularly referred; but the hon. gentleman all through his speech has repeated things which my colleagues as well as myself have repeatedly declared, from personal knowledge, to be incorrect.

Luther Holton [Chateauguay]—If the papers were brought down there would be no misapprehension.

Thomas Scatcherd [Middlesex West]—What is the amount to be contributed by the Imperial Government altogether for our defence? Is it only £200,000?

George Brown [Oxford South, President Executive Council]—The hon. gentleman will see from the reports that that amount is intended simply for works at Quebec. The proportion to be contributed for the defences at Montreal and westward is not stated, nor yet settled.

Thomas Scatcherd [Middlesex West]—I have been told for the first time that the Imperial Government will contribute anything towards the western defences; for the telegraphic reports say that, if they undertake to fortify Quebec, the Canadian Government will have to undertake the works at Montreal and westward.

Now, we are told that this scheme has reference both to local government and local defence, and as the cost of defensive works is [stated by Col. Jervois](#) to be six millions⁹³, I suppose we will have to pay that too.

George Brown [Oxford South, President Executive Council]—The cost may be a great deal more than six millions, possibly. We can say nothing at present as to the cost.

Thomas Scatcherd [Middlesex West]—A great deal more. Then immense sums of money are to melt away like snow upon these works, and, in fact, there will be no limit to the expenditure.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—However, passing on from this point, I would like to ask, if Confederation is carried, in what position will the country stand in respect to the public debt? It appears that the population of the various provinces, in 1861, was as follows:

| | |
|----------------------|-----------|
| Upper Canada | 1,396,091 |
| Lower Canada | 1,110,664 |
| New Brunswick | 252,[?]47 |
| Nova Scotia | 330,857 |
| Newfoundland | 130,000 |
| Prince Edward Island | 80,757 |

⁹¹ [William Jervois, Report on the Defence of Canada \(1864\), Recommendation 86](#). Jervois quotes the total in British pounds at £1,754,000.

⁹² ["Midnight Despatches," Montreal Herald \(Mar. 7, 1865\)](#). *Supra* footnote 2.

⁹³ [Supra footnote 91](#).

If Confederation takes place, these provinces will be indebted as follows: the public debt of Canada, according to the Public Accounts, amounts to \$67,263,000; Nova Scotia is to be allowed to increase its debt to \$8,000,000; New Brunswick will be allowed to increase its debt to \$7,000,000; the debt of Prince Edward Island is \$240,000; and the debt of Newfoundland, \$946,000, making, if the provinces are united, a grand total of \$83,000,000 as the debt of the Federal Government. It may be said with respect to Canada, that she is going into the Confederation with a debt of only \$62,500,000; although that may be true, she will nevertheless owe the whole amount I have stated, which, if not paid by the Federal Government, will have to be paid by the Governments of Upper and Lower Canada.

George Brown [Oxford South, President Executive Council]—My hon. friend will see that the debt of \$5,000,000 that make up the \$67,263,000 is due to ourselves, and that there are assets to meet it, which assets will be made over to the local governments. The reason it was taken from the \$67,263,000 was because it was due upon local account, and because there were local funds to meet its payment. It was all together apart and distinct from the general debt of the province.

Thomas Scatcherd [Middlesex West]—What are the assets? Are they sufficient to pay the interest upon the amount?

George Brown [Oxford South, President Executive Council]—Yes, quite enough.

Thomas Scatcherd [Middlesex West]—This \$5,000,000 is part of the debt of the province, which I have put down at \$67,263,000.

George Brown [Oxford South, President Executive Council]—Yes; but my hon. friend must see that there are local funds to meet it, just in the same way as we deduct the Sinking Fund from the amount of the general debt.

Joseph Rymal [Wenworth South]—Two years ago the hon. gentleman taught us to believe, and I heard him say that the debt of the country was \$78,000,000.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—Was the amount of the Sinking Fund always deducted by the hon. member?

George Brown [Oxford South, President Executive Council]—Yes; I always deducted it from the debt; but I did not deduct these local funds that are now placed against the sum of \$5,000,000 to be borne by the local governments.

Thomas Scatcherd [Middlesex West]—At the time Confederation takes place, there will be a debt weighing upon the provinces of \$83,000,000, upon which interest will have to be paid, and the following additional debts, so far as we know, will be immediately contracted by the new Government: Intercolonial Railway, \$20,000,000.

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George Brown [Oxford South, President Executive Council]—No! No! My hon. friend must surely see how wrong it is to make such a statement. It is quite uncertain what amount will be thrown upon the Federal Government for the construction of that road; but, if it is built in the way which has been suggested by the Lower Provinces, it will cost no such sum, nor anything like the sum, mentioned by the Hon. member for West Middlesex [Thomas Scatcherd]. Of course, no one can at present tell in what way the Federal Government may decide that it shall be done; but if it is done in the way of a bonus to be paid on the completion of the road, and on security being given that the road shall be kept open for a certain term of years, it will cost nothing like the sum mentioned by my hon. friend.

Luther Holton [Chateauguay]—We have no such proposition before us.

George Brown [Oxford South, President Executive Council]—But I believe the Lower Provinces have such a proposition before them for a large section of the road—a proposition for a bonus of \$10,000 per mile, which would complete the whole road for a sum infinitely less than my hon. friend has mentioned. Therefore, my hon. friend leads the House quite astray when he dogmatically puts down

the cost of the Intercolonial Railway at \$20,000,000.

Luther Holton [Chateauguay]—Hon. Mr. Tilley says it will cost \$12,000,000.

George Brown [Oxford South, President Executive Council]—Perhaps Hon. Mr. Tilley thinks that it may cost that sum, but there are other hon. gentlemen who are quite as well able to judge of the matter as my hon. friend, Mr. Tilley, who place it at \$8,000,000; and the money that will be necessary for the purpose will be borrowed under the Imperial guarantee, at a rate, I presume, not exceeding 3 ½ per cent.

Thomas Scatcherd [Middlesex West]—I would ask my hon. friend the President of the Council [George Brown] if he has not stated that the Intercolonial Railway would cost \$16,000,000 or \$18,000,000?

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—It is quite probable; my impression at one time was that it would cost \$15,000,000; but then this was always based on the idea of its being built by the Government, and it was one of my strongest objections to the scheme that the honorable gentlemen who now constitute the Opposition intended to build it at the public cost, and run it at the public cost.

Luther Holton [Chateauguay]—Hon. gentlemen who now form the Opposition?

George Brown [Oxford South, President Executive Council]—I am not speaking of the hon. member for Chateauguay [Luther Holton], but of his leaders.

Luther Holton [Chateauguay]—Will the honorable gentleman please refer to those he means more specifically?

George Brown [Oxford South, President Executive Council]—The hon. gentleman who sits at his side is one of them.

Luther Holton [Chateauguay]—Surely the hon. gentleman does not refer to my hon. friend the member for Hochelaga (Hon. Mr. Dorion)?

George Brown [Oxford South, President Executive Council]—The hon. member for

Bagot (Hon. Mr. Laframboise).

Luther Holton [Chateauguay]—No; the hon. member for Bagot [Maurice Laframboise] only joined the Government in 1863.

George Brown [Oxford South, President Executive Council]—The hon. member for Cornwall (Hon. J.S. Macdonald), is at any rate fully responsible.

Antoine-Aimé Dorion [Hochelaga]—The government of my honorable friend (Hon. J.S. Macdonald) had a proposition before it somewhat similar to this, and which was to build a railway; but it was not said by what means. You, however, have bound yourself to build a railway, and if you do not find a company to construct it, you will have to build it and keep it open at your own cost.

George Brown [Oxford South, President Executive Council]—Not exactly; and there is already a proposal to build a large portion of the line.

Thomas Scatcherd [Middlesex West]—I think the course which the debate has taken shows the absolute necessity that the Government should have brought down a statement of the expense of this road, so that members might have been able to form some opinion in regard to its cost. They might have called upon the engineer who surveyed the route to make some approximation of the probable outlay. When, in the absence of such information, I rise in my place and say that according to the best data at my command, it will cost \$20,000,000, I am met by the Hon. President of the Council [George Brown] protesting against my making such a statement.

But when I ask my honorable friend if he has not stated that it will cost \$16,000,000 or \$18,000,000, he replies that he might have said it would cost \$15,000,000. So that, according to my hon. friend himself, it is safe to assume that for the Intercolonial Railway, the debt will be increased by \$15,000,000. This, then, is one of the new debts the new Government will be called upon immediately to contract. Then another debt will be required for the defences of the country. I put this sum down at

\$6,000,000.

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But the Hon. President of the Council [George Brown] says it is impossible to say what the defences will cost, and they may cost a great deal more.

George Brown [Oxford South, President Executive Council]—The hon. gentleman should state more carefully what I said. I did not speak of this country simply, but of the whole defences, those to be undertaken by the Imperial Government as well.

Thomas Scatcherd [Middlesex West]—I refer to the fortifications required for Quebec, Montreal, Kingston, Toronto and Hamilton. It is impossible for us to form any estimate of what defences may be required in St. John and Halifax, and other portions of the Lower Provinces. But certainly the sum which will be required for the defences and for the armament of those defences in Canada will not be less than \$6,000,000. Add this and the sum required for the Intercolonial Railway to the debt already existing, and it will be found that, almost at the outset of its career, the Federation would labor under pressure of a debt amounting to about \$110,000,000.

George Brown [Oxford South, President Executive Council]—Oh! No, no.

Thomas Scatcherd [Middlesex West]—The fact is undeniable. Almost from the first day of its existence, the new Government will be called upon to pay interest, on account of public debt, to the amount of \$3,809,668 for Canada; \$750,000 for Nova Scotia and New Brunswick, and \$59,333 for Newfoundland and Prince Edward Island; then there is, over and above the subsidy of eighty cents per head, the sum of \$115,200 to be paid yearly to Newfoundland, and \$88,900 to be paid annually to Prince Edward Island.

To this must be added the interest on the outlay for the Intercolonial Railway. It has been stated that money for this purpose can be

borrowed at three and a half per cent, but there is nothing to show that the arrangement proposed to be entered into by the Macdonald-Sicotte Government⁹⁴, some two or three years ago, in reference to the borrowing of money at three and a half percent, can now be carried out. We have no reason to believe that the proposed Federal Government will be able to borrow money on the same favourable terms; and, if the interest charged is at the rate of five percent, there will be nearly \$1,000,000 to be paid annually as interest on the Intercolonial Railway debt alone.

George Brown [Oxford South, President Executive Council]—A million of dollars! Five per cent, interest on money borrowed on the credit of the Imperial Government!

Thomas Scatcherd [Middlesex West]—What has been shown us to the contrary?

George Brown [Oxford South, President Executive Council]—My hon. friend must have heard the statement of an arrangement being made with the Imperial Government for burrowing the necessary funds.

Thomas Scatcherd [Middlesex West]—I read in [the pamphlet recently published by the hon. member for Montmorency \(Hon. Mr. Cauchon\)](#), who is a warm supporter of the Government, and is supposed to be an authority on this subject, that:—

The population of Newfoundland being 130,000 \$25 per head would establish its debt at \$3,250,000, and it would thus be placed on a level with the population of Canada, Nova Scotia, and New Brunswick with regard to their respective figures of population.

But as that province owes \$946,000, we must deduct this amount from the \$3,250,000; this would give a result of \$2,304,000, on which the Federal Government will have to pay to Newfoundland an annual interest of five per centum, viz: \$115,200.⁹⁵

But if the money can be obtained at three and a half percent, why is it proposed that the Federal Government shall pay interest at the

⁹⁴ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

⁹⁵ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), p. 145.](#)

rate of five per cent, to the Provinces of Newfoundland and Prince Edward Island?

George Brown [Oxford South, President Executive Council]—Does not my hon. friend see how this is, and how unfair his conclusions are? The reason why we are to pay these provinces five per cent, is, that we are about to throw upon them a large share of the burden of our public debt, upon which five per cent, interest is paid; if the people of Newfoundland and Prince Edward Island, who have little or no debt, assume debts of the other provinces, for which they have to pay five per cent, interest, it is only fair and just that they should get their five per cent, back again.

Thomas Scatcherd [Middlesex West]—The Hon. President of the Council [George Brown] says that at present we pay five per cent, on our indebtedness, but that in future we shall not pay so high a rate.

George Brown [Oxford South, President Executive Council]—No one said so. What I said was that the Imperial Government would guarantee the interest on the money to build the Intercolonial Railway, and that we should have to pay interest according to the terms on which the Imperial Government would be able to borrow, which will be about 3 ½ per cent.

Thomas Scatcherd [Middlesex West]—And supposing the money is obtained on these favorable terms,

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the interest for the Intercolonial Railway debt will be half a million of dollars.

George Brown [Oxford South, President Executive Council]—\$350,000.

Thomas Scatcherd [Middlesex West]—At the reduced rate of interest, the Federal Government will start with an annual burden, in the shape of interest, of at least \$5,000,000. I had put the sum down at \$6,158,851.

George Brown [Oxford South, President Executive Council]—How much does my

hon. friend make the difference in the interest—\$1,158,851?

Thomas Scatcherd [Middlesex West]—Yes.

George Brown [Oxford South, President Executive Council]—My hon. friend is entirely wrong in his calculations. But will my hon. friend answer this question: How much additional money shall we receive into the treasury in the shape of customs duties from the Lower Provinces?

Thomas Scatcherd [Middlesex West]—But we are given to understand that the customs duties, instead of being increased, will be decreased. If, however, the Lower Provinces, which now pay on an average, we will say 5 per cent, shall be called upon to pay at least 20 per cent, and up to 40 per cent, they will never agree to Confederation.

George Brown [Oxford South, President Executive Council]—My hon. friend is all wrong in his figures, but that is really not the point. When he says that the interest will be increased, he should also state what we are to get back in the shape of customs duties from the Lower Provinces. What is the use of giving one side and not the other?

Thomas Scatcherd [Middlesex West]—I think that any person who will seriously contemplate this proposition of the Government, must come to the conclusion that this Confederation scheme is nothing more or less than a scheme to construct the Intercolonial Railway.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—If it was not necessary for some parties that that road should be constructed, we should have had no Confederation scheme. Another objection, to my mind, on the face of these resolutions, has reference to the subsidy of 80 cents per head. The [64th resolution](#)⁹⁶ provides that the General Government shall pay 80 cents, per head of the population of 1861 to the

⁹⁶ [Quebec Resolution 64](#), which reads in full, “64. In consideration of the transfer to the General Parliament of the powers of Taxation, an annual grant in aid of each Province shall be made, equal to eighty cents per head of the population, as established by the census of 1861; the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.” *Supra* footnote 81.

several provinces for local purposes:—

| | |
|----------------------|-------------|
| Upper Canada | \$1,116,872 |
| Lower Canada | 888,531 |
| New Brunswick | 264,685 |
| Nova Scotia | 201,637 |
| Newfoundland | 104,000 |
| Prince Edward Island | 64,505 |

I think it will be admitted by every member from Upper Canada, that if the people of Upper Canada had representation by population, they would have no desire to change the present system of government.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—We in Upper Canada contend that we pay seventy per cent, of the taxation, while Lower Canada pays only thirty per cent. Now, what will be the effect of the 64th resolution? Under that resolution, Upper Canada will receive a subsidy of \$1,116,000, and on the principle which has always been contended for in Upper Canada, the proportion of that sum which Lower Canada will pay, as a member of the Confederation, will be thirty per cent., or say \$335,000, while Upper Canada will pay seventy per cent., or \$781,000.

We have been paying the larger proportion of the taxation, and Lower Canada the smaller proportion, and the object of going into this Confederation is, that the local governments should have the management of their own local affairs, and that we should raise the money necessary for our own local purposes, while Lower Canada should raise the money necessary for her local purposes. But in this instance, the General Government will collect that money in Upper Canada in the large proportion which I have just stated; on the other hand, Lower Canada will get a subsidy of \$888,000. Upper Canada, as a member of the Confederation, will pay \$621,000 of that sum, according to the admitted ratio in which she contributes to the public exchequer, and Lower Canada will pay 30 per cent, or \$267,000.

Hope Mackenzie [Oxford North]—The

hon. gentleman is entirely mistaken in his argument.

Thomas Scatcherd [Middlesex West]—By this arrangement, then, Upper Canada, in comparison with Lower Canada, will pay to the General Government yearly, for all time to come, in excess of Lower Canada, \$286,000 more than she would pay were these subsidies collected direct from each province.

George Brown [Oxford South, President Executive Council]—The calculation of my hon. friend is entirely incorrect. But I do not wish to interrupt him, unless he desires it.

Thomas Scatcherd [Middlesex West]—I have no objection. Is not the principle on which I have made the calculation correct?

George Brown [Oxford South, President Executive Council]—No, it is not correct. The hon. gentleman should remember that the relations between Upper and Lower Canada will be entirely changed when all these provinces are brought together.

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Thomas Scatcherd [Middlesex West]—If there is no change, the principle is correct.

George Brown [Oxford South, President Executive Council]—Of course, so far as Upper Canada and Lower Canada are concerned. But the hon. gentleman must see that by the introduction of the Maritime Provinces into the union, an entire change is made in the relations between Upper and Lower Canada. There will not only be a change in the way in which the taxes contributed by the people reach the treasury, but an immense change also in the way in which those moneys will be distributed, and by both Upper Canada will profit.

Thomas Scatcherd [Middlesex West]—The hon. gentleman admits that the principle is correct, and, unless as affected by altered circumstances, it will bring out the result I have stated.

George Brown [Oxford South, President Executive Council]—But we know what the circumstances will be. The honorable gentleman should take up the whole of the

financial arrangements of the scheme. It is not fair to take up a mere portion of them. If he had looked at the commercial tables of all the provinces, he would have seen that his calculations were entirely erroneous.

Thomas Scatcherd [Middlesex West]—What I say is this, that if, instead of paying all the local governments this subsidy of 80 cents per head, Upper Canada had been left to collect from her own people her \$1,116,000, and Lower Canada to collect from her people the \$888,000 which she is to receive, that would have been what we have been contending for in Upper Canada.

George Brown [Oxford South, President Executive Council]—No doubt.

Thomas Scatcherd [Middlesex West]—Well, we have always contended that we were willing to collect the moneys required for our own local purposes in Upper Canada, and that Lower Canada should do the same. We are entitled, according to that principle, to \$286,000 more than we shall receive; and the proposed arrangement, therefore, I say is unjust; otherwise we have been contending for what was incorrect for the last ten years. It should have been made part of the scheme, that whatever Upper Canada required for her local expenditure should be obtained by taxes levied on her people, and that whatever Lower Canada required for the like purposes should be levied in the same way. But that is not the scheme, so that we gain nothing with regard to our paying more than we receive, which has been our complaint hitherto.

George Brown [Oxford South, President Executive Council]—I am surprised that my honorable friend should go so far. I agree with him so far as my own judgment is concerned, that it would have been a desirable arrangement if we could have got each province to collect, by direct taxation, the moneys it required to meet its own local expenditure. But the honorable gentleman must not say that because we have not got that length, we leave the matter exactly as it was. There is a very great change, and the proposed system is much more just than that existing

hitherto.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—But will the hon. gentleman not say that it would have been desirable that these sums, instead of being collected by the General Government, should have been collected by each province?

George Brown [Oxford South, President Executive Council]—Certainly; that was what I contended for. But we had not the making of the whole of the bargain; and surely the honorable gentleman cannot contend that because we did not get everything our own way, we should therefore give up the whole scheme. I apprehend, however, it will be found, if this scheme goes into operation, that the burdens on the people of Upper Canada will be very different from what they have been in times past.

Thomas Scatcherd [Middlesex West]—Well, the honorable gentleman admits that Upper Canada will not get in this scheme all he contended for, and I say that if this scheme goes into operation, the position of Upper Canada will be no better than it was before. I give this as a glaring instance—there are others which cannot so readily be detected—of the way in which the just claims and interests of Upper Canada have been overlooked. I do not see how honorable gentlemen will be able to answer the charges brought against them by their constituents, that they have deliberately agreed, that for all time to come there shall be that advantage of one section over the other. If Upper Canada is to get no more benefit from the Confederation than I can find in these resolutions, I am at a loss to see how she is benefited by them.

The expense of an Intercolonial Railway is to be saddled on her farmers and her people generally—they are to pay the larger portion of that expense, and that, so far as I can see, is to be the grand effect of this scheme.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Another objection I have to the project relates to the proposition with reference to the Constitution of the Legislative Council. I say it

is a retrograde step to do away with the elective principle in the Legislative Council—

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—and a step that will be very unpalatable to the people of Upper Canada. I do not see why the large province

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of Canada, containing a population of two and a half millions, should have been obliged at the Conference to give up a point involving so important a principle, to the small provinces containing a population of only 800,000.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—I say take those resolutions from first to last; there are seventy-two of them—let any man read them, and he cannot fail to come to the conclusion that from the first to the seventy-second, it is concession after concession on the part of Upper Canada to those Lower Provinces.

Frederick Haultain [Peterborough]—What does New Brunswick say?

Thomas Scatcherd [Middlesex West]—What I say is, that I cannot see why this large province should have been overruled at that Conference with reference to this question of the Legislative Council. What did it matter to New Brunswick if the people of Upper Canada desire to have their legislative councillors elected? If New Brunswick desires to have hers nominated by the Crown, let it be so; but why prevent Upper Canada from having hers elected by the people?

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Then the [43rd resolution](#) I consider objectionable. The first clause of that resolution authorizes New Brunswick to impose duties on the export of timber, logs, masts, spars, deals, and sawed lumber⁹⁷. If this Intercolonial Railway is constructed, it will have very little passenger traffic during a large portion of the year, and I suppose it will do a

large business in freight. Like other railways, it will be the means of conveying a large quantity of timber to the seaboard. It appears to me that any one interested in the timber business of this country must see that every stick of timber that will go on the Intercolonial Railway from Canada into New Brunswick will be liable to this export duty. I ask the Honorable President of the Council [George Brown] if that will not be the fact?

George Brown [Oxford South, President Executive Council]—I think the honorable gentleman could not have been present when the Honorable Finance Minister [Alexander Galt] explained this matter. This export duty is the same as is paid on timber in this country in the shape of stumpage.

Thomas Scatcherd [Middlesex West]—That is not the point; no timber can go out of New Brunswick without paying an export duty. Is not that the law at the present time?

George Brown [Oxford South, President Executive Council]—No timber can go from our forests without paying a duty of exactly the same kind.

Luther Holton [Chateauguay]—Exactly the same?

George Brown [Oxford South, President Executive Council]—What is the difference?

Luther Holton [Chateauguay]—Does the honorable gentleman say that this export duty and stumpage are exactly the same in their nature?

George Brown [Oxford South, President Executive Council]—I say exactly the same, with reference to the lumber from which the Government of New Brunswick now derives a revenue. There will be some instances in which it will not work in exactly the same way.

Luther Holton [Chateauguay]—Such as timber cut on private lands?

George Brown [Oxford South, President Executive Council]—There will be a difference as regards that. This was the way in which this arrangement arose. For myself, I regret it should be put in that shape, for I am

⁹⁷ [Quebec Resolution 43](#). *Supra* footnote 81.

opposed to all export duties.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—Of course it was arranged that the Local Governments should have the lands, mines, minerals and Crown timber of their respective provinces. From our Crown timber here we receive a large revenue in the shape of stumpage, which is to go to Upper and Lower Canada respectively for their local purposes. But the New Brunswick delegates said—"We do not levy a stumpage duty on our Crown timber as you do; we find it better to levy it in the shape of an export duty" and we complied with their desire that they should have their local revenue) in that shape as an offset to our stumpage duty.

Archibald McKellar [Kent]—I think the question raised on this point by the honorable member for West Middlesex [Thomas Scatcherd] is hardly worth discussing, because timber from Canada will never be carried over the Intercolonial road. It does not pay to carry it over our own roads, and it would certainly never be carried by railway all that distance.

Some Hon. Members—Hear, hear.

Thomas Wallbridge [Hastings North]—It is carried from Canada to Portland over the Grand Trunk for shipbuilding purposes.

Some Hon. Members—*Cries of "No, no."*

Thomas Scatcherd [Middlesex West]—My honorable friend from South Oxford [George Brown] has not come to the point, which is this, that it is not right for the people of New Brunswick to charge this duty on timber. What right have they to levy an export duty on our timber? Yet this resolution, it appears to me, would give them that right.

George Brown [Oxford South, President Executive Council]—My honorable friend will recollect that these resolutions are to be embodied in a statute, and the intention will be much more clearly stated in it. It was not by any means the intention that one province

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should have the right to impose an export duty

on the products of another.

Thomas Scatcherd [Middlesex West]—It seems to me, however that the meaning of that resolution is clearly as I have stated it. This scheme is objectionable on the face of it, because it will largely increase the public debt for the erection of defences and the construction of the Intercolonial Railway.

George Brown [Oxford South, President Executive Council]—What return will we get for that?

Thomas Scatcherd [Middlesex West]—Why, according to the extracts I have just read, we will get nothing at all.

George Brown [Oxford South, President Executive Council]—The hon. gentleman says that the construction of this railway to the Maritime Provinces will involve us in increased debt. Now, should he not let us, in all candor, know how much we are to get in the shape of revenue from those provinces, as an offset.

Thomas Scatcherd [Middlesex West]—It is generally admitted that we will receive no advantage from the construction of the Intercolonial Railway.

George Brown [Oxford South, President Executive Council]—Who admits it?

Thomas Scatcherd [Middlesex West]—I say that this road will have to be run at the expense of this province, and not only that, but it will be a piece of corruption from the time of the turning of the first shovelful of earth. All the officers of the road will be appointed by the Government, and it will be an everlasting expense. It could not have been better expressed than it was by the hon. member for South Oxford [George Brown] in his own paper, that every storm of snow would be watched with the liveliest anxiety by the people of Upper Canada.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—I know it is said that the Government will open up the North-West when the state of the finances permit; but how much better would it be to have the money taken, which is to be appropriated for this unprofitable railway,

and expended at once in opening up that territory? It is doubtful whether there is any land in that part of the country through which the railway is to pass, fit for cultivation. Then, according to the view taken by my honorable friend from South Oxford [George Brown], the only products shipped on it will be those grown east of Rivière du Loup.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—The payment of subsidies from the General to the Local Governments, the doing away with the elective principle in the Legislative Council, and the construction of the Intercolonial Railway, are to my mind grave objections to the Confederation. I consider that such a measure ought not to become law until it has been submitted to and pronounced upon by the people.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Yet it is the declared intention of the Government not to submit it to the people for their opinion. Now, I think the Government are not keeping faith with the people in this respect. At a dinner in Toronto, in November last, the honorable member for South Oxford [George Brown] is reported, by the *Globe* of Nov. 4th, to have said:—

Hon. Mr. Brown—A friend asks if the scheme is to go into operation without being submitted to the people. That is a matter for the different Parliaments to consider—whether it shall be done, or whether it shall not be done. It is not, I apprehend, for the Administration of this province, or any other province, to say that this measure shall or shall not be sent especially to the people. We are in the hands of the representatives of the people, and by their decision we are ready to abide.⁹⁸

How different is that declaration from the conduct of the Government now, when they come down and say they are going to use every means to carry the scheme through without submitting it to the people!

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—At

the same dinner there was another honorable member of the Government present, the Hon. Minister of Finance [Alexander Galt], and I will read to the House [what he said on the question of appealing to the people](#):—

They would have desired to see a Central Government, extending its aegis over all interests. But there were difficulties which rendered this impossible, and in meeting these difficulties he trusted that the measure which would be submitted to the people, to the Imperial Parliament, and to the Provincial Parliaments, would be found to be one which protected local interests, while national interests had been reserved for the central power, which he hoped would manage them in a way to do honor to the race from which we had sprung. (Cheers.)⁹⁹

There is the express declaration of two Ministers of the Crown that this measure, before it would become law, should be submitted to the people.

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—Now, is the course indicated that which has been adopted? Is the scheme to be submitted to the people? No; they bring down the scheme and say that it must be passed in its entirety, and so far from submitting it to the people, they move the previous question to prevent the possibility of an amendment to that effect being put. Some members who have preceded me contended that it would be unconstitutional to submit it to the people, and they cited cases in support of their argument. But in those cases, Parliament had full power to dispose of the question then before

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it; this Parliament has no power to dispose finally of this question. The British Parliament can act with or without the consent of this Parliament; therefore, it appears to me that the cases cited are not applicable to our case, and I maintain that submitting the resolutions to the people would prevent irritation hereafter.

Some Hon. Members—Hear.

Thomas Scatcherd [Middlesex West]—

⁹⁸ *The Globe* did not publish an edition on Nov. 4, 1864. Unconfirmed reference.

⁹⁹ [Edward Whelan, *The Union of the British Provinces \(1865\)*, pp. 204-205.](#)

How can it be pretended that if the measure is not passed now, the time will never occur again? So far as Upper Canada is concerned, I think she might hope to obtain such a scheme as this at any time—

Some Hon. Members—Hear, hear.

Thomas Scatcherd [Middlesex West]—and I am willing to take the responsibility of voting against this Confederation scheme.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West] said—Mr. Speaker, before recording my vote on this question, I desire plainly to state the position which I occupy in regard to it. I desire to say that I am in favor of Confederation.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—[The first resolution](#)¹⁰⁰ which was proposed at the Quebec Conference and agreed upon, namely, that a Confederation of all the British North America Provinces, on principles just to all, was desirable, I have no hesitation in saying, meets with my entire approval. We have been told that the Conference at Quebec exhibited one of the grandest spectacles which the world ever beheld.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I may be wrong, but I fail to see it in that light. I am prepared to award to honorable gentlemen all the sincerity in meeting together to settle the sectional difficulties of this country to which they can possibly lay claim, and it is a matter of great regret to me that I find myself to-night compelled to record my vote against hon. gentlemen with whom it has been my pleasure to be associated ever since I entered political life. But, sir, it is with me a matter of conscientious conviction, and I am bound, whatever the consequences may be, to follow those convictions.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—Now, Mr. Speaker, I think that hon. gentlemen, in

bringing this scheme down and saying that we must take it just as it is without making any amendment to it whatever, are asking too much.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—That is assuming the document is perfect in every particular, or as nearly so as possible. If we are to undertake the discussion of this question, and yet not be allowed to alter it in any single particular so as to adapt it to the circumstances of the province, I really cannot conceive for what purpose this House has been called together.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—We have heard a good deal said about the leading Opposition members in all the provinces having received invitations to enter the Conference for the free discussion of the question, but I would ask, sir, on what occasion the Opposition of Lower Canada were invited by the Government to take part in that Conference?

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I understood the hon. member for Montreal Centre (Hon. Mr. Rose) to say, that although he did not agree with some of the minute details, yet rather than jeopardize the adoption of the whole scheme, he was prepared to vote for it just as it stands. Now, I would ask if the question of our School law is a minute detail? I would ask if the appropriation of the debt between Upper and Lower Canada is a minute detail? I would ask if the question of the defences of the country is a minute detail? And yet we are asked to vote for this measure without having these particulars laid before us for our consideration.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—It is better, the hon. gentleman says, that we should vote upon it in ignorance of these

¹⁰⁰ [Quebec Resolution 1](#), which reads in full, “The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.” *Supra* footnote 81.

things, and leave the result, if wrong, to be righted by future legislators. Well, the member may vote in ignorance if he prefers to do things in that way, but as I am constituted (it may be a fault of mine), I cannot do that. I will never record a vote in this House unless I know, or have tried my utmost to know what I am doing.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—The Hon. Minister of Finance [Alexander Galt], in the very able [speech which he delivered at Sherbrooke](#), alluded to the great difficulties which surrounded the School question¹⁰¹. He intimated that the question was one of such magnitude, that a great deal of time was required for its consideration, and then invited the cooperation of all intelligent men to the solution of that difficulty.

If then the smaller question is of so much importance, why should the larger one be forced upon this House with such haste? Does it require less time for consideration than the smaller one to which I have alluded? It seems to me very much like building a house first, and after it is built proceeding to examine the foundations. The hon. gentleman spoke of the improvement which this scheme had already secured in the value of our securities in England.

Now, it does not require much thought to discover that it is an easy matter to affect the stock exchange either favorably or unfavorably. Securities go up to-day and down tomorrow. A man in business may get an

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endorser which may for a short time improve his credit; so we seek to improve our credit by an alliance with the Maritime Provinces. Mr. Speaker, there are other and far better ways of improving our credit, the very best of which is living within our means, bringing our expenditure within our income, and

establishing our financial operations on a sound and healthy basis. Rest assured, the monied men of England will attach much greater importance to such a course than any alliance we can possibly make with other provinces, for the purpose of improving our credit.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—Well, sir, we are told that this great scheme is to settle all our sectional difficulties. I may perhaps be very dull of comprehension, but I must confess that I cannot see that. We have difficulties among ourselves, as scenes that have transpired on the floor of this House have fully proved, and we seek to settle those difficulties by forming a union with provinces that are at loggerheads among themselves.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—Now, sir, we have long contended in Upper Canada for a just representation in Parliament, and we are told that, because we are going to get seventeen more members than Lower Canada in the Federal Legislature, all the difficulties for the settlement of which representation according to population was sought, are to be thereby remedied. I cannot see that that result will follow, because in the Upper House there is still to be an equality of votes, and I quote now from [the pamphlet written by the Hon Mr. Cauchon](#) to show that he is of opinion that any advantage which we gain in the Lower House will be completely paralyzed in the Upper Chamber. He says:—

[The Constitution of 1840](#)¹⁰² only stipulated for equality in the Lower House. Let us suppose that the majority of the Legislative Council had chosen to adopt a project of law which would have been hostile to the interests of Lower Canada; as Upper and Lower Canada were equally represented in the Lower House, the bill adopted by the Upper House would have been certainly thrown out, and it is by the Lower House alone that we have, up to this time, been able to protect and save our institutions, taking into account also the good-will shown to us by Lower

¹⁰¹ [Alexander Galt, Speech at Sherbrooke \(Nov. 23, 1864\) in Speech on the Proposed Union of the British North American Provinces \(1864\), pp. 14-15.](#)

¹⁰² [The Union Act, 1840 \(U.K\).](#)

Canadian representatives of English descent.

Why has the Legislative Assembly always been the battlefield with respect to the struggle that has been going on for the last fourteen years between Upper and Lower Canada on the question of representation by population? It is because there alone equality has existed, and there alone could be found the means of solving the constitutional problem. If then, instead of the present Constitution, we substitute local legislatures, and over them the Federal Parliament, we shall see in that case precisely the inverse of that which we have always observed in our present legislature, that is to say, that on the occurrence of any local misunderstanding, the struggle will be carried from the Lower House to the Legislative Council, and precisely for the reasons that we have adduced.¹⁰³

Mr. Speaker, we have here, in the language of one of the most determined opponents of the principle of representation according to population, very good reasons given for coming to the conclusion that the granting of increased representation in the Lower Legislature will amount to nothing, while the same just principle is denied in the constitution of the Legislative Council. I hope I may be incorrect, but I am of opinion that if this scheme goes into operation, we shall witness the difficulty alluded to on the floor of the Confederate Legislature in less than six months after its organization.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—And the unfair representation which Upper Canada will have in the Upper Chamber must exist throughout all time. Nor will she be able to add even one member, no matter how great may be the preponderance of her population over other parts of the Confederacy. And this equality of votes between Upper Canada and Lower Canada will act, as Mr. Cauchon tells his Lower Canadian friends, as a perfect counterpoise to the legislation of the Lower House.

In connection with this subject, there is another feature of the scheme which is painful to contemplate, in which we are, I think, about to advance backwards. The qualification of a

Legislative Councillor is now \$8,000; but it is proposed to reduce it to \$4,000, which I regard as retrogressive. And in the case of Prince Edward Island and Newfoundland, the qualification may be personal property as well as real estate, in other words, the legislative councillors from those provinces may be peddlers of jewelry or any other commodity, whose stock in trade may be burned up while they are attending a session, rendering them unable longer to qualify.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—But there is a much worse feature than that: it will have the effect of introducing into the Upper Chamber a class of needy adventurers who in a crisis may be approached without very much difficulty, and who might plead their own circumstances as an ample apology in quieting their consciences for the votes they

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might give. Now, Mr. Speaker, I object further to this scheme on the ground of the cumbrous and expensive machinery of the local governments. I know it has been asserted that it will not cost the country any more than under the present system, and I will entirely give up my position if any hon. gentleman can prove to me that a man will not go behind who doubles or even increases the number of his employés without at the same time increasing the capital and extent of his business. I see in this scheme the introduction and increase—the rapid increase—of a large number of consumers, without correspondingly increasing the producers of the country. If I err in this I err in good company, for I quote [the words of the Secretary of State for the Colonies](#), Mr. Cardwell, who says on this point:—

A very important part of this subject is the expense which may attend the working of the Central and the Local Governments. Her Majesty's Government cannot but express the earnest hope that the arrangements which may be adopted in this respect may not be of such a nature

¹⁰³ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), pp. 73-74.](#)

as to increase, at least in any considerable degree, the whole expenditure, or to make any material addition to the taxation and thereby retard the internal industry or tend to impose new burdens on the commerce of the country.¹⁰⁴

Now, sir, I object as a western man (and I will be pardoned if I allude to the sectional question) to the great injustice which will be done to the people of Upper Canada in the heavy burdens which she will have to bear in the carrying on of the General Government. In [the able speech delivered by the Hon. the Minister of Finance \[Alexander Galt\] at Sherbrooke](#), he said that when the population of Canada should reach five millions (a larger population than that of the proposed Confederation at present), the revenue which would be derived for public purposes would not be a farthing more than now.¹⁰⁵

One hon. gentleman has said in this House that it is as cheap to govern three millions as five millions of people. That may be true, but one million of money will not go as far as five millions in making those local improvements which Upper Canada would require, and to which the people of Upper Canada would be justly and fairly entitled. Then I object further to the scheme, because while Upper Canada will contribute the largest amount to the general revenue, she will also have to bear the heavy share of defensive and other public works in the Maritime Provinces and Lower Canada.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I object further to the indefinite postponement of the opening up of the North-West, the settlement of the valleys of the Saskatchewan and the improvement of our canal system.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—There is a very marked difference in the phraseology of

two of the clauses of this scheme which must strike any one reading them as extraordinary. The one declares that the Intercolonial Railway *shall* be built. There can be no *mistake* about that, nor is there any possibility of doubt. The language is definite—it is to be built immediately.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—[The other clause \(69\) reads thus](#):—

The communication with the North Western territory and the improvements required for the development of the trade of the Great West with the seaboard are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.¹⁰⁶

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—This certainly is the most ambiguous language that could well be employed in reference to this great and desirable work. However, we are told that this is a mistake, and that the opening up of the North-West will go on simultaneously with the construction of the Intercolonial Railway; but we find Hon. Mr. Tilley asserting in the Lower Provinces that there was no serious intention of going on with this work at present, and that a large sum was to be spent at once in New Brunswick in improving its defences. If I may be allowed to give an illustration of the uncertain and evasive character of this provision of the scheme, I will quote from [a cartoon in Punch](#), which I have here before me. It refers to a Russian State paper on Polish affairs. England, France and Austria examining it, thus explain it:—

England, "It seems to mean; Eh? H'm!"

France, "I think it means; Eh? Ha!"

Austria, "I suspect it means; Eh? Ho!"

Chorus, "And we don't know what it means."¹⁰⁷

¹⁰⁴ [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\). Correspondence presented to the Legislative Council on Jan. 27, 1865, p. A:4.](#)

¹⁰⁵ [Alexander Galt, Speech at Sherbrooke \(Nov. 23, 1864\), p. 18.](#) *Supra* footnote 101.

¹⁰⁶ [Quebec Resolution 69.](#) *Supra* footnote 81.

¹⁰⁷ Cartoon (1863) republished in [Theodore Fontane & Heide Streiter-Buscher, Unechte Korrespondenzen \(Walter de Gruyter:](#)

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—That appears to be quite correct in your case.

John Macdonald [Toronto West]—Well, my ignorance is pardonable when there is so much ignorance of the scheme even among members of the Ministry.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I can fancy the question of the opening up of the North-West coming up in the first session of the Federal Legislature and the manner in which it will be received.

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New Brunswick will say: "Oh we cannot go on with this work until the Intercolonial Railway is completed, and New Brunswick is put in a complete state of defence." Nova Scotia will say: "When the finances permit we will proceed with it;" and all the provinces will unite in saying, when this provision of the Constitution is pointed out to them, "Oh, we don't know what it means."

Some Hon. Members—*Laughter.*

John Macdonald [Toronto West]—I object to this scheme, sir, on account of the burdens it proposes to place on this country in the shape of defence.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—We have had glowing accounts from the Hon. Minister of Agriculture [Thomas D'Arcy McGee] and others about the territory that will belong to this Confederation. We are told that it will extend for four thousand miles from ocean to ocean; and will it be believed that we in Upper and Lower Canada, with a population less than that of the city of London, will be called upon to defend such a frontier—a territory, we are told, as great as the continent of Europe?

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—The thing is an anomaly that no country in the

world presents except our own. I regard this addition of territory by Confederation as a source of weakness instead of strength; and to my mind the casting of the burden of defence upon this country is like investing a sovereign with all the outward semblance of royalty, and giving him a dollar per day to keep up the dignity of his court, or like expecting the engine of one of the small ferry steamers which ply on the river here to Point Levis, to propel the Great Eastern across the Atlantic.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—Sir, I am not unmindful of the fostering care of the British Island over all its colonies. I am not unmindful of all that England has done to guard and protect her colonies throughout the world, and to develop their resources. But when we see by the telegraphic reports of to-day that the Imperial Government is about to expend £50,000—or if you accept the correction of the Government, as stated this evening, £200,000, upon the defences of this country, I ask in all seriousness what is that amount for the protection of an exposed frontier such as ours?

George Brown [Oxford South, President Executive Council]—I do not wish to interrupt my hon. friend; but I must say that when he has heard it stated that [this £200,000 is to be granted by the Imperial Government simply for the defence of the city of Quebec](#)¹⁰⁸, I am amazed how he can get up here and charge the Imperial Government with the intention of giving only that amount for the defence of the whole country.

Antoine-Aimé Dorion [Hochelaga]—It is distinctly stated in the report of the debate in the House of Lords that that is all the Imperial Government intend to appropriate.

George Brown [Oxford South, President Executive Council]—I beg the hon. gentleman's pardon, but it is not so stated. I think the hon. gentleman will find that there

[1996](#), p. 296.

¹⁰⁸ Earl De Grey suggests that £200,000 is just for Quebec—although the U.K. Parliament suggests that there will be a larger sum in the Estimates for the present year" at least in regards to Halifax. [Supra footnote 2.](#)

are now large works going on at Halifax and St. John; and that besides the appropriation for works at Quebec, the question of the amount to be contributed for the defence of Canada elsewhere is still under the consideration of the Imperial Government.

Antoine-Aimé Dorion [Hochelaga]—Oh, no; only the question of the naval defence.

George Brown [Oxford South, President Executive Council]—Well, the hon. gentleman may not accept the statement I make, but I am quite sure the hon. member for Toronto [John Macdonald] will, that the question of the defence of this province at Montreal and westward is still under the consideration of the Imperial Government, and at this moment is undecided.

John Macdonald [Toronto West]—Of course, I was aware that the £200,000 proposed to be appropriated were for works at Quebec.

George Brown [Oxford South, President Executive Council]—The hon. gentleman should not have stated, then, that they were for the defence of the whole of the province.

John Macdonald [Toronto West]—I am free to admit that this was a mistake, and that the amount was for the defences of Quebec.

George Brown [Oxford South, President Executive Council]—Well, it was very wrong to repeat it.

John Macdonald [Toronto West]—Well, I ask that if the Imperial Government will appropriate only this sum, where, at such a period of imminent danger as the present is said to be, and with every point of the frontier perfectly defenceless, is the money to come from to place all parts of the province in a position to resist aggression, and who is to provide it? The hon. member for Lambton [Alexander Mackenzie], the other night, in alluding to the ability of this country to raise and maintain a standing army for our protection, instanced the case of Denmark, which he said was able to support an army of

20,000 men. I certainly thought the allusion a most unhappy one, and one would have imagined that [the recent history of that country](#)¹⁰⁹ would have prevented its being made.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—But in regard to all the features in this scheme objectionable to Upper Canada, and adverse to

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its interest, Upper Canadian members in this House say, “Oh, let us have Confederation, and we will make all these things right by subsequent legislation.” Well, I say to every Upper Canadian that if he goes into this treaty with a view of violating its letter and spirit subsequently, he is unfaithful to the duty he owes to Upper Canada as well as to Lower Canada and the sister provinces.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I do not design to enter into a treaty with the object of escaping its obligations at some future time; and it is because I wish to do what is right, that I point out those things in the scheme that I believe to be wrong, and which, unless they are modified, I cannot support by my vote.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—It would be a breach of faith on the part of Upper Canada in a few years after this to say, “We want an increased representation; we want a larger amount for our local purposes,” when with their eyes open, her representatives accepted the document now before the House, and with a clear apprehension of what they were doing, made themselves parties to this treaty. Why, Mr. Speaker, is it that Lower Canada has so long resisted the cry for an increased representation to the western section of the province? Simply because [the treaty of 1840](#)¹¹⁰ granted to both sections equality on the floor of this House.

Some Hon. Members—Hear, hear.

¹⁰⁹ Prussian and Austrian forces defeated Denmark in the [Second Schleswig War](#), losing territory in the subsequent [Treaty of Vienna \(1864\)](#).

¹¹⁰ [The Union Act, 1840 \(U.K.\)](#).

John Macdonald [Toronto West]—I regret exceedingly that the Government intend to force this measure upon the people without appealing to them on the question, and knowing whether it meets with their approval or not.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—In that same speech of the Hon. Minister of Finance [Alexander Galt] to which I have already made allusion, one of his strongest points was this, that the [Union Act of 1840](#)¹¹¹ was forced on the people of Lower Canada [without their consent](#).

Some Hon. Members—Hear.

John Macdonald [Toronto West]—Yet, Mr. Speaker, what do we find? We find the intelligent and enterprising people of New Brunswick have rejected this measure, and that it is not favored either by the people of Prince Edward Island or Nova Scotia. We find, further, petitions coming in every day against the measure from all parts of Lower Canada.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—And yet, in the face of all this opposition, the Government presume to force the measure upon the country. But then we are told that the rejection of the scheme by New Brunswick, Nova Scotia, and Prince Edward Island will make no difference, although they were treated with here on equal terms, Prince Edward Island having the same vote in the Conference as Upper or Lower Canada; they assisted in framing these articles, and it was to conciliate them that all these concessions were made.

We are told that this is a document of concessions; but I declare that I have failed to see any concessions whatever that have been made to Upper Canada; they were all made to the Maritime Provinces. I repeat that the delegates who met in Quebec as the

representatives of provinces, and who had equal weight in the Conference with Canada, are now to be treated as if they were of no account; that if the people of Canada, representing three-fourths of the whole population, decide upon it, it will be carried through.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—Then we are told that the danger of war is very imminent. I fail to see that. The Government brought in an [Alien Bill](#)¹¹², and a large majority in the House voted for it, because they believed it necessary, at the time, to secure the peace of the country; and, in like manner they will be supported by this House in any measure which may be required for the purpose of adding to our security.

But I ask, sir, if these resolutions were carried tonight, how much they would add to our peace and security? What increased facilities of communication would they give us with the Lower Provinces, until it was possible to build the Intercolonial Railway? Very many years must necessarily elapse before that work could be completed; meanwhile, the whole question of union could be discussed; objections could be considered, and the people could be consulted. Thus, without hastily pressing on a measure which might eventuate in disappointment and misery, a sound and judicious measure might be devised, which would meet with the approval of the country, and whose principles might be perpetuated with the happiest results.

George-Étienne Cartier [Montreal East, Attorney-General East]—That's a fact!

Some Hon. Members—*Laughter*.

John Macdonald [Toronto West]—Perhaps I differ with many in regard to the subject of the Intercolonial Railway. I am willing that the Intercolonial Railway should be built, and I am willing that it should be built at once. I will

¹¹¹ The concern of obtaining adequate consent of Lower Canada was expressed in the Imperial Debates in 1839 and 1840 during the passing of the Union Act. See [The Union Act, 1840: Imperial Debate, Draft Bills and Correspondences, 1839-1840](#).

¹¹² [An Act for the prevention and repression of outrages in violation of the Peace on the frontier of this Province, and for other purposes \(Province of Canada, 1865\)](#).

go farther than that, and say I am willing that this Parliament should grant as the share of this country an amount sufficient to justify sound commercial men in taking up that work, which I look upon in the light of a great commercial undertaking. That is the idea that I hold

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in regard to the Intercolonial Railway. We should then know how much the road would cost, and how much money we had to spend, and by placing it under the management of sound, judicious commercial men, the best possible guarantee would be afforded us of its being properly worked.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I do not, for my part, underrate the difficulties which beset the hon. gentlemen who now occupy the Treasury benches. However much others may be ready to charge hon. gentlemen with having lost confidence in them, I am free to admit that my confidence in hon. gentlemen with whom I have hitherto worked, is as strong as ever it was.

But sir, no matter whether that confidence were strong or feeble, I must vote on this question as I conscientiously believe it is my duty to vote. That course I have ever followed since I have had the honor of a seat in this House, and that course I intend to pursue so long as I continue in public life. Far be it from me to withhold from honorable gentlemen that full measure of credit to which they are justly entitled.

I believe that they were perfectly sincere in then coming together to endeavour to bring about a solution of our constitutional difficulties, and I hope they may be successful in their efforts in that direction. And if in the end they shall accomplish that great object—if they shall succeed in banishing strife and discord from the floor of this House, and in bringing to our shores an increased measure of commercial prosperity, no man will be more willing to acknowledge his error than I shall, and no one will be more ready to join in giving

them that full measure of a nation's gratitude to which under those circumstances they will be so fully and fairly entitled.

Some Hon. Members—*Cheers.*

Archibald McKellar [Kent]—It is very late in the evening, and I do not intend to speak at any great length. However, I think it is proper, in the interests of a considerable portion of the people of Upper Canada, that I should call the attention of the House to this fact, that a few weeks ago a very large and influential meeting of the citizens of Toronto was held in that city, most of them, I believe, being the constituents of the honorable gentleman who has just addressed us, and to which meeting that honorable gentleman was invited for the purpose of discussing that very measure. He did not, however, think proper to attend; but I myself was there; and I think he has treated his constituents not with that courtesy and attention which they had a right to expect at his hands.

Some Hon. Members—Hear, hear.

Archibald McKellar [Kent]—Why, sir, did he not attend that meeting, and throw on it that flood of light which he has shed abroad amongst us this evening?

Some Hon. Members—*Laughter,*

Archibald McKellar [Kent]—Well, in the metropolis of Upper Canada, where many of the most influential men of that section of the province were assembled, on a motion being made for what the honorable gentleman now contends, an appeal to the people—that this measure should be submitted to the popular vote before being disposed of by this House—at a public meeting, I say, in the metropolis of Upper Canada, where there were hundreds of the leading men assembled, not a seconder could be found.

Some Hon. Members—Hear, hear.

Archibald McKellar [Kent]—I say we must hold that honorable gentleman responsible for not going to that meeting and enlightening his constituents upon this very important subject.

An Hon. Member—Did you do so with your constituents?

Archibald McKellar [Kent]—Yes, the

question was fully discussed by them. The honorable gentleman who sits in the Upper house as the representative of the two counties of Essex and Kent was elected by acclamation. And why? Because this Coalition had taken place, and this scheme of Federation was in progress, and that honorable gentleman came out, openly and above board, and declared in his speeches and in his address that he was prepared to do what he did the other day in the Upper House, vote for every paragraph of these resolutions.

Some Hon. Members—Hear, hear.

Archibald McKellar [Kent]—The honorable member for Toronto (Mr. John Macdonald), however, did not venture to go near his constituents, although they were assembled within some two hundred yards of where he resides; and in the face of that he comes here and tells us we must have an appeal to the people. If ever a subject was brought under the attention of this House, which met the almost unanimous approval of the people of the country, it is the scheme now under discussion.

Some Hon. Members—*Cheers and counter cheers.*

Archibald McKellar [Kent]—We have been told that because the press of the country support the scheme nearly without exception, the press has been subsidized, and yet, up to this moment, they have not been able to point to a single case in proof of their assertion. It is paying the conductors of the press of Canada a very poor compliment to say that they could be bought, even were such a thing to be attempted.

Some Hon. Members—Hear, hear.

Archibald McKellar [Kent]—The press of this country—the unbought press of the country—from one end to the other, are in favor of the scheme. We have

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had, too, elections for thirty or forty constituencies in both sections since the scheme was brought forward.

John Sandfield Macdonald [Cornwall]—

Does the honorable gentleman speak of municipal elections?

Archibald McKellar [Kent]—The honorable member alludes to those elections as being municipal elections, but I spoke not of the little municipality of Cornwall [John Sandfield Macdonald], and the hon. gentleman need not therefore be in any way alarmed.

Some Hon. Members—*Laughter.*

Archibald McKellar [Kent]—Almost without exception, the elections which have since taken place have been in favor of this scheme of Federation.

Some Hon. Members—Hear, hear.

Archibald McKellar [Kent]—It was my intention to have spoken at some length on the merits of this scheme.

Thomas Parker [Wellington North]—Move the adjournment.

George-Étienne Cartier [Montreal East, Attorney-General East]—No, no, no.

Archibald McKellar [Kent]—I am quite willing to drop the subject in the meantime. I may state that if it is thought desirable to proceed to a vote without discussion, for my part—

George-Étienne Cartier [Montreal East, Attorney-General East]—I must beg the honorable gentleman to understand what is our position on this subject. He stated just now that he had merely risen to answer some objections which were made by the honorable member for Toronto, and he appears indisposed to speak this evening. Well, the honorable gentleman may speak at another time. It is only half-past twelve, and we may very well sit till two—

Some Hon. Members—Oh, oh.

George-Étienne Cartier [Montreal East, Attorney-General East]—so there is plenty of time. And as we know very well that the honorable gentlemen belonging to the Opposition are desirous of discussing this question at greater length, we are willing to listen to what they have to say.

John Sandfield Macdonald [Cornwall]—I am willing to sit as much night work as any honorable member of this House, but it is a

little too much to ask us to sit here after twelve, night after night. At no time have I ever seen any success attending legislation after midnight.

Archibald McKellar [Kent]—I simply rose at the present time to point out the extraordinary conduct of the honorable member for Toronto. I may or may not desire to trespass upon the attention of the House tomorrow. But if I do not then speak, it is because of the imminent danger which I believe we are in, that the debate should be brought to a speedy close.

In case I do not address the House again, I desire to take this opportunity of saying that I am entirely in favor of the resolutions, and that I shall support them cordially, and oppose any amendments which may be offered to them; and, in taking that course, I am confident that I am doing that which will be endorsed almost unanimously by my constituents, and which will commend itself to at least three-fourths of the people of Upper Canada. If I believed that this measure was opposed to the wishes of the people of Canada, I would be the last man to press for a vote upon it until it had been submitted to them; but believing, from the clearest evidence, that the scheme meets with the almost unanimous approval of the country, I think the sooner we bring it into operation the better.

Some Hon. Members—Hear, hear.

John Macdonald [Toronto West]—I may perhaps be allowed to state in explanation that the good people of Kent are doubtless favored with a representative of much clearer views and sounder judgment than he who represents the unfortunate people of Toronto. But I would just say to that hon. gentleman, that if he will only look after the interests of his own constituents, I will try to look after the interests of mine. There is this difference between the hon. gentleman and myself, that when the scheme was first announced, he took the whole thing down at once, while I thought it too weighty to be thus hastily disposed of, and required time for reflection.

And the debates which have taken place in

this House—the diversity of opinion amongst Ministers themselves as to several points of the scheme—convince me that so far from its being understood by every man, woman and child in Upper Canada, as the hon. member for Kent [Archibald McKellar] stated, and as he would fain have us believe, it is far from being understood in the country. I am persuaded that the course I took was right. I can only say that, if the honorable gentleman leaves this House with skirts as clean as I intend mine shall be when I retire from Parliament, he will have no cause to reproach himself for anything he has done during his political career.

Some Hon. Members—Hear, hear.

William Howland [York West, Postmaster General]—I desire to say a few words in reply to what fell from my honorable friend the member for Cornwall (Hon. J.S. Macdonald), so that no misconception should exist on the part of the members of this House in regard to the course I thought proper to pursue when I went before my constituents, after having accepted the office which I have now the honor to hold in the Government. From the honorable gentleman's remarks, I think it would be inferred that I had accepted office

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subject to conditions, and had left it to be understood that amendments would be made to the scheme now before the House. At least such is my impression from what fell from my honorable friend.

I feel extremely obliged to the honorable gentleman for the kind manner in which he has spoken of me, and I can assure him in return that I value his opinion and friendship most highly; at the same time, it is proper that I should say a word or two in reference to what he has stated, in order that no misconception may possibly exist on the subject. I placed before my constituents, fairly and fully, my views on this important question. I indicated to them that there were some parts of the scheme which, if I had been a delegate to the Convention, I should have opposed and endeavored to modify. At the same time, I

stated that we had to accept it as it was, it being in the nature of a treaty, or reject it.

John Sandfield Macdonald [Cornwall]—I am sure my honorable friend will not accuse me of a desire wilfully to misrepresent his position in reference to this matter. What I meant to say, if I did not say it, was this, that the scheme, as a whole, is not such as the Hon. Postmaster General [William Howland] desires—that he himself told his constituents that he entertained objections to it; and on that I argued that if the scheme was so bad as to be unsatisfactory to the members of the Government themselves, it was not fair to deny to the Opposition, to whom it was still more distasteful, the opportunity of placing on record their objections to it.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères] *moved*

The adjournment of the debate.

George-Étienne Cartier [Montreal East, Attorney-General East] *moved in amendment:—*

That the debate be resumed at the next sitting of the House tomorrow, as the first Order of the Day after routine business.

Luther Holton [Chateauguay] *moved in amendment:—*

That the debate be adjourned till Monday next, and that an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, in the meantime, all information submitted to the Conference, as well as any that may have since come into the possession of the Government, relating to the various important subjects referred to in the resolutions of the Conference; and particularly all information respecting the route and cost of the proposed Intercolonial Railway, the proposed distribution of the public property and liabilities among the several governments which are intended to replace the present Government of this Province, the nature, extent and cost of the contemplated improvements of our inland water communications, the rights of Canada in the Northwest Territory, and the cost of opening up that territory for settlement, the amount required to be contributed by the provinces towards the public defence, and the extent and

value of the public lands of Newfoundland, in order that this House may be better enabled to consider the effect of the proposed constitutional changes on the material interests and the future political condition of the country.

The honorable gentleman said—Mr. Speaker, I shall simply say, with respect to this motion, that we are asked to adopt conclusions come to by the Conference of delegates which met in Quebec in October last. It is only right and proper—it is only fair and reasonable—that we should be placed in possession of the data upon which these conclusions are founded. If we are a free British Parliament, worthy of our position as the representatives of British freemen, we will insist on being placed in possession of all the information upon which these resolutions were founded. I think there can be no reasonable answer to oppose to this request, and I feel that I should be doing injustice to the House if I detained it for one moment longer with any argument upon the subject.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—The time mentioned is too short. It would be necessary to adjourn the debate for two months at least, in order to get the information here sought. But there are serious omissions in the resolution. The honorable gentleman ought to have asked for the number of engines and cars proposed to be employed on the railway, and the amount of traffic which is expected to be carried backwards and forwards in the course of a year.

Some Hon. Members—*Laughter.*

Alexander Mackenzie [Lambton]—The whole thing to my mind is ridiculous.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—I am surprised, sir, that the honorable member for Chateauguay [Luther Holton] should have proposed such a motion in amendment as this—a motion which has no affinity whatever to the question under consideration. In my opinion things should be called by their right names, and I have not the least hesitation in saying that this

motion, from the irrelevant matter it contains, is entirely irregular—that it is, in fact, an absurdity.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—This is the only way in which we can make a motion for getting information from the Government. The amendment proposes that the debate shall be adjourned until Monday next, for the purpose of affording an opportunity to the Government

- (p. 768)

to bring down the information which they had before them during the Conference at which the resolutions in favor of Confederation were originated.

It cannot be denied that when the Hon. Finance Minister [Alexander Galt] and his colleagues agreed that \$150,000 should be paid for the unoccupied lands in Newfoundland, they must have had some information before them as to the value of those lands, and whether they consisted of one acre or a million. There is no doubt that when they agreed upon what part of the public debt of Canada should form part of the debt of the Confederation, they had a statement laid before them upon which that agreement was based.

If I re-collect aright, I saw in the newspapers a statement that the Conference had adjourned for a day or two in order to allow the Finance Ministers of the several provinces to make up and bring before the Conference a statement respecting the debts and financial positions of the several provinces. Well, this is all we want to obtain. We want the same information that the honorable gentlemen had before them when they agreed to those resolutions in conference. We do not suppose that they went into the consideration of these matters without any information before them. We do not suppose that they merely guessed that the debt of Canada was \$62,500,000, and guessed in the same way at the debts of the other provinces.

We want the same opportunity of

understanding these resolutions and of coming to a correct decision upon them, that the honorable gentlemen themselves enjoyed. We do not want an hour's delay more than is absolutely necessary to bring down the information and enable us to apply it in judging of the merits of the scheme.

Some Hon. Members—Hear.

Antoine-Aimé Dorion [Hochelaga]—Honorable gentlemen say it will require months to get the information. The honorable member for Lambton (Mr. A. Mackenzie) seems to be very much afraid to have the information brought down, lest it would result in the scheme not being carried. He ought to remember that we have not the confidence in the Honorable Attorney General East [George-Étienne Cartier], nor yet in the Honorable Finance Minister [Alexander Galt], that he has.

Some Hon. Members—*Laughter*.

Antoine-Aimé Dorion [Hochelaga]—He has known those gentlemen for a long time, and the House has had frequent opportunities, during past sessions, of observing the amount of confidence he has always reposed in them. He had a wonderful amount of confidence in the Honorable Finance Minister [Alexander Galt] at the close of last session, when he voted for the motion respecting the \$100,000 handed over to the city of Montreal for the payment of a Grand Trunk railway liability. But he will pardon us and exercise a little patience with us if we, who have never had that confidence in the honorable member for Sherbrooke [Alexander Galt] since he has been Finance Minister, desire to have a little information before we vote for the extravagant scheme which he has brought before us. We want information mainly respecting the finances, the Intercolonial Railway, and the Crown lands of Newfoundland, and we have no other way of placing our demand in a shape to be recorded, since the previous question has been moved, than by moving for it in amendment to the motion for adjourning the debate.

Alexander Galt [Sherbrooke, Minister of Finance]—The honorable gentleman is going into the merits of a resolution about which a

point of order has been raised.

Antoine-Aimé Dorion [Hochelaga]—I was not aware that a point of order had been raised. What is the point of order? I understood the Honorable Attorney General East [George-Étienne Cartier] to have been arguing against bringing down the information called for.

George-Étienne Cartier [Montreal East, Attorney-General East]—No, no, not at all. The Speaker will decide whether the resolution is in order or not.

The Speaker—It is a well understood rule that no amendment to a motion for an adjournment can be proposed, unless it relates to the time to which the adjournment is proposed to be made. The first portion of the motion is in order, or would be in order if it were separated from what follows, and proposed by itself; but I cannot compel the honorable mover of it to alter it. According to the best of my judgment, the motion is out of order.

Luther Holton [Chateauguay]—Then, Mr. Speaker, I desire to have an opportunity of placing an appeal from the decision of the Chair on the resolution I have offered, upon the Journals of the House.

The members having been called in, the decision of the Honorable Speaker¹¹³ was sustained on the following division:—

YEAS

Messrs.

Alleyn
Ault
Beaubien
Bellerose
Biggar
Blanchet
Bowman
Bown
Brousseau
Brown
Carling
Cartier (Attorney-General)
Cartwright
Cauchon
Chapais
Cockburn
Cornellier
Cowan
Currier
De Boucherville
De Niverville
Dickson
Dufresne (Montcalm)
Dunsford
Evanturel
Galt
Gaucher
Gaudet
Gibbs
Haultain
Higginson
Howland
Jones (Leeds South)
Langevin
Le Boutillier
Mackenzie (Lambton)
Mackenzie (Oxford North)
Magill
McConkey
McDougall
McGee
McKellar
Morris

¹¹³ The motion and amendments can be found on p. 767. Félix Geoffrion moves “*The adjournment of the debate.*” George-Étienne Cartier then moves the amendment, “*That the debate be resumed at the next sitting of the House tomorrow, as the first Order of the Day after routine business.*”

Luther Holton then moves the amendment, “*That the debate be adjourned till Monday next, and that an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, in the meantime, all information submitted to the Conference, as well as any that may have since come into the possession of the Government, relating to the various important subjects referred to in the resolutions of the Conference; and particularly all information respecting the route and cost of the proposed Intercolonial Railway, the proposed distribution of the public property and liabilities among the several governments which are intended to replace the present Government of this Province, the nature, extent and cost of the contemplated improvements of our inland water communications, the rights of Canada in the Northwest Territory, and the cost of opening up that territory for settlement, the amount required to be contributed by the provinces towards the public defence, and the extent and value of the public lands of Newfoundland, in order that this House may be better enabled to consider the effect of the proposed constitutional changes on the material interests and the future political condition of the country.*”

Morrison
 Pinsonneault
 Poulin
 Powell
 Robitaille
 Ross (Prince Edward)
 Scoble
 Smith (Toronto East)

• (p. 769)

Stirton
 Street
 Sylvain
 Thompson
 Walsh
 Wells
 Willson
 and Wright (York East)—59.

NAYS

Messieurs

Cameron (Ontario North)
 Coupal
 Dorion (Drummond & Arthabaska)
 Dorion (Hochelaga)
 Dufresne (Iberville)
 Fortier
 Geoffrion
 Holton
 Houde
 Labrèche-Viger
 Laframboise
 Lajoie
 Macdonald (Cornwall)
 O'Halloran
 Paquet
 Parker
 Perrault
 Rymal
 Scatcherd
 and Thibaudeau—20.

*The question being again put on **George-Étienne Cartier's [Montreal East, Attorney-General East] motion,***

That the debate be resumed at the next sitting of the House tomorrow, as the first Order of the Day after routine business.¹¹⁴

Antoine-Aimé Dorion [Hochelaga] said—
 Mr. Speaker, I hold in my hand an amendment which will exactly suit the ruling of the Chair,

as it relates only to the time to which the debate shall be adjourned. The very unfair and arbitrary course which the Government has unfortunately seen fit to pursue, has prevented the honorable members of this House from moving any amendments to the scheme proposed for its adoption; but I for one am most desirous, in accordance with the almost universal wish of the people of the district of Montreal, to have the question tested whether the opinion of the people shall be allowed to be heard before a final decision is come to by this House. I find that in nineteen French-Canadian counties in that district, resolutions have been passed in favor of that course, and petitions have been signed by from fifteen to twenty thousand inhabitants, asking that no such scheme be adopted without submitting it to a vote of the people.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Sir, I think it would have been far more dignified on the part of the Government, and more respectful towards the country, to have allowed the scheme—which, in their opinion, will create such prosperity that everybody will be in ecstasy over it, but which, in our opinion, will bring on this country such a state of dissatisfaction as will perhaps engender some other feeling than that of union with the Lower Provinces—to be voted upon by those who are most deeply interested in it, the people of Canada. But they have chosen to gag us, insomuch that we have no other course left but to move amendments to the motion for adjourning the debate, and that we are determined to avail ourselves of.

My motion in amendment is:—

That the debate on this resolution, involving as it does fundamental changes in the political institutions and in the political relations of this province, changes which were not in the contemplation of the people at the last general election, ought, in the opinion of this House, to be adjourned for one month, or until such time as the people of this province shall have an opportunity of constitutionally pronouncing their opinions thereon, by an appeal to them.

¹¹⁴ Cartier presented the motion to the Legislative Assembly, a few pages ago on p. 767. Reinserted for clarity,

I do not fix the time arbitrarily in which the appeal to the people shall be made. If hon. gentlemen are anxious to have the scheme carried at an early day, they can bring on an election at once, or they may take their own time. Let them dissolve the House to-morrow. We are ready for it at any time. The conduct of the Government in reference to the procedure of the House upon the great question they submitted to it, is as disgraceful as it is derogatory to the dignity of this House. After coming to a solemn agreement with the House that the discussion should go on as if in Committee of the Whole, and that consequently amendments might be moved, they now distrust the favorable feeling which they told us at the outset existed among the people, and now they will not allow us to place amendments to the scheme in the Speaker's hands. They fear to have the question discussed and understood among the people. They are wise in their generation. They have just beheld the Hon. Mr. Tilley—for ten years past at the head of the Government of New Brunswick, and a most deservedly popular gentleman—though uniting with his own strength that of the leaders of the Opposition, swept away by the people¹¹⁵.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Well may they tremble for the fate of their scheme among the people of Canada. But they do not content themselves with simply refusing an appeal to the people. They go further and refuse the members of this House the opportunity of placing their views before the House and country. We are ready to go to our constituents at once upon the question, and if they say that the scheme is a desirable one, I for one am prepared to bow to the will of the majority.

But, sir, to bow to a self-constituted delegation—an association of honorable gentlemen who were never authorised, either by the Parliament or people of this province,

to meet together along with gentlemen from other provinces, and concoct a new Constitution for the government of the people, and then to come to this House and say to it, "You must accept this new Constitution in all its details, making no change or amendment, nor even having the privilege of proposing any amendments so as to have them placed on the Journals of this House"—I say the demand that we should bow in meek and humble submission to that sort of treatment at the hands of

• (p. 770)

the gentlemen on the Treasury benches, is most monstrous.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I cannot say that under other circumstances, such an appeal as has just been made from the decision of the Chair would have been taken, but in this instance there was no other course left to the minority to show that they had demanded most important information in reference to the scheme under discussion. Whether it be until a direct appeal can be had to the people by a general election, or by petitions, I say the gravity of the question calls for delay. Never has such extraordinary action been taken by any government, whether weak or strong, as has been taken by honorable gentlemen opposite.

Matthew Cameron [Ontario North]—The Government having endeavored to checkmate the Opposition to their scheme in the tyrannical way in which they have done, I think it is only fair to defeat their object and to stalemate them, because in point of fact it will amount to that if we succeed in this motion. I think honorable gentlemen will admit that in this great and momentous change which is going to take place, the people who sent us here are as deeply interested as we are.

They sent us here to make laws under the Constitution as established, not to overturn the Constitution; and before such a violent

¹¹⁵ *Supra* footnote 11.

change of Constitution is made as will, undoubtedly, plunge us into most serious expenses, there ought to be given them an opportunity of saying whether or not they concur in the change proposed. It is for this reason I second the resolution in amendment, and I hope we shall have for it the support of those honorable gentlemen who, though supporters of the Government, have expressed such marked dissent from the policy of shutting off amendments by moving the previous question.

George-Étienne Cartier [Montreal East, Attorney-General East] said—With reference to this motion, I have to raise the same point of order that I brought against the other one. I beg to say at the outset that the statement that there is to be no other opportunity of bringing forward a motion in favor of submitting the scheme to the people, is all claptrap. The honorable member for Peel [John Cameron] has given a notice of a motion on that subject, as a substantial proposition on which every honorable gentleman will have an opportunity of recording his vote in a regular way.

[The honorable gentleman then went on to discuss the point of order, giving several reasons for considering it irregular. The discussion of the points raised was also taken part in by Hon. Messrs. Galt, Holton, Dorion, J.S. Macdonald, and Mr. Morris.]

The Speaker ruled the motion —

That the debate on this resolution, involving as it does fundamental changes in the political institutions and in the political relations of this province, changes which were not in the contemplation of the people at the last general election, ought, in the opinion of this House, to be adjourned for one month, or until such time as the people of this province shall have an opportunity of constitutionally pronouncing their opinions thereon, by an appeal to them.¹¹⁶

—out of order. He said that the practice in such

cases appeared to be for the Speaker to eliminate from such motions all that was irregular, and if the honorable member who prepared the motion consented to that, to put it to the House as it then stood. If the honorable member would not consent, why the motion fell to the ground. If the honorable member for Hochelaga [Antoine-Aimé Dorion] would consent, therefore, to his eliminating from the motion all but that which referred to the adjournment, he (the Speaker) would put it to the House. If not, he would be obliged to rule it out of order.

Antoine-Aimé Dorion [Hochelaga] *having declined to allow his motion to be interfered with, it was accordingly ruled out of order, the amendment of George-Étienne Cartier [Montreal East, Attorney-General East] —*

That the debate be resumed at the next sitting of the House tomorrow, as the first Order of the Day after routine business.¹¹⁷

—was agreed to, and the debate was adjourned until three o'clock the next day.

¹¹⁶ Dorion presented his amendment to the Legislative Assembly a couple of pages ago, on p. 769. Reinserted for clarity.

¹¹⁷ Cartier's motion to the Legislative Assembly, p. 769. Reinserted for clarity.

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



WEDNESDAY,
MARCH 8, 1865

Petitions¹

Antoine-Aimé Dorion [Hochelaga] presented four petitions against Confederation.

George-Étienne Cartier [Montreal East, Attorney-General East]—I am very glad the hon. gentleman has presented those petitions

insomuch as I have something to say with respect to the manner in which these petitions are gotten up. I have a little document to read about this subject—

Luther Holton [Chateauguay]—The hon. member is out of order. He cannot read his letter now. It can only come up on the question for the reception of petitions.

James Dickson [Huron & Bruce], presented a petition in favor of Confederation.

On the reading and receiving of petitions—

George-Étienne Cartier [Montreal East, Attorney-General East]—I am now in order.

John Sandfield Macdonald [Cornwall]—For the first time.

George-Étienne Cartier [Montreal East, Attorney-General East]—I think I am always in order, and sometimes put hon. gentlemen opposite in order too. They “crowd” loudly the other day in presenting petitions from different portions of Lower Canada against the schemes of Confederation. But I happen to have in my possession a precious document written by an hon. member of this House—a letter sent to one of his friends in order to stimulate him to procure as great a number as possible of signatures to petitions against Confederation. The precious document was dated from Quebec, and was probably written at the desk of the hon. member in question, in this House, and not long ago either. I will read a translation of the letter.

Some Hon. Members—*Cries of “dispense.”*

George-Étienne Cartier [Montreal East, Attorney-General East]—It is dated, 31st January 1865.

Donald Macdonald [Glengarry]—It is a forgery.

Some Hon. Members—*Cries of dissent.*

George-Étienne Cartier [Montreal East, Attorney-General East]—I say it is a true letter, and I will lay it before the House

¹ This section of the debates regarding anti-Confederation petitions is not part of the Hunter & Rose edition and has been added for completeness. Source: [“Provincial Parliament.” \[Quebec\] Morning Chronicle \(Mar. 9, 1865\).](#)

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—The letter reads thus:

“Sir—Be kind enough to have the enclosed petition signed as soon as possible by men, women and children.

Yours, very truly,
J.B.E. Dorion.”

Some Hon. Members—*Loud Ministerial laughter and cheers.*

Luther Holton [Chateauguay] said that in the absence of the hon. gentleman in question he would say that, even supporting the letter to be genuine, it was a private one and should not have been brought up. At any rate it was, evidently, merely a jocular letter sent to a friend with a knowledge of the intense feeling in the part of the country where he lived against Confederation.

Some Hon. Members—*Ministerial laughter.*

Luther Holton [Chateauguay]—What was a more common expression in speaking of the general opposition to any scheme or measure than—“every man, woman, and child is against it?”

Some Hon. Members—*Renewed Ministerial laughter and Opposition cheers.*

Luther Holton [Chateauguay]—The Attorney-General East [George-Étienne Cartier] knew that in the Quebec Suburbs of Montreal—his own constituency—and, as regards his own countrymen, it might be said without any departure from the strict truth, that every man, woman and child was opposed to him on Confederation.

Some Hon. Members—*Great laughter and cheers from the Ministerial side.*

George-Étienne Cartier [Montreal East, Attorney-General East]—No, sir.

Luther Holton [Chateauguay] said that supposing the letter was written by the hon. gentleman in question, its essence was a recommendation that the petitions against the scheme should come in quickly. The letter, which was merely a jocular one, should not have been produced in the absence of the

member for Drummond and Arthabaska (Mr. J.B.E. Dorion.)

Antoine-Aimé Dorion [Hochelaga]—To whom was the letter written?

George-Étienne Cartier [Montreal East, Attorney-General East] said he would read the letter to the writer himself when that hon. gentleman was in his seat, but would not tell to whom it was addressed.

Antoine-Aimé Dorion [Hochelaga]—Even if the letter was sent, and that the result had been the sending here of petitions signed by men, women and children against Confederation, there was no harm in that.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East] said he would ready another letter, in his possession, to the following effect:—Montreal, 4th March—(Colbourne Avenue)—Sir—Would you send me a copy of the Hon. Mr. Dorion’s petition against Confederation, and oblige me thereby. Having been informed that my name is on the petition, I wish to say that, if so, it is a forgery; also, that if the names of Thomas Smith, and a great many other gentlemen which are said to be on the petition, are really so, I will add they never signed the paper.—He (Mr. Cartier) replied that a *fac simile* copy of the petition would be sent to Montreal, and it would be there thoroughly scrutinised. He knew that many of the signatures obtained to that petition were procured under the impression, on the part of the singers, that they were in so doing helping on Mr. Cartier measure.

Charles De Boucherville [Chambly] said that the member for Hochelaga [Antoine-Aimé Dorion] had presented, the other day, a petition on Confederation, coming from the Parish of St. Bruno, and he (Mr. De Boucherville) had written to that place for the purpose of ascertaining some details respecting it. The information he had received in reply was to the effect that out of 193 signers, 113 were not electors.

Some Hon. Members—Hear, hear.

Charles De Boucherville [Chambly]—Some of the names appended to it were those

of parties residing at Bay Verte, at Montreal, and even in Wisconsin.

Some Hon. Members—Hear, hear.

Charles De Boucherville [Chambly]—Other names were those of children or mere infants—on being that of a child of four years, another of three years, and another of eleven months.

Some Hon. Members—Hear, hear, and laughter.

Charles De Boucherville [Chambly]—In another case, there were seven children of the same family whose names had been appended to it, without the consent of their parents.

Some Hon. Members—*Laughter.*

Charles De Boucherville [Chambly]—Another person—a Mr. Paré, junr., said that he had been asked to sign the petition, but that he had declined, and that he had never authorized anybody to attach his name to it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga] desired to say a word or two in reply to the hon. member for Chambly [Charles De Boucherville]. The petition in question had been shown to that hon. member, and he remarked on looking over it that it was one of the best of those petitions. When he came to about the fiftieth name, he said he thought that he saw the name of a non-elect, and after going over some twenty or thirty more he said he thought there were the names of some young men attached to it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The hon. gentlemen went on to cite a number of names, and asked the hon. member for Chambly [Charles De Boucherville] whether he would pretend to say that those were not genuine.

John A. Macdonald [Kingston, Attorney-General West] said the hon. member for Hochelaga [Antoine-Aimé Dorion] was completely caught. It would not do to try to

get out of it in this way. He was in fact found out. The circumstance forcibly reminded him (Mr. Macdonald) of “Fag,” a character in one of Sheridan’s plays, who said that he had no objection to lie a little for a friend, but it hurt him to be found out.

Some Hon. Members—*Laughter and cheers.*

John A. Macdonald [Kingston, Attorney-General West]—If ever there was a party found out it was the party to which the hon. gentleman belonged.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—We know now the means which had been resorted to, to elaborate petitions throughout the country. It appeared that the petition referred to by the hon. member for Chambly [Charles De Boucherville] bore the signatures of parties who were luxuriating as far away as the State of Wisconsin. It also bore the name of a promising young elector, only eleven months old, who no doubt, in twenty years and one month from this date, would send in a requisition to withdraw his name from the document to which it had been so improperly appended without his consent some time before.

Some Hon. Members—*Roars of laughter.*

John A. Macdonald [Kingston, Attorney-General West]—But perhaps the young innocent was a female.

Some Hon. Members—*Renewed laughter.*

John A. Macdonald [Kingston, Attorney-General West]—Perhaps woman’s rights was a part of the political platform of hon. gentlemen opposite².

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—No doubt, as had been already stated, the ladies may have been induced to believe that those petitions were in favor of the measure now before the House,

² The member may be also deriding women’s property rights advancements, which had occurred in the US and UK. For popular coverage of the women’s rights in this period, see the coverage of the [“Woman’s Rights Convention,”](#) *The Globe* (Nov. 2, 1850 & Dec. 2, 1856). See also [“Woman’s Rights in England,”](#) *The Globe* (Aug. 3, 1857).

for the ladies were certainly in favor of federal union.

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—But we were told by the hon. member for Chateauguay [Luther Holton] that it was a “jocular letter;” and the hon. member for Hochelaga [Antoine-Aimé Dorion] repeated the expression. No doubt the hon. member Hochelaga [Antoine-Aimé Dorion] had written similar letters.

Antoine-Aimé Dorion [Hochelaga]—I deny the thing entirely.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Then of course I accept the hon. gentleman’s word.

Luther Holton [Chateauguay]—Do you withdraw the statement?

Some Hon. Members—Hear, hear, oh, oh, and laughter.

John A. Macdonald [Kingston, Attorney-General West] said that of course he accepted as true the statement which the hon. gentleman made in his place in this House. The whole game, however, was exposed. We saw the manner in which the names of babes and suckling were used to create a belief that public opinion was opposed to the scheme now before the House.

Some Hon. Members—Hear, hear, and cheers.

Charles De Boucherville [Chambly] desired to say a word in reply to the hon. member for Hochelaga [Antoine-Aimé Dorion]. That hon. gentleman stated that he (Mr. De Boucherville) remarked that the petition was a very good one. Now he thought the hon. member for Chateauguay [Luther Holton] was present on that occasion and would recollect the facts. He had asked the hon. member for Hochelaga [Antoine-Aimé Dorion] to let him see the petition for the purpose of examining the signatures and

pointing out those which were not genuine, but the hon. member replied that he had not time.

Antoine-Aimé Dorion [Hochelaga] said that the hon. member would surely not deny that he had been allowed to look at the petition.

Charles De Boucherville [Chambly] said that the petition was in his hands a few minutes, but when he wished to point out the non-electors, the hon. member for Hochelaga [Antoine-Aimé Dorion] had not time to wait and took back the petition.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall], in the course of some remarks, a portion of which were inaudible in the gallery, was understood to say that [Newfoundland had postponed the question of Confederation for three years](#)³.

John A. Macdonald [Kingston, Attorney-General West]—That’s a mistake.

John Sandfield Macdonald [Cornwall] was understood to say that it was so reported.

John A. Macdonald [Kingston, Attorney-General West]—Then its an erroneous report.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East] said that since he saw the hon. member for Drummond and Arthabaska (Mr. J.B.E. Dorion) in his seat, he would give him the benefit of reading the letter written by that hon. gentleman to one of the Mayors in his constituency giving instructions as to how the petitions were to be signed.—The hon. gentleman then went on to read the letter which he had already read to the House.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska] said he was not at all surprised at the indignation manifested by hon. gentlemen opposite, inasmuch as their minds must have been considerably discomposed by the intelligence they had received within the last few days. With respect to the letter which had

³ Newfoundland had passed a resolution which recommended that “a final determination upon this important subject be deferred to the next meeting of the Legislature.” [Newfoundland, House of Assembly \(Mar. 6, 1865\). Journals of the House of Assembly of Newfoundland \(1865\), pp. 37-38.](#)

been read by the Hon. Attorney General East [George-Étienne Cartier], he had to say that he had written it. He did not see any reason to hesitate for a moment in making that admission. He had written many such letters, inasmuch as his constituency was very extensive, comprising two counties and a large number of municipalities. He had no time for writing lengthy or detailed letters, and he had therefore expressed himself in the plainest and most straight-forward terms, as he usually endeavored to express himself. His object was to get the petition generally signed. His constituency was strongly opposed to the Confederation scheme, and if hon. member doubted his assertion they were at liberty to go out to the county and try, and they would very soon find out the real feeling of the people. He wished to know from the Hon. Attorney General East [George-Étienne Cartier] to whom the letter which he had read was addressed, so that we might have an opportunity of seeing whether the petition from that locality bore any bogus signatures?

Luther Holton [Chateauguay] desired to direct the attention of the Hon. Attorney General East [George-Étienne Cartier] to the fact that the hon. member for Drummond and Arthabaska [Jean-Baptiste-Éric Dorion] had demanded the name of the person to whom it was addressed. It was important to know by what means the letter had come in the possession of that hon. gentleman.

Some Hon. Members— Hear, hear, *and* oh! oh!

An hon. member—Are there any parties connected with the Post Office who are prying into the secrets of hon. members?

Some Hon. Members—Oh! Oh!

George-Étienne Cartier [Montreal East, Attorney-General East]—said that the letter was written by the hon. member for Arthabaska [Jean-Baptiste-Éric Dorion] and had been sent by him to one of the Mayors of his constituency. It had been sent to him (Mr. Cartier) by a friend who had some acquaintance in that part of the country.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall] would like to know how that friend obtained it. Was it through the Post Office? It was right we should know how this letter came into the hon. gentleman's hands. Of course we were quite prepared to admit that so far as he (Mr. Cartier) was personally concerned, it was fairly obtained; but how had it passed into the hands of the person who had handed it to him? It was interesting to know this.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—It was obtained fairly—not surreptitiously.

John Sandfield Macdonald [Cornwall]—How did we know that it was not surreptitiously obtained by the person who got hold of it in the first instance?

Some Hon. Members—Oh, oh.

John Sandfield Macdonald [Cornwall]—The hon. gentleman went on to say a thing of this kind was of a nature to excite some suspicion in the minds of hon. members of this House, and he thought it would be only right for the Hon. Attorney-General [George-Étienne Cartier] to state distinctly how he had obtained it.

George Brown [Oxford South, President Executive Council] denounced in strong terms the ground taken up by hon. gentlemen opposite, and chiefly by the hon. member for Cornwall [John Sandfield Macdonald]. It amounted to nothing more or less than a charge of Post Office robbery.

Some Hon. Members—*Cries of no, no.*

It was a charge that the letter read by the Hon. Attorney-General East [George-Étienne Cartier] had been obtained by some surreptitious and unlawful means. Hon. gentlemen were no doubt smarting under the damaging effect of the disclosures which had just taken place; they were utterly discomfited by the exposure which had been made; at the same time, nothing could justify such a gross and unfounded attack as that which had just been made.

In the course of the discussion which followed—

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said he stated a few days ago that two-thirds of the petitions against Confederations were bogus, and would repeat it now. The names appeared to be coined in the same mint. Both French and English petitions originated with a little clique in Montreal which was endeavoring to bolster up the political position of the hon. member for Hochelaga [Antoine-Aimé Dorion]. This Montreal petition appeared to constrain not more than ten different handwritings—ten men appeared to have done all the signing for hundreds or thousands of persons. The signers might have been authorised to do so, but, at all events, the writers had, apparently, canvassed for the signatures in every district. These petitions were no expression of public opinion, and were not got up honestly. There had been no spontaneous expression of public opinion against Confederation in Lower Canada. One half of the signatures were crosses. He did not blame persons for being ignorant, or unable to write, knowing that it was the misfortune of many a good man.

Luther Holton [Chateauguay]—Who send us here but the men who make crosses?

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Well, I must say that they inflicted a cross upon this House when they sent to it that hon. gentleman.

Some Hon. Members—*Laughter.*

Arthur Rankin [Essex] condemned the reading of private letters in this House, thinking it beneath the character and position of the Attorney General East [George-Étienne Cartier] to do such a thing. If there was anything more than another which tended to bring discredit on this House it was the reading of letters of this kind. He (Colonel Rankin) had stated he was in favor of union of

the British Provinces, believing that the best interests of the whole would be thereby subserved, and was at present prepared to assume his share of the responsibility of supporting the Government in following the high-handed course it had, yesterday, announced in order to carry the scheme of Confederation.

In the course of subsequent debate on the same subject—

John Ross [Champlain] briefly related the gross misrepresentation resorted to in his own locality for the purpose of exciting hostility to the Confederation scheme.

Antoine-Aimé Dorion [Hochelaga]—In reference to the petition referred to by the hon. member for Chambly (Mr. De Boucherville) as containing a number of bogus signatures—said that there was a written declaration to the effect that the signatures were appended in the presence of two persons whose names were given.

Some Hon. Members—Hear, hear.

*The discussion continued until six o'clock, when the Speaker left the Chair.*⁴

The Order of the Day being read, for resuming the adjourned Debate upon the Previous Question which was, yesterday proposed,—

That This Question—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.

—be now put.⁵

⁴ Here ends the *Morning Chronicle* addition.

⁵ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 184](#). This continues the debate that the question be now put, which was introduced by [John A. Macdonald to the Legislative Assembly \(Mar. 7, 1865\), p. 703](#).

Fitzwilliam Chambers [Brockville] said—The position of the speaker who comes towards the last in a debate is, if disadvantageous in some respects, at least advantageous in others. If from the ability of gentlemen who have preceded him, and from their logical and argumentative powers, most that could have been said has been said—if, from the ample store of knowledge they possess, numerous ideas have been advanced, and logical conclusions drawn therefrom, there is at least this advantage to their successors in the debate, that they have the benefit of those conclusions, the advantage of those ideas and of that knowledge. And although a subsequent speaker may be unable to advance new theories, or even adduce new arguments, he can at least compare the opinions and the views of those who have preceded him. I may state in the outset that I had hoped, at the commencement of this debate, to have heard it announced that this Legislature would be allowed the privilege of amending such of the resolutions submitted as they might, upon earnest and careful examination, have deemed necessary.

I had hoped, Mr. Speaker, that some latitude would be allowed to this Legislature in suggesting improvements and

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amendments to the resolutions, which do appear to me to have been resolved upon with some degree of haste for matters fraught with such vital interest and importance to these provinces. If indeed, sir, the hon. gentlemen who so recently held their deliberations in this city had been composed of men perfect in intellect, and possessing intelligence

unalloyed by the baser ingredient of ordinary humanity—liability to err, then it would, I say, have seemed more consistent to ask this or any other legislature to adopt the Constitution which they had framed for us and for posterity without amendments, to ask us to receive, as we would or as we do, the articles of our religious faith—to ask us to have faith, and to believe that these delegates had embodied in these resolutions all the requisites and necessities for a perfect Constitution.

I had hoped, sir, we should be able to apply ourselves to the calm, deliberate, impartial consideration of these important resolutions, and, being divested of all party spirit, endeavor to arrive at such conclusions as would be advantageous to all the provinces. But, sir, notwithstanding all this; however much it may have been desired, and whatever alterations we may have wished for; whatever further benefits and advantages Upper Canada may have desired to secure in this great national co-partnership; and although I should myself have preferred alterations in some of the resolutions, as well as in some of the details, yet I am not, after having listened patiently and anxiously to the able arguments in favor of Confederation, as well as against it—I am not, I repeat, prepared to state that I will take upon myself to say that Confederation, as a scheme, should be rejected—that I will state that I shall vote against the creation of a new nationality.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I will state some reasons why I am not prepared to do so. In the first place, when I look abroad and see the neighboring American Republic engaged in one of the most terrible and

The motion, “that the question be now put” is effectively a closure motion, which may be used to bring the debate on a particular motion. If the House votes in favour of a motion “that the question be now put,” the motion which is then under debate is “put forthwith, without any amendment, or debate.” In this case, [the main question was John A. Macdonald’s February 3 motion for an Address to Her Majesty](#). Once he had moved “that the question be now put,” the House began to debate whether it was appropriate to bring to an end the debate on the “main motion” (ie on the motion to endorse the Address to Her Majesty).

[The standing order regarding “the previous question” may be found in Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Canada, adopted by The House, in the 3rd Session of the 6th Parliament, and revised in subsequent Sessions. \(1866\).](#)

(“Previous Question”). The Hunter & Rose version begins with Chambers’ speech.

disastrous wars that has ever racked this continent; when I read in almost every journal issuing from the press of that country anathemas against the British Empire; when I see that press teeming with threats against this country; when I know that that nation has by sea a navy prepared to cope with the strong powers of the old world, and a force on land, in point of numbers at least, astonishing the generals of the most advanced of warlike nations—when, I say, I see that nation in a warlike, and not only in a warlike, but in a threatening attitude towards us, I am led to consider, as paramount to every other consideration, what ought to be done for the safety of this country. To preserve its territory from invasion, to protect the lives and property of its subjects, is, I conceive, the first important duty towards which the attention of every government should be directed.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Then, sir, upon the well-understood maxim that union is strength, I am inclined to believe that the union of the British North American Provinces would give strength to us all.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I confess I fail to see a source of weakness in this union, as is very ingeniously argued by some hon. gentlemen opposed to this scheme *in toto*⁶. It does appear to me that the very political and national status given to these provinces by a union, would become immediately a source of strength; that the very new name to be given to the new nationality would be an immense fortification of defence in itself.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—When, sir, I consider the interest evinced by the people of England, the people of France, and, I may say, of all Europe, the very apprehension that seems to exist with regard to this Confederation of the British North American Provinces, it appears to me that the

very announcement of the creation of this new nationality has given us already a position and a strength which in the palmiest days of the old *régime* we might never have hoped for.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—When I remember, sir, that great Constitutions in the old world have been founded in the blood of contending nations; that in the Mother Country the heirs of contending houses, at times through various centuries, struggled for supremacy; and that authority, power and good government have been established only after being wrenched from opposing factions by the sword—when I remember, sir, that history records the revolution which terminated the long struggle between the sovereigns in England and their parliaments—how, from union, order and freedom, established only by the sword, sprung a prosperity hitherto unknown in the annals of human affairs; when I trace their history from the days of feudalism down to the present, I am led to believe that if we have the opportunity of securing greatness, prosperity, and an established and well-regulated freedom, comparing favorably with all that is enjoyed by the Mother Country, and without the cost of a single drop of blood, and, if the financial

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statements are correct, with little loss, if any, of treasure, we would not act wisely in letting pass the opportunity.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I think, on the first proposition, that our defensive position would be strengthened by this union. First, because were we to remain as we at present stand, separate provinces, there would be greater temptation to the adjoining republic to acquire possession of our territory, believing, as they undoubtedly would, that this could be done with advantage and little cost to themselves; whereas the magnitude of

⁶ i.e. "entirely."

our national position, under the Confederation, would be the means, I am satisfied, of deterring them from such an enterprise. And I am satisfied, too, that the people of England would be more alive to our interests, more willing to spend their lives and their treasure in assisting in our defence, composing a strong, united, new nationality on this continent, than they would if we were to remain isolated colonial dependencies.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I believe the very intimation of this Confederation has awakened the world to the greatness, the vastness of the resources of this country.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—That these views are shared in by eminent statesmen in Europe is also a significant fact. [Lord Houghton, on seconding the Address on the late Speech from the Throne](#), very emphatically declared, in regard to that portion in which allusion is made to Confederation, “that he was glad of this movement, because he confessed that he believed the future of the world rested not in isolated municipalities, but in great empires.”⁷ And [the Earl of Derby, too, in his remarks on that occasion](#), also said:—

Under the circumstances, I view with the utmost satisfaction that most important step to which Her Majesty’s Speech refers—the Confederation of the Canadian Provinces. I hope to see in that Confederation of the Canadian Provinces a determination to constitute themselves a power strong enough, with the aid of this country (which I am sure will never be withheld from them), to defend themselves against all aggression.⁸

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Now, I ask, what would have been the consequences if the political combination that has taken place, for purposes well understood and declared, had not been made? We have seen the political party strifes that agitated this

country; we have seen the bitterness with which opposing parties contended for office; we have seen the business of the country neglected, and its legislation brought to a stand-still, while parties assailed each other in our legislative halls on some personal, individual ground of malice; we have seen Lower Canada refusing to Upper Canada her fair representation in Parliament; we have seen sectional and religious difficulties and dissensions growing more and more complicated, and portending strongly a dissolution of the union, because we of Upper Canada could not have much longer submitted to waive our fair and equitable right to be represented according to our population upon the floor of this House.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Looking, then, at the matter from this point of view, I deem the circumstances opportune that have opened a way for a solution of the difficulties that surrounded us, and at the same time afford a wider and more extended and ample scope to the people for their defence, for their commercial, manufacturing and mining interests, and for their social intercourse. Believing, then, that in respect to the solution of the political differences so recently existing, the Confederation of the provinces is exceedingly desirable; believing that in order to maintain an honorable existence, the union has become expedient, as affording a means of defence against aggression, I have, I think, at least two exceedingly strong grounds upon which I may favor the scheme in a general point of view.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Admitting that Confederation on general principles is a proposition that admits of being strongly entertained; that I feel convinced in my own mind that something requires to be done; that necessity demands strong and vigorous action on the part of the Government

⁷ [UK, House of Lords, "Address to Her Majesty on the Lords Commissioners' Speech" \(Feb. 7, 1865\), vol. 177, cc7-38.](#)

⁸ [ibid.](#) The Earl of Derby never said these remarks. Chambers appears to be summarizing extemporaneously.

to relieve us from the difficulties into which political differences have thrown us, to guard and defend us against difficulties not only political at home, but warlike abroad—I am, nevertheless, not one of those who are willing to accept, without investigation and careful enquiry, a Constitution cut and manufactured without the measure of the people it is proposed to fit having been taken.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I desire that the garment of the Constitution should be made to fit the people and at their request.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—If I had any apprehension that this scheme was distasteful—was not acquiesced in—was not endorsed by the people, I should be the last man in this House to endorse these resolutions; and I should like every information afforded to this House that can be possibly given. I will not, however, pretend to dictate

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to the Government of the day what amount of information they shall furnish and lay before us. I shall not charge them with dereliction of duty in not giving more information. I do not pretend to say that they should at this stage give further intimation of the line of policy proposed to be pursued and adopted by them with regard to the local governments.

They, in their wisdom, no doubt, have laid down a course they deem judicious and advisable to pursue, and which may be so. But at the same time I reserve to myself the right to be satisfied or dissatisfied with the reasons given, and with the information laid before us, and I conceive no blame can be attached to the man from Upper Canada who is anxious to know, before he votes for Confederation, what the results will be to that section of the country.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Gentlemen will, I hope, take it in no wrong spirit when I say that upon others than themselves—upon the young men of this House and this country—will fall the consequences of this scheme, if carried into effect, whether beneficial or disastrous; and upon us who now cast our votes in its favor will fall the responsibility, if, after its adoption, the working of its machinery shall prove disastrous and injurious to Upper Canada. I maintain that the merit for the time being of framing a new nationality will attach to the few who have conceived and accomplished it; and they will no doubt be removed to places of honor, trust and emolument beyond the reach of the people, while we shall be left to see that the cog-wheels and straps and appurtenances of this gigantic invention are made to adhere to their respective and destined positions.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—And woe to us if a wheel becomes displaced, or a single accident happens in its future working. Is it then, sir, improper to desire to see the fullest programme before we enter upon the play? Though favorable to Confederation, we might be unwilling to swallow some of its indigestible ingredients, if any such it should, upon examination, be found to contain.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Now, upon examination of [these resolutions, I find the first one](#) contain I think nothing but that which would be acceptable and be gladly received by every truly loyal British subject—a Federal union under the Crown of Great Britain⁹. No one has attempted to address this House but has given the fullest expression of his desire to see the connection with the Mother Country maintained and preserved—to see the great arm of the British Empire,

⁹ [Quebec Resolution 1](#), which reads in full, “The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.” [Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

which we all so much esteem, respect, and admire, strengthened.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—It has been argued here that the British connection will be endangered by this scheme, that growing in strength, we shall by and by become independent, throw off our allegiance, become coveted, and finally swallowed up by the neighboring republic. I believe the interest now exhibited in England in our welfare, in our prosperity, in the formation of our new nationality—the affection shown for us in the hearts of many English statesmen, exhibited in their declarations of their belief in our loyalty, is sincere.

Some Hon. Members—Hear.

Fitzwilliam Chambers [Brockville]—I cannot believe that as we grow great, prosperous, and valuable, their interest in us will grow less or be in the slightest degree diminished. The contrary is the reasonable deduction. If that nation has been in times past so solicitous with regard to us; if when poor, small, and unknown comparatively, she has sent her best blood and her richest treasures for our defence and support, it is unjust to her now and unreasonable to assume that she will ever, unless at our own request, abandon, neglect or forget us.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—The recollections of our childhood and of the anxious care extended toward us will be ever fresh, I trust, in the mind and heart and memory of our Island Parent, and when maturity overtakes us, I am sure she will not forget the child she has so loved I trust not. I see no occasion for apprehension on this account in this direction.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I see,

Mr. Speaker, embodied in this second resolution—if we are to have a union of the provinces—the only method which I think could be at all satisfactory to the various sections. It is alleged by some that a legislative union would be desirable. For my own part, I see many difficulties that would inevitably arise out of a legislative union, which it appears to me would be insurmountable. I do not believe that a general government would be as capable, even if it were as willing—which I doubt if it would be—to deal with the local affairs of the different sections as the local governments would be. I believe a general government, charged with matters of common interest to the whole country, and local governments for the province, as proposed by this resolution, is best adapted to secure efficiency, harmony and permanency in the working of

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this union.

[The second resolution](#)¹⁰, too, opens up a mighty page on our historic future. It points a significant finger to the day when millions of inhabitants shall people the verdant valley of the Saskatchewan, when railways and telegraphs shall thread the almost boundless territory of the North-West, where the war-hoop of the savage alone is heard. It points to the vast commercial enterprises yet to be engaged in upon the Pacific shores, to the rich gold fields of Columbia and the fertile shores of Vancouver.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—We rise, Mr. Speaker, in this resolution, from the simplicity of small colonial dependencies to a vastness in extent of territory to which the little islands that compose the mighty Empire to which we belong are insignificant. We may

¹⁰ [Quebec Resolution 2](#), which reads in full, “*In the Federation of the British North American Provinces, the system of Government best adapted under existing circumstances to protect the diversified interest of the several Provinces, and secure efficiency, harmony and permanency in the working of the Union, would be a General Government, charged with matters of common interest to the whole country; and Local Governments for each of the Canadas, and for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, charged with the control of local matters in their respective sections. Provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-West Territory, British Columbia and Vancouver.*” *Supra* footnote 9.

look forward, even with hope and pride, without, I think, too great a stretch of imagination, to some distant day, when in the rocking of European thrones, perhaps, we shall be able to send out our fleets and our armies, gathered from the Atlantic to the Pacific, to afford aid and assistance to that very Empire to which we now, in our weakness, appeal for support and strength and aid.

Some Hon. Members—*Applause.*

Fitzwilliam Chambers [Brockville]—Who will say that the conception of this scheme has not a grandeur about it commending itself to the minds of those who rise superior to the cries of party strife—commending itself to the favorable consideration of those who desire to move onward with gigantic strides to greatness, to wealth, to a more perfect civilization—to break out from the narrow grooves of prejudice, and selfishness, and bigotry, and desire to take to the broad gauge of an enlightened and expansive policy?

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Resolutions three, four and five I may pass over. They all have for their tendency the planting of the roots of the Constitution of this new nationality in the firm soil of the British model; of coupling to the firm car of British freedom this new nationality, the wisdom, and expediency and policy of which course is not attempted to be denied by a single voice in this House. I pass to the consideration of [the eleventh resolution](#)¹¹, which has been the subject of much discussion among the people outside of this House, and has been referred to as one very strong ground for the rejection of the scheme. Those of the old Reform party who contended—and I am sure conscientiously contended—for the elective principle in the Upper House, ever jealous as they have a right to be of those rights and

privileges, for which they have long and ardent contended, see in this resolution a retrograde rather than a progressive principle—a backward rather than a forward movement—instead of a salutary reform, a return to the old-fogyism of the past, if I may be allowed the expression.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—Well, sir, I in some measure agree with those who entertain these opinions. I would, for my own part, very much prefer to see the elective principle retained in the Legislative Council, and I very much desire, if this scheme is to be adopted at all, that in pursuance of the intimation given in [the despatch of the 3rd December, 1864](#)¹², from the Imperial Government, acknowledging [the despatch of this Government of the 7th of November, 1864](#)¹³, the provinces should enter again upon the consideration of the resolution respecting the appointment by the Crown of the members of the Legislative Council.

As this suggestion is one that comes not from either of the provinces—arises from no sectional nor provincial prejudices—none of the provinces can well refuse to entertain it if they are really actuated by a desire to arrived at a form of Constitutional Government based upon principles just to the several provinces, as is declared to be their desire in the very first of these resolutions.

Some Hon. Members—Hear.

Fitzwilliam Chambers [Brockville]—I will not, sir, enter into further details upon this subject; I will not discuss the advantages of an Intercolonial road, or its disadvantages; but I will simply say, that in the hour of emergency, when our position is such that we cannot, we must not stand still—when we are hurried along by the resistless power of circumstances—when dangers threaten, on

¹¹ [Resolution 11](#), which reads in full, “*The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government, and shall hold office during life: if any Legislative Councillor shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.*” *ibid.*

¹² [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\). Correspondence presented to the Legislative Council on Jan. 27, 1865, p. A:4.](#)

¹³ [Despatch from Viscount Monck to Right Hon. Edward Cardwell \(Nov. 7, 1864\). *ibid.*](#)

the one hand, and bright prospects of greatness lie in immediate unity of action on the other, we should not descend to the penurious position of being unwilling to spend a dollar to accomplish a great and mighty project that will live in the memory of all future ages—of founding a nationality that will, it may be, exist, as [the learned historian](#) quoted by my [hon. friend from Quebec](#) [[Charles Alleyn](#)] has said: “When some traveller from New Zealand shall stand upon a broken arch of London Bridge to sketch the ruins of St Pauls.”¹⁴

Some Hon. Members—Hear.

Fitzwilliam Chambers [Brockville]—I would not, sir, on the other hand, be willing to adopt a scheme which would, in a financial point of view, endanger the best interests of Upper Canada; but I am assured by the facts and figures introduced

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by my honorable friends from South Oxford [George Brown] and from Sherbrooke [Alexander Galt], who, I am sure, do not wish to be taken in in respect to this scheme any more than I do, or than any other man from Upper Canada—I am assured, I say, by them, that our financial position will be benefited by the Confederation. I have compared those facts and those figures, and I must confess I have confidence in their conclusions.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I have heard it urged, sir, that because some counties in New Brunswick have rejected the men who have adopted Confederation as a policy¹⁵, we ought therefore to abandon the scheme. Well,

sir, we are either bound in good faith to carry out the engagement entered into at Quebec or not, and I say with my friend the Honorable Attorney General West [John A. Macdonald], we are bound in all conscience and honor, and in every principle of law or equity, to adhere to the agreement entered into.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—The *tu quoque*¹⁶ argument is not a good defence to such a breach of good faith. What a sorry figure should we cut, sir, before the Imperial Government with this argument in our mouths:—“The Provinces of New Brunswick, Nova Scotia and Prince Edward Island broke faith, violated their pledges, were untrue to their engagements, and we followed their example.” I think, sir, such a position would be pitiable, and would tend to lower us in the eyes of the Imperial Government.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—I maintain that the principle enunciated by my friend the Honorable Attorney General West [John A. Macdonald] is correct; we must adopt these resolutions, and we must take them before the Imperial Government, in order to maintain the respect of that Government, in order to maintain the respect of the Empire, in order to maintain even our own self-respect.

Some Hon. Members—Hear, hear.

Fitzwilliam Chambers [Brockville]—When that is accomplished, our duty will be ended. If the Maritime Provinces will not adhere to the arrangement, we shall have done our duty, and shall have secured the good-will and respect of the Mother Country.

Some Hon. Members—Hear, hear.

¹⁴ [Charles Alleyn, Legislative Assembly \(Mar. 6, 1865\), p. 673](#) quoting [Lord Macaulay, Essay on Ranke's *The Ecclesiastical and Political History of the Popes of Rome...which appeared in The Edinburgh Review* in October 1840. Republished in *Critical, Historical, and Miscellaneous Essays* by Lord Macaulay \(1860\), p. 301.](#)

¹⁵ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election be returned in March 1865. Tilley's Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

¹⁶ i.e. “you also.” Attacking opponent's ideas based on their inconsistency to adhere to said ideas in the past.

Fitzwilliam Chambers [Brockville]— Before taking my seat, I will say, sir, with regard to the putting of the previous question, I am sorry that has been done. I am one who is desirous of giving to every man, of every party, of every shade of political opinion, the most extensive scope for the expression of his opinions, the fairest opportunity of giving them utterance and of recording his votes, so that they may appear upon the *Journals*, ready to be referred to, in order both to protect himself and to benefit others. This, sir, is, however, a technicality; and however much I may regret that the question has been put in that form, I cannot on that account reject the whole scheme of Confederation.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères] said—Mr. Speaker, when I moved the adjournment last night, it was not my intention to offer to-day a general review of the scheme which is under discussion; for I am of opinion that it has been sufficiently discussed to enable the country to judge of its merits and of its disadvantages. My intention was rather to confine myself to certain points in the plan which, in my opinion, have not been held up in a sufficiently salient point of view, and to make a few remarks on what has been said, both in this House and in the Legislative Council, in relation to the protection of the institutions of Lower Canada. In the Upper House the Hon. the Prime Minister (Hon. Sir Étienne Pascal Taché), in [his speech of the 3rd February last](#), said:—

If we obtain a Federal union, it will be equivalent to a disunion of the provinces, and thereby Lower Canada will preserve her autonomy, together with all the institutions which are so dear to her, and over which she may exercise all the surveillance which is necessary to preserve them from danger.¹⁷

And the Hon. Solicitor General (Hon Mr. Langevin), after having explained, in his way, the resolutions respecting marriage and divorce, expressed himself as follows, in [his speech of the 21st February last](#):—

This is an important point, and the French-Canadian members ought to congratulate themselves on observing that their fellow-countrymen did not fail in the performance of their duty in relation to a question of such importance. It is needless to say that on many other point some of them will not admit that we performed our duty well; but on the point in question, there can be no difference of opinion, for we have all a common rule, and, I repeat, they should be satisfied that their co-religionists in the Conference were not forgetful of their duty on that occasion.¹⁸

It then behoves this honorable House, Mr. Speaker, to see that our national institutions are really protected by the resolutions which are submitted to us. In order that this end may be fully attained, it is necessary to define the peculiar features of our position as a people. I can say, with the utmost sincerity, that for my part I have

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never found any other points of difference between the English and the French-Canadians who inhabit this country, but these arising from their religion, their language, and their laws; for we have the same attachment that they have to the British Empire, and I am convinced that no hon. member of this House will express a contrary opinion.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—This being admitted, Mr. Speaker, I beg to call the attention of the House to [the twenty-ninth resolution](#). It reads as follows:—

The General Parliament shall have power to make laws for the peace, welfare and good government of the Federated Provinces (saving the Sovereignty of England), and

¹⁷ [Étienne Pascal Taché, Legislative Assembly \(Mar. 8, 1865\), p. 9](#). The wording doesn't match because Geoffrion quoted Taché in French and was translated to English. The original version (1865) translates Taché's original words and Geoffrion quoting Taché's words differently despite them being the same. In the French version of the debates the quotes almost match. *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (1865), [pp. 10 \(Taché\); 779 \(Geoffrion\)](#).

¹⁸ [Hector Langevin, Legislative Assembly \(Feb. 21, 1865\), p. 388](#). Same issue here. [Débats, pp. 395 \(Langevin\); 779 \(Geoffrion\)](#).

especially laws respecting the following subjects:—...¹⁹

Then, after a long enumeration of subjects on which the General Government is to have power to legislate, we come to [the 31st paragraph](#), which relates to marriage and divorce²⁰. On the 2nd July²¹, 1864, the Prime Minister, (Hon. Sir Étienne Pascal Taché), in the course of [an eloquent speech](#) delivered on the second reading of the [Benning Divorce Bill](#)²², spoke as follows in the Legislative Council:—

I oppose the second reading of the bill, and I do so on the principle that divorce is antichristian and antinational. And after having cited various passages from the Bible, he continued: Divorce is immoral in its consequences, and, worse still, it destroys society by destroying the family. And again: I should be sorry to wound the feelings of any one, but we have to protect society in general, and we have certain duties to discharge. For my part, I should be acting against my conscience, my religion and my country, if I did not oppose the bill. Death alone can dissolve marriage—that is the teaching of the Apostles, and it is also the doctrine of all the Fathers and Councils.²³

On the 9th July²⁴ of the same year, the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin], in [his speech](#) delivered in this House on the same subject, expressed himself as follows:—

If I oppose the bill now before the House, it is not because I do not believe that the person petitioning for it has just grounds of complaint, but because we are asked to do that which is diametrically opposed to my principles in this matter; and because, moreover, I consider that the House has not the right to dissolve the marriage contracted between the parties interested, and to permit them to marry again.²⁵

This opinion of the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] was supported by the whole of the French-

Canadian and Catholic members, who declared, on that occasion, by voting even against the first reading of the bill, that they were opposed to the principle of divorce; and their opinion was concurred in and supported by the greater part of the newspapers in Lower Canada. [The *Canadien* said](#), on that occasion:—

The Divorce Bill was, we regret to say, read a first time yesterday evening. The division was 61 votes against 42. There is, therefore, no hope of this antisocial measure being defeated. The duty of reflecting men, nevertheless, is to warn society of the danger in which it is placed; to protest strongly against the deadly assaults made upon it. Messrs. Langevin, McGee and Cartier discharged, yesterday evening, that high and important duty, and, as representatives of Lower Canada society, they addressed in eloquent terms warnings to society in Upper Canada.²⁶

[The *Courrier du Canada*](#), with reference to the same question, said:—

If anyone says that the Church is in error when, for various reasons, she decides that a separation between married persons, in so far as regards the marriage bed or cohabitation, may take place for a definite or an indefinite period, let him be anathema. That is the doctrine of the Catholic Church as to marriage, and in this instance, as in every other, it is in accordance with the laws of nature, which themselves repel divorce as something monstrous.²⁷

[The *Journal de Québec* of the 9th June, 1864](#), says:—

The question of divorce recurs periodically to occupy the attention of the House and afflict the consciences of Catholics. Divorce is the most powerful agent for effecting the dissolution of society, for marriage is the social formula; once you open the flood-gates of divorce, no matter under what pretext, how are you to dam up the tide and prevent it from submerging the whole of

¹⁹ [Quebec Resolution 29](#). *Supra* footnote 9.

²⁰ [Quebec Resolution 29\(31\)](#). *ibid.*

²¹ The speech took place on Jun. 2, 1864, not Jul. 2, 1864.

²² [Act for the Relief of James Benning \(Province of Canada, 1864\)](#).

²³ Étienne Pascal Taché, Legislative Council (Jun. 2, 1864). "[Conseil Législatif](#)," [Journal de Québec](#) (Jun. 3, 1864).

²⁴ The speech took place on Jul. 2, 1864, not the Jul. 9, 1864.

²⁵ [Hector Langevin, Legislative Assembly \(Jun. 9, 1864\), p. 187](#).

²⁶ "[Quebec](#)," [Le Canadien](#) (Jun. 10, 1864).

²⁷ "[Le Divorce](#)," [Le Courrier du Canada](#) (Jun. 8, 1864).

society?²⁸

Now, Mr. Speaker, as I said a moment ago, these were the opinions of all French-Canadians, and, with reference to this question, I cannot imagine anything to justify the change of opinion which has manifested itself amongst a certain number of French-Canadian members and our Catholic ministers. If it be true that a Catholic cannot adopt the principle of divorce, and if we are in conscience bound to oppose it in our capacity as legislators, by voting against every measure tending to sanction it, I ask how we can vote for a resolution purporting to vest in the Federal Legislature the power of legislating on the subject?

The hon. member for Montmorency [Joseph Cauchon], in the course of his speech in this House the day before yesterday, told us that if it had not been recorded in [the resolutions](#)

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that the Federal Parliament would have the right of legislating on divorce, that power would have been exercised not only by the latter, but by the local legislatures also²⁹. [The 43rd resolution, article 15](#)³⁰, tells us that property and civil rights, excepting those portions thereof assigned to the General Parliament, are to be left to the local governments. It is evident, therefore, that if it had not been stated in the resolutions that the Federal Government was to have the right of legislating on marriage and divorce, that power would have remained vested in the local legislatures.

Joseph Cauchon [Montmorency]—And if that resolution had not been inserted in the scheme, what would have been the effect?

Félix Geoffrion [Verchères]—The insertion of that clause places us precisely in the

position we should have occupied under a legislative union. By one section of that clause, the Federal Legislature is vested with the power of legislating, not only on the question of marriage and divorce, but also on the civil rights of the French-Canadians. It can, whenever it chooses, attack our civil laws. The hon. member for Montmorency [Joseph Cauchon] admits that the 43rd clause, and paragraph 15, assure the protection of our civil rights, and says that if that portion of the resolutions had not been inserted, the local legislatures would alone have had the right to deal with the matter.

Mr. Speaker, a single glance at our civil code is sufficient to convince anyone of this. Under [article 74 of title 5](#), I find the following:—“Marriage is dissolved solely by the natural death of one of the parties; so long as they both live, it is indissoluble.”³¹ If it be true that our French civil law declares that marriage cannot be dissolved by any means whatsoever, nor by any authority; if the right of legislating on marriage and divorce had not been left to the General Legislature, no person could have obtained a divorce and leave to marry again.

Hector-Louis Langevin [Dorchester, Solicitor General East]—What happens at the present moment?

Félix Geoffrion [Verchères]—What happens? It is true that the Legislature furnishes us with precedents, but every time that a divorce has been asked from the Legislature, the Catholic members have voted against it. As the resolutions stand, the Federal Legislature may grant bills of divorce, thanks to the insertion to this clause in the scheme. We are told that this has been done in order to remove a danger which already existed in the local legislatures; but a great error has been committed; for, under the new system, anyone

²⁸ “Canada,” *Journal de Québec* (Jun. 9, 1864).

²⁹ [Joseph Cauchon, Legislative Assembly \(Mar. 6, 1865\), p. 702](#). Geoffrion seems to be misquoting. Cauchon says that the power would have been left to the local legislatures if it had not been in the Quebec Resolutions, not that it would have been a concurrent power as Geoffrion says.

³⁰ [Quebec Resolution 43 \(15\)](#), which reads, “The Local Legislatures shall have power to make laws respecting the following subjects: [...] 15. Property and Civil Rights, excepting those portions thereof assigned to the General Parliament.” *Supra* footnote 9.

³¹ [Code Civil du Bas Canada \(1865\), p. 298](#).

can make application to the General Legislature and obtain a bill of divorce. And if that right had not been given to the Federal Legislature, it would have been impossible to obtain a divorce in Lower Canada, inasmuch as the majority in the Local Legislature will be French-Canadian and Catholic, and marriage and divorce would be under the control of that legislature.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—The Honorable Solicitor General Langevin said in his speech—and I fancied that he had much difficulty in explaining [the article relative to divorce](#)³², that the Catholic members of the Conference were not opposed to that article, and that, though they were opposed to the principle of divorce, he admitted that there were cases in which Catholics were allowed to separate. I cannot help saying, Mr. Speaker, that this was a very poor argument for granting to the General Government the power of legislating in the matter of divorce.

The same resolution says that the Federal Government is to have the right of legislating on marriage, and the Honorable Solicitor General [Hector-Louis Langevin], [in his speech](#), explains that article as follows:—

The word “marriage” has been placed in the draft of the proposed Constitution to invest the Federal Legislature with the right of declaring what marriages shall be held and deemed to be valid throughout the whole extent of the Confederacy, without, however, interfering in any particular with the doctrines or rites of the religious creeds to which the parties may belong.³³

I must acknowledge that the statement is very skilfully made, and to persons who accept it without close examination, I admit that it is calculated to convey the idea that the Government hold that the Federal Legislature cannot decree that a civil marriage is obligatory, and that a marriage must be celebrated under the Catholic or the Protestant Church in order to be valid. But anyone who

closely examines that portion of the clause will easily see that it cannot possibly be interpreted in any such sense, and that the existence of that clause in the Constitution will enable the Federal Government to enact that civil marriage alone shall be valid, so that children the issue of marriages contracted in the Church and not ratified by a civil magistrate, will be illegitimate. I maintain that the clause is susceptible of no other interpretation, and I defy the Honorable Solicitor General for

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Lower Canada (Hon. Mr. Langevin) to interpret it correctly in any other sense.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—He has really given us a magnificent explanation of the clause, but it seems to me that as the House is called upon to deal with written resolutions, we must interpret them as they are laid before us; the House cannot scrutinise the hidden intentions of the Government in the matter. If the resolutions have any other meaning than that expressed on the face of them, the House is entitled to call upon the Government to explain and correct them. The motion now before the House is as follows:—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament, for uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one government, with provisions based on certain resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the city of Quebec, on the 10th October, 1864.³⁴

I assert, then, that if we vote this Address, we cannot complain if the Imperial Government should declare that the Federal Legislature shall have the right to legislate on all matters relating to marriage and divorce.

Joseph Cauchon [Montmorency]—Who is to draw up the Constitution?

³² [Quebec Resolution 29\(31\)](#). *Supra* footnote 9.

³³ [Hector Langevin, Legislative Assembly \(Feb. 21, 1865\), p. 388.](#)

³⁴ [First presented to the Legislative Assembly by John A. Macdonald on Feb. 3, 1865, p. 18.](#)

Félix Geoffrion [Verchères]—The Imperial Government.

Joseph Cauchon [Montmorency]—Not at all. It will be drawn up here and submitted to the Imperial Government.

Félix Geoffrion [Verchères]—If I am not mistaken as to the meaning of the motion, the Address asks Her Majesty to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one government, with provisions based on certain resolutions which were adopted at a Conference of delegates from the said colonies.

Now, if the Imperial Government is to adopt the measure, they can do as was done [in 1856, with reference to the Legislative Council](#)³⁵, and we cannot complain if they should amend it in a sense distasteful to us, since our resolutions declare that the Local Government shall have the right to legislate on property and civil rights, except such portions thereof as shall be vested in the Federal Government—and amongst the subjects left to the latter are marriage and divorce.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—I know the answer that will be made to me on this point. It will be said that it is through party spirit I am standing up to defend religion, and that I desire to lead this Honorable House to believe that by voting for these resolutions we endanger our religious institutions. But it appears to me, Mr. Speaker, that for all of us Catholics, the indissolubility of marriage is an article of religion, and that if the resolutions do not admit that doctrine of the Church, they must be rejected by every one of us. But it will perhaps be asked—“How does it happen that our Catholic clergy remain passive whilst one of the dogmas of our religion is thus being undermined?” I deny, Mr. Speaker, that the Canadian clergy are in favor of the Ministerial scheme, and I am supported in this by the last

that the petitions sent here against the scheme were signed by several priests.

Joseph Cauchon [Montmorency]—By how many?

Félix Geoffrion [Verchères]—Several of them have signed the petitions; I can fancy that some members of the clergy are in favor of the project, but I deny that the clergy in general profess the same sentiments. We have not received a single petition in favor of Confederation, and every day large numbers of them reach us, praying for the abandonment of the scheme.

Joseph Cauchon [Montmorency]—Do not drag the clergy into the debate: we have not done so.

Félix Geoffrion [Verchères]—Yes, you have done it. The Honorable Attorney General for Lower Canada [George-Étienne Cartier] said in this House that the clergy were in favor of the scheme. Now, I maintain that a great many priests are opposed to Confederation.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—I find in the *Canadien* of this day a letter written by a member of the clergy, who expresses himself in the following terms on the subject of Confederation—

Théodore Robitaille [Bonaventure]—Is the letter really written by a priest?

Félix Geoffrion [Verchères]—If the honorable member has any doubt on that point, he can solve it by applying to the honorable member for the county of Quebec [François Evanturel], who is the proprietor of the paper. [This is what the reverend gentleman says](#):—“The clergy are not in favor of your Confederation as it is proposed; a great many of them, it is true, have faith in it, and trust in our public men, but a good many of them also dread it, and would like to see it amended.”³⁶

It is quite easy for anyone who takes the trouble to reflect on this matter,

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³⁵ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

³⁶ [Letter to the Editor from a “Citizen,” Québec \(Mar. 6 1865\), Le Canadien \(Mar. 8, 1865\).](#)

to understand that among the clergy, as among the people, there may be a great many persons who, having always had confidence in the Lower Canada Ministers, and having been accustomed to look upon them as the natural protectors of religion and of our national institutions—are ready to accept the declarations and explanations made in this House by our Ministers.

Now, these explanations simply stated that the legislation of the Federal Government would merely go the length of declaring the validity of marriages contracted in any one of the provinces of the Confederation when the parties entered Lower Canada; but it is evident that if they accept such explanations, those members of the clergy who have always had confidence in the present Ministers are not easily susceptible of alarm.

But if we take the trouble of interpreting that clause of [the resolution](#)³⁷ in its true sense, it must be admitted that the legislation of the Federal Government on marriage and divorce may in many ways run counter to our sentiments as Catholics, since it may declare that marriage is nothing more than a civil contract, and that religious marriages contracted either by Protestants or Catholics, and not ratified by a magistrate, shall not be valid.

Let us now see what will be the effect of these provisions as regards our laws. The Honorable Attorney General for Lower Canada [George-Étienne Cartier] gave us a pompous eulogy of our civil code; he went so far as to state that it was infinitely superior to the French code, and to any code he was acquainted with. We are told that our institutions and our civil laws will be fully protected, and that the Federal Legislature can only legislate on the laws of the other provinces, our civil laws being placed beyond its reach. If this provision relating to marriage and divorce be adopted, what will be the effect on our civil laws? The Hon. Solicitor General

for Lower Canada [Hector-Louis Langevin] told us that the object of that resolution was to render valid throughout the Confederation a marriage contracted in any one of the provinces.

It seems to me very extraordinary, Mr. Speaker, that a gentleman in the position of the hon. member for Dorchester [Hector-Louis Langevin], and who, in virtue of that position, may aspire to a seat on the bench, and who already enjoys precedence over the majority of the Bar of Lower Canada, should evince such deplorable ignorance of our civil law.

[In article 19, title 5 of the Civil Code](#), relative to marriage, I find the following:—"A marriage celebrated out of Lower Canada between two persons, either or both of whom are subject to its laws, is valid, if celebrated according to the formalities of the place of celebration, provided that the parties did not go there with the intention of evading the law."³⁸ Thus, Mr. Speaker, since the marriage of a Lower Canadian contracted in another country in accordance with its laws, is valid in this country, the explanation and interpretation given by the Honorable the Solicitor General [Hector-Louis Langevin], of the clause relating to marriage and divorce, has no force whatsoever, and the clause may as well be struck out of the resolutions.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—If I rightly understand that clause, the legislature will have power to deal with a host of matters relating to marriage; thus it may change that part of the civil code which defines the age at which a child may marry without the consent of parents; it may alter the mode of contracting marriage, change the mutual rights and duties of married persons; it will also have power to modify our civil code in the matter of our obligations arising from marriage, in the matter of tutorship, paternal authority, &c, &c, in fact in a multitude of its provisions. If that be the great protection afforded by the new

³⁷ [Quebec Resolution 29\(31\)](#). *Supra* footnote 9.

³⁸ [Code Civil du Bas Canada \(1865\)](#), p. 288.

Constitution to our laws, to our religious and civil institutions, there is every reason to fear that they may one day receive a fatal blow.

I will now call the attention of the House, and particularly of the French-Canadian members, to [the forty-sixth resolution](#), which relates to the use of the French language in the Federal Legislature. It is as follows:—"The English and French languages may be used simultaneously in the proceedings of the Federal Legislature as well as in the Legislature of Lower Canada, and also in the Federal courts and in the courts of Lower Canada."³⁹

A close examination of this resolution shows at once that it does not declare that the French language is to be on the same footing as the English language in the Federal and Local Legislatures; in place of the word "shall," which ought to have been inserted in the resolution, the word used is "may," so that if the British majority decide that the *Votes and Proceedings* and Bills of the House shall be printed only in English, nothing can prevent the enactment taking effect.

Of course we shall be allowed to use the French language in debate, but on the other hand, it is evident that the majority may, whenever they choose, enact that the bills and proceedings of the House shall not be printed in French, and consequently the clause affords no security whatever to us French-Canadians. I take it for granted that as regards all the bills or resolutions of this House, the meaning to

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be given to words is that given to them by the law of the country, and I am therefore justified, when explaining the resolutions before us, in holding to the very letter of their resolutions, and it needs no effort of the imagination to

discover the intention of those who prepared them.

[The provincial statute 22 Victoria, chap. 29](#), relative to the interpretation of the statutes, says:—"Whenever by any act it is provided that a thing shall be done, the obligation to do it is to be inferred; but when it is said that a thing may be done, the power of doing it is permissive."⁴⁰ In [the resolutions submitted us](#), the word used in the English version is "may," which is translated into French by the word "*pourront*" and it is said that the English and French languages may be used simultaneously⁴¹ in the proceedings of the Federal Parliament as well as in the Legislature of Lower Canada, and also in the Federal courts and the courts of Lower Canada.

It is easy to see, then, that the use of the French language is rendered extremely precarious, and that the majority may proscribe it in our *Votes and Proceedings*, and in our Legislature. The Lower Canada members who have always supported the Ministry ought to urge them to insert a clause in the resolutions declaring that the French language shall be on the same footing as the English language; the guarantee afforded us by the resolutions, as they now stand, amounts to nothing.

I am not the first to point out the danger to our institutions and our laws; the *Canadien* of this city has enumerated them over and over again, and the honorable member for Montmorency [Joseph Cauchon] himself, who quite recently admitted in this House that he was the editor in chief of the *Journal de Québec*, wrote as follows [in that paper on the 18th January, 1865](#). After having spoken of the past conduct of the Upper Canadians, and more

³⁹ [Quebec Resolution 46](#). Geoffrion is quoting the French version of the resolution, which differs slightly from the English. The English one reads, "*Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.*" *Supra* footnote 9. The French version reads, "*Les langues anglaise et française pourront être simultanément employées dans les délibérations du parlement fédéral ainsi dans la législature du Bas-Canada, et aussi dans les cours fédérales et les cours du Bas-Canada.*" *Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord* (Quebec: 1865), p. 4.

⁴⁰ [Acte relative aux Statuts Refondus du Canada \(May 4, 1859\)](#).

⁴¹ [Quebec Resolution 46](#). *Supra* footnote 39.

particularly of the Honorable President of the Council (Hon. Mr. Brown), he says:—

For Lower Canada there are other questions still besides the question of money; there are the religious, social and national questions. Here it is that the greatest difficulties exist in the way to the success of the scheme, for a few slight changes in the letter of the scheme—changes which will in no way affect the interests of the other provinces—will cause the project to be accepted by the immense majority of the population of the country. We do not hesitate to say that it is astounding that the Conference should have approximated so closely to equity, after a few days only of work, and in the midst of innumerable obstacles.⁴²

It seems to me, Mr. Speaker, that if the honorable member for Montmorency [Joseph Cauchon] was right in telling the Ministry that our nationality and our institutions were in danger, and that changes were required, we French-Canadian members are bound to see that the resolutions submitted to us afford sufficient protection to those institutions, and that the resolutions are not written in such a way as to be susceptible of two interpretations.

How has the discussion of the scheme of Confederation been conducted in Lower Canada? In this way: in the first place, all the Ministerial journals begged and prayed the people not to condemn the scheme before being made acquainted with it; they proclaimed stoutly that the Government must be allowed to elaborate its measures in peace, and then, when the scheme was made public, the same journals declared that certainly the scheme must be amended in certain particulars before being adopted by the country, and that they would be the first to call for these changes, which, moreover, could be obtained without difficulty from the Administration; if not, they would oppose the scheme as dangerous to Lower Canada.

Even the *Mercury* made that statement. It was also said: “The Government will not make a Ministerial question of the adoption of the scheme as it is; the project may be discussed,

and if it is found to involve anything dangerous for our religious and national institutions, that danger can be obviated by amending the resolutions.”⁴³ More than that, at the opening of the discussion of the scheme, the Hon. Attorney General for Upper Canada [John A. Macdonald] himself declared in this House that members might propose amendments, and that the House would dispose of them. Now what have we seen since? We have seen the same Hon. Minister declare that the scheme must be accepted as it was, and that the Government would not tolerate any amendment.

Is such conduct calculated to inspire confidence in the scheme, and in the Administration who bring it forward? I appeal to honorable members from Lower Canada, and I ask them if they are prepared to ratify by their verdict the unjustifiable course adopted by the Government, and whether it is not their duty to insist on the Government affording us better security for our religious and national institutions.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—I trust that the Lower Canada members will not shirk their duty, and that they will insist on the Government declaring, in their resolutions, that all these things we hold so dear shall be protected

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from the attacks of our adversaries. Every danger of false interpretation ought to be removed from these resolutions. If, as it is stated, our language is to be fully protected under the new system, I do not see why it is not so stated clearly in the Constitution. The explanations of the Honorable Solicitor General for Lower Canada (Hon. Mr. Langevin) are all very well, but they are not sufficient, and I should much prefer a written statement in the Constitution itself, formally setting forth that these matters shall not be

⁴² “Canada, Québec, 18 Janvier 1865,” *Journal de Québec* (Jan. 18, 1865).

⁴³ *Quebec Mercury*. Unconfirmed reference.

affected by any legislation of the Federal Government.

Some Hon. Members—Hear, hear.

Félix Geoffrion [Verchères]—I trust the English members of this House will not take offence at my insisting on more ample guarantees for our religious and national institutions, and that they will see that it is not through a spirit of hostility to their institutions, and that the same motives that induce them to demand more ample guarantees for their national minority in Lower Canada—guarantees which were claimed the other evening by the honorable member for Montreal Centre (Hon. Mr. Rose)—make me ask for the same guarantees for my fellow-countrymen.

Hector-Louis Langevin [Dorchester, Solicitor General East]—Will my honorable friend allow me to say a few words in explanation? He said he hoped the Government and members on this side of the House would admit that his desire was to defend the religious and national interests of Lower Canada. The honorable member for Verchères [Félix Geoffrion] need not be uneasy on that point. For it must always be taken for granted—and every member on this side of the House will agree with me in this—that every sentiment expressed on the floor of this House by honorable gentlemen opposite, relative to those questions touching our nationality and our religion, is frank and sincere, and we, therefore, feel that in expressing himself as he has done, the honorable member for Verchères [Félix Geoffrion] is perfectly frank and sincere. However, I take the liberty of answering him on two points. The first question is that of marriage. The honorable member did not quote the whole of that portion of [my speech](#) which relates to marriage; he simply quoted the first part, but he ought to have given the second, which is as follows:—

| The fact is that the whole matter amounts to this—the

Central Government may decide that any marriage contracted in Upper Canada or in any of the Confederated provinces, in accordance with the laws of the country in which it was contracted, although that law might be different from ours, should be deemed valid in Lower Canada, in case the parties should come to reside there, and *vice versa*.⁴⁴

This was merely a development of what I said. I stated before that the interpretation I had given of the word “marriage” was that of the Government and of the Conference of Quebec, and that we wished the Constitution to be drafted in that sense. The honorable member for Verchères [Félix Geoffrion] quoted that part of the draft of the civil code which states that one of the articles provides that a marriage contracted in any country whatever, according to the laws of the country in which it shall have been contracted, shall be valid, and he argues from that, that since it was declared by the civil code, there was no necessity for inserting it in the resolutions. But the honorable member must be aware that that part of the code may be repealed at any time, and that if this occurred, parties married under the circumstances referred to would no longer enjoy the protection they now have and which we desire to secure for them under the Constitution.

I maintain, then, that it was absolutely necessary to insert the word “marriage” as it has been inserted, in the resolutions, and that it has no other meaning than the meaning I attributed to it in the name of the Government and of the Conference. Thus the honorable member for Verchères [Félix Geoffrion] had no grounds for asserting that the Federal Legislature might change that part of the civil code which determines the age at which marriage can be contracted without the consent of parents. Another point on which the honorable member for Verchères [Félix Geoffrion] insisted, no doubt with the view of obtaining information, which I shall be delighted to afford if it should induce him to vote for the resolutions—and I am perfectly

⁴⁴ [Hector Langevin, Legislative Assembly \(Feb. 21, 1865\), p. 389.](#)

certain it ought to be sufficient—is the point as to the use of the French language under Confederation. [The forty-sixth resolution](#) is as follows:—

The English and French languages may be used simultaneously in the proceedings of the Federal Parliament as well as in the Legislature of Lower Canada and in the Federal courts and in the courts of Lower Canada.⁴⁵

The honorable member for Verchères [Félix Geoffrion] says—“It is true that the French language may be used in the Federal Parliament and in the Legislature of Lower Canada, as well as in the courts of justice of the Confederation, but the resolutions do not affirm that that language may be used in the drafting of laws and in the *Votes and Proceedings* of the Federal and Local Legislatures.”

Well,

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Mr. Speaker, I am quite sure the honorable member for Verchères [Félix Geoffrion] will be delighted to learn that it was perfectly well understood at the Conference of Quebec that the French language should not only be spoken in the courts of justice, in the Federal Parliament and in the Legislature of Lower Canada, but that, precisely as is now the case, the *Votes and Proceedings* of the Legislature, as well as all the Federal laws and those of the Legislature of Lower Canada, should be printed in both languages.

And what is still more, under Confederation the French language will be spoken before the Federal tribunals, an advantage which we do not possess at present when we apply to the Court of Appeals of Great Britain. So that the honorable member for Verchères [Félix Geoffrion] and this honorable House will gladly admit that its representatives at the Conference of Quebec did not fail in their duty on that point. These are the principles upon which the new Constitution will be based, and

I feel justified in going so far as to say that it was impossible to secure more effectually this essential privilege of our nationality, and at the same time our civil and religious institutions. I was anxious to offer these explanations to the honorable member for Verchères [Félix Geoffrion] and to the House, and I trust they will completely satisfy the country.

Félix Geoffrion [Verchères]—The honorable member for Dorchester (Hon. Sol. Gen. Langevin) has explained to us that the intention of the members of the Conference of Quebec was, not only that the French language should be used in the Federal Legislature and the Local Government of Lower Canada, as well as before the tribunals of the country, but that it was to be a right guaranteed to the French population by the Constitution under Confederation.

The honorable gentleman has also told us that the word “marriage” inserted in the resolutions does not signify anything else but what he explained to the House in his speech, and that we ought to be happy to see that the representatives of the French population at the Conference had thus secured the safety of their civil and religious institutions.

For my part, Mr. Speaker, I must say that I cannot bring myself, like the honorable member, to see the splendid protection he vaunts so highly. If the resolutions now before this House have any meaning, that meaning is only to be derived from the strict letter of the resolutions themselves. It will always be optional with the British majority to avail themselves of the letter of the Constitution, and they may at any time say to us: “You cannot have it, we oppose it, and the Constitution does not confer on you the rights you claim under it.”

And it will be the easier for them to do so from the fact that the resolution does not affirm that these matters cannot be disturbed. If the Conference had any other intention than what appears in the resolutions, the House

⁴⁵ [Quebec Resolution 46](#). *Supra* footnote 39.

should be made aware of it before being called upon to vote on these resolutions. For if the intention of the Conference was as stated by the Honorable Solicitor General for Lower Canada [Hector-Louis Langevin], and if that intention be carried into effect, the House will run the risk of discovering that on all the other resolutions the intention is different from the letter, and will be in like manner carried out, for the resolutions must be interpreted as they stand, without reference to the intention of the members of the Conference.

And for that reason I cannot help declaring that we French-Canadians would be guilty of an act to unpardonable imprudence in adopting a resolution which declares that the Federal Legislature is to have the right of legislating on marriage and divorce, and which merely declares that the French language may be used in the Federal Legislature. We French-Canadian members, I repeat it, ought to insist that the word "shall" be substituted for the word "may" in the resolution relating to this matter, with reference to the publication of the proceedings of the Legislature. If this is not done, and if we do not take every possible precaution, sooner or later the English speaking majority in the Federal Legislature will unite against us on this point, and enact that the laws shall be printed in the English language only.

And if we rest satisfied with the understanding referred to by the Honorable Solicitor General for Lower Canada [Hector-Louis Langevin], we shall be told when we exclaim against that injustice: "You should have obtained more full and complete guarantees, and you should have seen that the Constitution was made more explicit and more precise on this point." And we shall have no answer to make. We must perforce be resigned, and put up with all the restrictions the majority may impose upon us.

I maintain, therefore, that it is the duty of the French-Canadian members of this House to induce the Government to embody the understanding arrived at amongst the members of the Conference in the

Constitution, and to require that the guarantees said to be afforded to us by the Constitution shall be more clearly expressed than they are in the resolutions. If we vote

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these resolutions as they are, we shall vote without knowing exactly the nature of the guarantees they afford us.

Some Hon. Members — *Cheers.*

Edouard Rémillard [Bellechasse] said — Mr. Speaker, the question of a Federal union of the British North American Provinces is one of such importance, that at the present time it is engaging the attention, not only of this honorable House, but also of the whole political world. I consider, therefore, that it is the duty of those to whom it is submitted to express, each in his own way, the reasons which induce them to adopt or reject the union in question.

When for the first time, in the year 1861, the county of Bellechasse did me the honor to send me here as its representative, I had not the slightest idea that I should be called upon, in the beginning of 1865, to take part in the discussion of such a measure, upon which, in my opinion, our whole future depends. So rapid, however, is the growth of events in this age of progress of every kind, that there is no reason to be surprised that we are to-day called upon to grapple with the subject of the political position of our youthful country.

I am prepared at or to acknowledge, Mr. Speaker, that that position has not for several years past appeared to me to be an enviable one; and in fact what has the political aspect been? Within the precincts of this House we have looked upon scenes that are to be regretted and that were of frequent occurrence. We have looked upon bitter and incessant strife between our public men on the subject of certain sectional difficulties, which should be settled in a friendly way, if it is our wish at a later period to avoid serious troubles.

We have seen Ministries succeed each other at intervals of hardly six months — Ministries which were daily accused, and in many cases

with good reason, of having been guilty of acts of corruption in order to prolong their feeble existence. Without these precincts we have seen public journals filled with personal attacks and insults of every kind, general elections every year, carried in many counties by means of fraud, and the fomenting of wretched prejudices.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—To such a degree had this been carried, that the people had come to consider it a highly meritorious action to calumniate a member or a candidate, and to deprive him of that good character which he had, in some cases, acquired by many and great sacrifices.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Honest men can experience no feeling other than disgust at such a political course, which is inimical to every feeling of patriotism, and is fraught with danger to our institutions. The Canadian people, by nature brave, intelligent and courageous, are called upon to play a more noble and a more worthy part than that. Upon our statesmen, let them belong to what party they may, it devolves to provide them with a career which is, suitable to them, without taking into consideration either prejudices or opinions expressed at another period and under other circumstances.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—We French-Canadians especially, if we are desirous of continuing to enjoy, in the midst of the various races who inhabit this vast continent of America, the institutions which have been so carefully preserved for us, and which are more precious to us than life itself, require to seek an alliance with the inhabitants of the other British American Provinces, with which we have interests in common, which will have, in case of invasion, the same enemies as ourselves to repulse, and which, like ourselves, enjoy the advantage of living under the protection of Great Britain.

At a time when we are, so to speak, threatened by the United States, ought we to be so foolish as to disregard the advice which comes to us from Great Britain, without whom we could do nothing for our defence, and to pretend seriously that we can without danger overthrow the Federal union which we are discussing, in the preparation of which our statesmen themselves prescribed the conditions which they considered to be most equitable and the best calculated to preserve the interests which are most dear to all? Should we act in this way, we should be forming a very incorrect estimate of our position in relation to England, and our formidable neighbours the United States.

The distinguished men who took part in the Conference held at Quebec in the month of October last, unanimously [declared](#) that “the best interests and present and future prosperity of British North America will be promoted by a Federal union under the Crown of Great Britain, provided such union can be effected on principles just to the several provinces.”⁴⁶ The most eminent men in England have repeated the same thing, and have approved of the scheme of the Conference.

I do not propose, Mr. Speaker, to discuss the several articles contained in the plan of union; the honorable members who have preceded me

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in this debate have, in my opinion, said all that can be said on each of the articles. Moreover, the erudite and carefully-weighed papers on the subject which have been published in this city in the *Journal de Québec* and the *Courrier du Canada* have contributed to diffusing a knowledge of the scheme in no less degree than the numerous speeches which have been delivered in this House. Despite the good opinion which I have of some of the honorable members who have endeavored to prove to this House and to the country that the

⁴⁶ [Quebec Resolution 1](#). *Supra* footnote 9.

proposed union would be more disastrous than advantageous in its results to the several provinces affected by it, I must acknowledge that their arguments have not convinced me—I will even say did not appear to me to be convincing.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—The hon. member for Lotbinière [Henri Joly] for example, in whom, as he is aware, I have confidence, and from whom I greatly regret to differ in opinion on a measure of such importance, is opposed to any alteration in our present Constitution. He finds that everything has been for the best. The following is what he said in [his eloquent speech](#):—

Let us not be dazzled by the ambition of becoming, all at once, a great people. The United States are a great people, but what people, however small it may be, is there which now envies their greatness? Let us be satisfied with our lot; few people have a better.⁴⁷

I agree with my honorable friend to a certain extent. Like him, I do not envy the lot of the United States, but I disagree with him as to the means to be taken to protect us against our adversaries, even against the United States, and to preserve our nationality. The honorable member, to prove that the union proposed would be an evil, quoted to us the following [extract from Lord Brougham's work on Political Philosophy](#):

The Federal union, by keeping up a line of separation between its members, gives the freest scope to these pernicious prejudices, feelings which it is the highest duty of all governments to eradicate, because they lead directly to confusion and war.⁴⁸

I may mistake, but it appears to me that this extract from Lord Brougham's work is not so much opposed to a Federal union, such as that which is proposed to us, as it is to the existing

situation of the French-Canadians. In fact there is a strong line of demarcation in this province between the inhabitants of Upper Canada and those of Lower Canada; it is that very line of demarcation which has given rise to the sectional difficulties which our statesmen have undertaken to settle in a friendly way.

The leaders of the Opposition themselves undertook to settle these difficulties in a manner much less advantageous to Lower Canada. If then the opinion of Lord Brougham is to be an authority in this case, it would be the duty of the Government of this province to remove the line of demarcation to which I have alluded as existing between the inhabitants of Upper Canada and those of Lower Canada. This, I am satisfied, is not what my honorable friend desires.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—When speaking of the seven United Provinces (now Holland and Belgium), [the hon. member for Lotbinière \[Henri Joly\] read](#) the following extract from [the first volume of Lord Macaulay's History of England](#):—

The union of Utrecht, rudely formed amidst the agonies of a revolution, for the purpose of meeting immediate exigencies, had never been deliberately revised and perfected in a time of tranquillity. Every one of the seven commonwealths which that union had bound together retained almost all the rights of sovereignty, and asserted those rights punctiliously against the Central Government.⁴⁹

This is all that the honorable member quoted from Lord Macaulay. As may be seen, Mr. Speaker, this author is not opposed to a Federal union; he simply points out the defects of [the union of Utrecht](#)⁵⁰. That union had been rudely formed, in the midst of a revolution, for the purpose of meeting immediate exigencies.

⁴⁷ [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), p. 353.](#)

⁴⁸ [Henry Lord Brougham, Political Philosophy, Part III \(1846\), p. 53.](#)

⁴⁹ [Thomas Babington Macaulay, The History of England ... Vol. I \(1848\), Chapter V.](#) For Joly's speech: [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), p. 347.](#) Joly's wording doesn't match the Macaulay quote because Joly translated from the original English to French and then was translated back to English.

⁵⁰ [Union of Utrecht \(1759\).](#)

But our plan of union was weighed with deliberation, in a time of tranquillity, and this tranquillity is certainly the result of the formation of the present Coalition Government. Therefore, the author who has been quoted merely demonstrates one thing, and that is, that we should be wrong to await the convulsions of a revolution, or of an invasion, in order to discuss the bases of a Federal union.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—The honorable member for Lotbinière [Henri Joly] gave us to understand that the most certain method of obtaining the friendship of the Maritime Provinces, and of securing their sympathy and zeal in case of attack, was, so to speak, to have nothing in common with those provinces. I believe, on the contrary, that Lower Canada would gain by causing herself to be better known, and by causing the spirit of justice and of liberality which prevails among her inhabitants and her institutions, as they at present exist, to be

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better known. Does not the best understanding exist between the people of different origins in all classes of society? We every day perceive with pleasure, and I am happy to say it, that Lower Canada has risen greatly in the estimation of hon. members from Upper Canada, since it has been their lot to reside in our midst, and to see for themselves what our institutions are, and what we are ourselves.

Some Hon. Members—Hear.

Edouard Rémillard [Bellechasse]—I hope that my honorable friend the member for Lotbinière [Henri Joly] will forgive me if I take the liberty of discussing, for a few seconds longer, certain portions of his speech; but I am very anxious to convince him that I listened to him with great attention, and that if he did not succeed in convincing me, it was from no fault

of mine. To set us on our guard against the proposed union, the hon. member laid before us a hasty sketch of the history of Ancient Greece, in order to show us the hatred which the Athenians bore to the Spartans. No doubt he fears that that hatred, should the union be consummated, will manifest itself between the inhabitants of Lower Canada and the inhabitants of Newfoundland and Prince Edward Island. [He also took us a long journey](#) through various countries, in which he pointed out to us frequent insurrections, *échauffourées*⁵¹ and troubles of all kinds among people living under a system of Federal union, and therefrom he drew the conclusion that Federal unions are bad and pernicious⁵².

But did the honorable member show us that the political condition of those nations, previous to their Federative union, was analogous to ours? Did he show us that the basis of those Federal unions was similar to the basis of that which we propose to establish? Did those unions cause those nations to pass from a state of prosperity, tranquillity, and happiness, to the state in which they have been held up to our view? Were they situated as we are? Had they the same proclivities, the same tastes, and the same antecedents as we have? Did they, as we do, trace their descent from the two wisest, the two greatest nations in the world? Lastly, had they, as we have, the Crown of England to protect them? No! They were not possessed of any of the advantages of which we are possessed, and no comparison between the two cases was possible.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Besides, Mr. Speaker, is it not sufficient to cast a glance at the history of all countries, to perceive that everywhere, under all possible institutions, there have arisen, not only *échauffourées*⁵³, but even frequent wars and sanguinary revolutions, characterized by the greatest

⁵¹ i.e. "clashes."

⁵² [Henri Joly, Legislative Assembly \(Feb. 20, 1865\), pp. 346-351.](#)

⁵³ i.e. "clashes."

horrors? Have not the institutions of England and France been consecrated in rivers of blood? All these arguments and reasonings adduced by the honorable member for Lotbinière [Henri Joly] are therefore not applicable to the question which is submitted to us, and are not of a nature to change the opinions of those who are in favor of a Federal union of all the British North American Provinces.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—I now return to certain objections offered by other honorable members of the Opposition to the present scheme of the Government. Thus, they spoke to us of divorce, and tried to show us that great inconvenience would result from leaving to the Federal Parliament the right of legislating on that subject. But they do not remark that by this means the members from Lower Canada, that is to say, in the Local Legislature, will be exonerated from taking those questions into consideration. At the present day, all the Catholic members from Lower Canada are opposed to divorce as a matter of expediency and of conscience, and yet, even in the existing Legislature, they cannot prevent it. Why, therefore, blame the Government for not having prevented in the Federal Parliament that which they cannot even prevent here?

Maurice Laframboise [Bagot]—They could prevent divorces in Lower Canada.

Edouard Rémillard [Bellechasse]—Has it ever been very easy to impose in Lower Canada laws upon the English inhabitants of that province, and to prevent them from obtaining what they consider as a right? No; it would have been an act of injustice to endeavor to force our opinions on this subject on the English and Protestant population of Lower Canada; and if an attempt had been made to do so, Confederation would probably have failed, because the majority of the members of the Conference would have maintained their claims, and this would have been sufficient to prevent Confederation.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—It is not to be urged as a crime against the Government that they have permitted the Federal Legislature to have the power of legislating upon subjects upon which we ourselves may legislate. For my part, Mr. Speaker, I did not enter upon this question in order to judge the scheme of Confederation. I have sufficient confidence in the clergy to admit that on this question they

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are the best judges, and it is they who ought to decide whether there is danger or not; and there can be no doubt but that the bishops and the clergy have consulted together respecting this article, and that they came to the conclusion that it is an evil which there are no means of preventing. The honorable member for Verchères (Mr. Geoffrion) maintained that it was necessary to state clearly in the resolutions what were the intentions of the members of the Conference in relation to marriage and divorce, in order that the Imperial Government may not impose upon us a Constitution other than that for which we ask.

Now, I have more confidence than he has in the word of our public men, and in the sense of justice of the Imperial Government. Our public men having made a compromise, and asked a Constitution for the British North American Provinces, which is to do away with the difficulties which exist in the province, are we for a single instant to believe that when this scheme, which is framed to reestablish that peace, harmony and concord of which we stand in need, is carried to England that a clause will be inserted which would raise the Lower-Canadians like one man?

In such a case we should see petitions pour into the House headed with the signatures of the principal members of the clergy, exclaiming against such injustice; in such a case we should see real petitions against this attack upon our religious rights. If our institutions should be so menaced, the Lower Canadian people would do themselves justice,

if it was refused to them, and we should no longer enjoy that peace which now prevails in Canada between populations of different origins and belief, in consequence of the absence of disquietude among the people—

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—I have confidence enough in the clergy and bishops of Lower Canada to believe that if that clause, on which so much stress is laid, was of a nature to do any injury to our religious interests, they would loudly exclaim against it and have justice done us. Our bishops are not in the habit of standing in fear of the civil authorities, when their duty calls them to defend the interests which are entrusted to them.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—It is stated also that the clergy are not in favor of the scheme of Confederation, because two or three of its members have written in newspapers and have signed petitions opposed to the scheme. But is that a manifestation of the opinion of the clergy? No; for they do not write in the name of the clergy, but simply in their individual capacity as citizens; for they sign their writings under their title as citizens. Certain members of the clergy may differ widely in opinion from the remainder of their brethren; as citizens they may believe that the scheme of Confederation is a bad one, but those who hold that opinion are certainly a minority, just as in the House it is the minority of the members who are opposed to Confederation.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Mention is also made of the use of the French language; it is said that it cannot be used in the Federal Parliament. But, for my part, I am of opinion that if the scheme is adopted, the French language will be more used and will be held in higher estimation in the Federal Parliament, than it has been in this Legislature for some years. It is feared that the laws, the

documents and the proceedings of the Federal Parliament are not to be printed in the French language. But what does [the 46th clause of the resolutions](#) say? It says:—

Both the English and French languages may be employed in the General Parliament, and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal courts, and in the courts of Lower Canada.⁵⁴

Thus, if the use of the French language can be excluded, so also may the use of the English language be excluded, for both are on an equal footing. Because it is not stated that the laws and the proceedings of the Federal Parliament shall be printed in the French language, the conclusion is drawn that they will be so in English; but the same thing might be said of the English language, as it is not stated that they will be printed in that language.

The hon. member for Verchères (Mr. Geoffrion) would have something more; instead of the resolutions setting forth that the French language may be used, he would have them declare that it shall be used; in that case the members from Lower Canada might be compelled to speak French; but are the Upper Canadian members also to be forced to speak that language, they who do not understand a word of it? I should be with the hon. member for Verchères [Félix Geoffrion] if we could compel Lower Canadian members to speak French, and Upper Canadian members to speak English, as in that case each would learn the language of the other.

I am really of opinion that if the Hon. Attorney General

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for Lower Canada [George-Étienne Cartier] had never spoken anything but French in this House, the members from Upper Canada would have learned that language in order to understand him; but as he wishes to make them understand him without putting them to that trouble, he most frequently speaks English.

⁵⁴ [Quebec Resolution 46](#). *Supra* footnote 39.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—It is said that in the resolutions the guarantees which we seek to have for our language, our laws and our institutions are not clearly enough expressed, and that the Imperial Government might, consequently, confer upon us something other than that for which we ask. But could not the Imperial Government impose Confederation upon us as it did the union? And as it does not do so, but is merely desirous of being consulted, we ought not to believe that it will impose upon us conditions which are opposed to our interests.

Maurice Laframboise [Bagot]—It is proposed to impose it on the Lower Provinces, who do not wish for it.

Edouard Rémillard [Bellechasse]—Certain hon. members consider our present position an excellent one, and say they do not wish it altered. But that is not the opinion of the greater number, and nearly all the hon. members of the Opposition have declared that changes are indispensable and necessary. The hon. member for Hochelaga [Antoine-Aimé Dorion] has acknowledged it, and has expressed his opinion on the subject. When I was a supporter of the Macdonald-Dorion Administration⁵⁵, I understood that the members of that Government were of opinion that changes were necessary, and that we could not very long remain in our present position. The hon. member for Hochelaga [Antoine-Aimé Dorion] has admitted that the opinion of Upper Canada must be respected, and that to it would have to be granted representation based on population; and the influence of Upper Canada made itself felt by the Macdonald-Dorion Administration; it made itself felt especially when, just before the last general elections, it became necessary to oust the Honorable Mr. Sicotte from the Ministry to satisfy Upper Canada.

By means of Mr. Sicotte, elections had been secured sufficiently advantageous in their

results to overthrow the Cartier-Macdonald Administration⁵⁶, to which I was opposed, because I did not wish to see a coalition between the parties, and because I considered that that Government had made too free a use of the public money. But I foresaw that sooner or later I should return to the Conservative party, from which I had detached myself in consequence of the extravagant conduct of two or three of its leaders, and in consequence I was then elected without the assistance of any party.

Alone I strove with the Conservative party in my county. I was faithful to the friends with whom I went at the time, and I do not regret that I went with them; so long as they stood in need of me, I supported them in order that they might avail themselves of circumstances to bring about a change in the financial affairs of the country. I would not change my party then, but matters and circumstances having changed, I consulted my friends in the county which I represent, and I was then able to go with the men whom I consider able to protect and preserve our institutions and the interests of the country in general. For this reason I am prepared to accept the scheme of Confederation prepared by them, for I have more confidence, as regards the preservation of our rights and our institutions, in the men who are now in power than in those with whom I formerly worked.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—I cannot do otherwise than declare it. It is not my wish to insult any one; I merely state the reasons which have decided me to go with them; and as I find that it is always necessary to be in favor of one party or the other in this House, that is to say, for that one which is considered to be the best, I do not hesitate to state my opinion and to declare myself in favor of the Conservative party.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—It was

⁵⁵ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

⁵⁶ Led by George-Étienne Cartier & John A. Macdonald (1858-1862). The government ended on May 24, 1862.

my intention to reply to the speech of the hon. member for Richelieu (Mr. Perrault), but I perceive that my ideas do not flow rapidly, and moreover, I do not wish longer to fatigue the House.

Several Voices—Go on! Go on!

Edouard Rémillard [Bellechasse]—Well, I listened with pain to the language used by the hon. member for Richelieu [Joseph Perrault]. Should what he said in French be repeated by some one in English, I should greatly fear that it would give rise to prejudice against us among the English members.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Last year he said to the members from Upper Canada,—“The French-Canadians are learning the use of arms, and if you insist upon having representation based upon population, they will be turned against you;” and this year he says that one Lower Canadian can stand against ten Upper Canadians. He considers himself fortunate in being under

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the protection of the English flag, and yet his whole speech was one insult to the English Government.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Does he forget, then, that the French-Canadians are in a minority? He talked a great deal about the great men who saved our nationality; but if those men had made use of such language as the hon. member has done, they would not have obtained that which they did obtain.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—Our nationality would long since have passed away; for, I repeat it, his whole speech was one insult to England and Englishmen. Fortunately his speech was not understood by the English members of this House, and consequently it could produce no effect upon them; and those who did understand him, moreover, are aware that he spoke for himself alone, and that he does not represent the opinions of the Lower Canadian members or

of the Lower Canadian people. I am therefore convinced that they will bear no ill-will to the French-Canadians in consequence of that speech.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—It has been said that the scheme of Confederation would entail the imposition of enormous taxes, and that we should have to provide for the defence of the country. And yet most of the hon. members who oppose this scheme acknowledge that the defence of the country must be provided for, or at least that we must contribute our share to it. Under the present *régime*, the Government has the right of presenting a bill respecting the militia or the defences, and the members may accept it or may reject it if they consider it too burdensome for us; and will the case be different in the Federal Parliament?

We shall lose nothing, under Confederation, in respect of defence, for we shall have allies who will assist us in economising and in preventing the adoption of any measure which would be beyond the strength of the country, for the people of the other provinces are no fonder of taxation than are those of Lower Canada. It is perfectly well known that any change in our position would be only to our advantage, under Confederation, in relation to defence; for if the United States should attack the English provinces, they would attack all the provinces together; they would probably begin by attacking Canada, because they think more of Canada than of the Lower Provinces.

In case of difficulties arising between England and the United States, the burthen of war would fall upon us, for we should be first attacked. It is, therefore, our interest to be able to receive aid from the Maritime Provinces, and to be able to convey the reinforcements which they would send us, and which England would send us, by railway. As regards defence, I am of opinion that Lower Canada would be found to occupy the most advantageous position in the Confederacy, being situated in the centre of all the

provinces.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]— In a material point of view, we could not but grow and advance. The annexationists of the district of Montreal only are afraid of Confederation. Indeed, all the commercial transactions of the district of Montreal are with the United States. But if we are not desirous of being annexed to the United States, and if we are desirous of preserving the institutions which are so dear to us, I maintain that we must construct a Confederacy which shall be competent to protect us from the United States. If we will do nothing to show England that we are disposed to improve our position in relation to the defence of the British North American Provinces, we expose ourselves to see England withdraw her forces and abandon us, because she cannot, unaided, carry on the strife with the United States. With our help, she would be certain of victory.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—We ought, therefore, to build up a Constitution which will establish such relations between all the provinces as shall make of them a single state and a single people, who will unite in case of war. We may change our Constitution without altering our institutions, and I maintain that the more monarchical our government is, the safer will our institutions be, for in those institutions the monarchical principle especially predominates.

It is in consequence of our having always been at peace that those institutions have grown and prospered. If England should abandon her colonies, the United States would take possession of us, and we should soon disappear, for the American Constitution is not sufficient to protect our institutions. The citizens of the United States would show but little respect for those institutions, and the law would not be powerful enough to prevent the masses from spreading themselves in our

midst, and from depriving us of what we hold most dear.

Some Hon. Members—Hear, hear.

Edouard Rémillard [Bellechasse]—In conclusion, I say that I unite with pleasure with the men who are now proposing a scheme which I consider to be of a nature to preserve our institutions, our language, our laws and our

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religion with that great party which possesses the confidence of a large majority of the inhabitants of this country.

Some Hon. Members—*Cheers.*

Anselme Paquet [Berthier]—Mr. Speaker, although I am not in the habit of addressing the House, and although the question now under consideration has already been discussed at great length, I cannot allow so important an occasion to pass without making known the reasons which induce me to protest against the constitutional changes which are now proposed, and which tend to nothing less than the complete overthrowing of the Constitution under which we have been governed since the union of Upper and Lower Canada.

Since the prorogation of Parliament in June last, I have endeavored in vain to explain to myself the advantages which we, Lower Canadians, would derive from Confederation, and I had lost myself in the motives and the object of a union of this kind, when I had the opportunity of reading in [the speech of the honorable member for Sherbrooke \[Alexander Galt\]](#) that “the scheme of Confederation had not been a new question since the days of Lord Durham, that only the question of carrying it into effect was wanting.”⁵⁷ After having read this significant passage, I set myself to work to study and ascertain what were the tendencies and spirit which actuated Lord Durham, and more especially, what object he had in view. I did not take long to convince myself, as any

⁵⁷ [Alexander Galt, Speech at Sherbrooke \(Nov. 23, 1864\). Alexander Galt, Speech on the Proposed Union of the British North American Provinces \(1864\), p. 6.](#)

Lower Canadian member may do on reading [his celebrated report](#)⁵⁸, that everything he had in view was calculated to secure our annihilation as French-Canadians, and that he desired neither more nor less than to subject us to a ruling power exclusively English.

When we see, Mr. Speaker, the hon. members from Upper Canada rejoicing over such a scheme, and declaring themselves so much the more satisfied from the fact that they would obtain, by this fine stroke of policy, more than they had at first hoped for, when the honorable member for Lambton (Mr. A. Mackenzie), whilst avowing, as he has always done, that his views are but incompletely expressed in the language which I am about to read, there is reason for some little alarm. [This is what that honorable gentleman said in the House the other night:—](#)

I believe then, sir, in the first place, that Confederation is desirable; in the second, that it is attainable; and in the third place, that it is the best thing we can get, and this last is perhaps the strongest reason of all for accepting it. It is quite clear that we must have a settlement of our difficulties in some way, and I think the scheme proposed is a very favorable settlement of them. I think it is more than, perhaps, some of us expected, at the time when the present Government was formed, to bring about a settlement, and I do think, sir, it would be the greatest act of madness that western members of this House could perpetrate, to vote against it. (Hear, hear.)

I am not, however, afraid that it will be voted against by them. I believe that under it we have obtained representation by population, that we have obtained what we have long contended was justly due to us, that we have obtained our legitimate influence in framing the financial policy of the country, and that beyond this we have obtained the prospect of building up a great British union on this continent. We should therefore, I think, in view of these great advantages, overlook those objections which may be regarded as antecedent to the scheme, and endeavor heartily to carry out the work successfully. I shall willingly yield my support to the scheme, and I believe it will be acceptable to the people I represent—not only to the people of the locality, but to those who surround me in Upper Canada.⁵⁹

If, Mr. Speaker, honorable gentlemen from Upper Canada are permitted to give utterance to such opinions as these, I hope that my fellow-countrymen from Lower Canada will permit me to vindicate their rights.

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—But let us proceed to examine this Confederation, to which the practical question is alone wanting. I read from [the report of Lord Durham](#):—

I entertain no doubts as to the national character which must be given to Lower Canada; it must be that of the British Empire; that of the majority of the population of British America; that of the great race which must, in the lapse of no long period of time, be predominant over the whole North American continent. Without effecting the change so rapidly or roughly as to shock the feelings and trample on the welfare of the existing generation, it must henceforth be the first and steady purpose of the British Government to establish an English population, with English laws and language, in this province, and to trust its government to none but a decidedly English legislature.⁶⁰

A little further on in [the same report](#), I read as follows:—

If the population of Upper Canada is rightly estimated at 400,000, the English inhabitants of Lower Canada at 150,000 and the French at 450,000, the union of the two provinces will not only give a clear English majority, but one which would be increased every year by the influence of English emigration; and I have no doubt that the French, when once placed, by the legitimate course of events and the working of natural causes, in a minority, would abandon their vain hopes of nationality.⁶¹

Some Hon. Members—Hear, hear.

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Joseph Cauchon [Montmorency]—He was in error. That all related to the [Union Act](#)⁶² and to nothing else.

Anselme Paquet [Berthier]—Yes; it had reference to the beginning of the end.

Some Hon. Members—Hear, hear.

⁵⁸ [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\).](#)

⁵⁹ [Alexander Mackenzie, Legislative Assembly \(Feb. 23, 1865\), p. 434.](#)

⁶⁰ [Durham Report \(1839\), p. 92.](#)

⁶¹ [ibid., p. 99.](#)

⁶² [The Union Act, 1840 \(U.K\).](#)

Anselme Paquet [Berthier]—[A little further on](#) I read as follows:—

A general Legislative union would elevate and gratify the hopes of able and aspiring men. They would no longer look with envy and wonder at the great arena of the bordering Federation, but see the means of satisfying every legitimate ambition in the high offices of the judicature and executive government of their own union.⁶³

Again I find [the following passage](#):—

But even in the administration of justice, an union would immediately supply a remedy for one of the most serious wants under which the provinces labor, by facilitating the formation of a general appellate tribunal for all the North American colonies.⁶⁴

[And again](#):—

The completion of any satisfactory communication between Halifax and Quebec would, in fact, produce relations between these provinces that would render a general union absolutely necessary. Several surveys have proved that a railroad would be perfectly practicable the whole way.⁶⁵

And thus we come to the Intercolonial Railway; and it is easy to perceive that Lord Durham, from the beginning to the end of his report, preaches in favor of the very Confederation which we are about to have imposed upon us. Even before Lord Durham, [Judge Sewell, in 1814](#)⁶⁶, had expressed opinions nearly similar to those of the noble lord, and in 1839 the whole of the present plan of Confederation was traced out. The honorable member for Montmorency [Joseph Cauchon] pretends that Lord Durham was mistaken; but for my part I find, in addition to the other causes of reproach which have been accumulated against the members of the Conference, we may urge this, that they did not give Lord Durham credit for the work he had already done, and that they did not

endorse upon the scheme of Confederation now laid before us the words “True copy of the scheme of Lord Durham as set forth in his report to the British Government.”

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—French-Canadian nationality has been talked about. Lord Durham speaks of it in [his report](#) in the following terms: “The error of Lower Canada consists especially in that vain attempt to preserve a French-Canadian nationality in the midst of Anglo-American states and colonies.”⁶⁷ When is the imposition of a new nationality spoken of, if not at the time when it is sought to snatch from a people that which it already possesses?

There will be opposition, I trust; for otherwise, Mr. Speaker, I cannot comprehend the logic of honorable members who emphatically declare that they will stand by it at any risk. I am well aware that the nationality of a people cannot be changed by a mere act of the Legislature; but why should obstacles be placed in our path, why should we submit to the yoke of the oppressor, when there is no legitimate ground for imposing it upon us? Another reason which gives me good ground for hoping that the work of destruction will not be accomplished in a hurry, as desired by the honorable members of the Administration, is that it is a difficult matter to ostracise a people which numbers more than a million. The example of Belgium suffices to prove it to us, and also that of Greece, which, after three centuries of tyranny and oppression, stood up manfully and exclaimed, “We are still Greeks.” I am confident, then, that following their example, in defiance of all the constitutions that may be framed for us, and of all the vexations to which we may have to submit, we also shall come out triumphant from our trials, exclaiming, and “We are still French-Canadians”.

⁶³ [Durham Report \(1839\), pp. 100-101.](#)

⁶⁴ [ibid., p. 101.](#)

⁶⁵ [ibid., p. 102.](#)

⁶⁶ [Jonathan Sewell \(Chief Justice for Lower Canada\), A Plan for the Federal Union of British provinces in North America \(1814\).](#)

⁶⁷ [Durham Report \(1839\), p. 22.](#) Quote is not verbatim, but probably as a result of translation.

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—The honorable members of the Government, and especially those from Lower Canada, ought not to forget, either in our interest or in their own, that a generation which detaches itself from the generations which preceded it runs the risk of being repudiated by the generations which come after; that social existence is not concentrated in a single period, that it influences the future.

These honorable gentlemen would do well to reflect on this before imposing upon us the practical question of Lord Durham. Passing now, Mr. Speaker, to the financial question, I regret that I cannot agree in the views expressed by the honorable member for Dorchester (the Honorable Solicitor General for Lower Canada [Hector-Louis Langevin]), who claims to have expressed an official opinion on this head. Although he has affirmed that he drew them from authentic sources, the results which he has obtained from his calculations differ from those which I have obtained, founded upon the figures which he has made use of to establish his proposition. He has declared that we shall have a surplus of \$200,000.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—And he added that we should be in a position to lend the amount.

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Anselme Paquet [Berthier]—I shall now submit to this honorable House an s statement of the expenditure which will be incurred by the Government of Lower Canada:—

| | |
|-------------------------------------|-----------|
| Administration of justice | \$364,785 |
| Delaying the salaries of the judges | 50,000 |
| | — |
| Deficit | \$314,785 |
| Education | 254,000 |
| Scientific institutions | 5,900 |
| Hospitals and charities | 124,949 |

| | |
|---|-------------|
| Board of Arts and Manufactures | 3,500 |
| Agriculture | 50,000 |
| Repairs and public buildings | 15,000 |
| Colonization and roads | 113,000 |
| Timber cullers | 35,000 |
| Office and other contingencies | 77,000 |
| Public works | 30,000 |
| Slides | 15,000 |
| Surveys | 30,000 |
| Court and gaols | 10,500 |
| Rent of site of Parliament house | 4,444 |
| Legislation | 200,000 |
| Executive Government | 100,000 |
| Public departments | 100,000 |
| Public lands | 37,000 |
| Publication of the laws | 20,000 |
| Elections | 15,000 |
| River police | 30,000 |
| Unforeseen expenditure | 10,000 |
| Interest on the Federal debt, share of Lower Canada | 300,000 |
| | — |
| Total expenditure | \$1,885,078 |
| Local revenue estimated at about | 1,400,000 |
| | — |
| Deficit | \$485,078 |

These figures are taken from the Public Accounts for last year. Subtracting from that sum the estimated amount of the revenue of the Local Government, instead of a surplus there will be a deficit of \$485,088; and I ask you, Mr. Speaker, how are we to meet it otherwise than by direct taxation, or by diminishing the public appropriations, which are by no means excessive now?

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—If we do not adopt the latter alternative, there will remain, I say, no other means than direct taxation. [The Hon. Minister of Finance \[Alexander Galt\], moreover, told us so expressly, in these words:—](#)

The Federal Legislature will have power to impose any system of duties which they may think proper to meet the expenses of its administration, whilst the local legislatures will be obliged to have recourse to direct taxation for the same purpose, if their revenues prove insufficient.⁶⁸

⁶⁸ [Alexander Galt, Speech at Sherbrooke \(Nov. 23, 1864\), p. 11.](#) *Supra* footnote 57. The wording doesn't match with the English version. However, the French version of Paquet's speech and Galt's speech also don't align. [Débats \(1865\), p. 795 \(Paquet\) & "Grande Reunion A Sherbrooke," Journal de Québec \(Nov. 29, 1864\) \(Galt\).](#) This probably means that Paquet translated from the original English to French and then was translated back to English.

For my part, Mr. Speaker, I affirm that the country is not ready to submit to such a state of things, and in this matter, as also upon the scheme itself, I am quite certain that I express the opinion of my county.

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—A third point, which I would humbly submit for the consideration of the House, is the expediency of pressing for the adoption of this measure before an appeal has been had to the people. I believe and I hope that the House will have too much respect for itself and for the people to vote at once upon the resolutions now submitted to us. If, however, public opinion is not to be regarded, I flatter myself that at all events precedents will not be treated with contempt.

We find in the *History of Canada*, by Christie⁶⁹, that in 1823, when a proposition was made in the Lower Canadian Parliament to effect changes in the Constitution, the following decision was come to by the Government of Lower Canada, and the paragraph I am about to read formed part of [the Speech from the Throne](#):—

I am commanded to inform you that His Majesty's Ministers proposed to Parliament certain alterations in the act thirty-first George the Third, chapter thirty-one, principally with a view to unite into one the two legislatures of Upper and Lower Canada; but the measure was withdrawn and postponed to the next session, in order to afford an opportunity of ascertaining the sentiments of the people of those provinces upon it.⁷⁰

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—[In the same history we find another example](#), which will, I believe, strongly support me in the position I have taken:—

In 1839 Lord John Russell gave notice in the House of Commons, on the 3rd June, of certain resolutions which he intended to submit relating to the projected union of

the Canadas. He was, however, induced, on the suggestion of Sir Robert Peel, to waive them, and at once to introduce his bill for the purpose. In doing which he stated it to be his intention to carry it only through a second reading, in order that it might undergo discussion, but that having received a strong protest, on the part of Upper Canada, against the intended union, he did not deem it advisable to legislate that session finally on the subject.⁷¹

Here we have another fact which proves that in England, in 1839, the measure was opposed at its second reading, and that a year was given to the Canadian people to reflect upon the merits of the proposed union of the two Canadas.

Some Hon. Members—Hear, hear.

Anselme Paquet [Berthier]—I trust then, Mr. Speaker, that what was done in 1839 will again be done in relation to the

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project of Confederation. For those reasons I am of opinion that the Government ought not, in the first place, to humiliate us by taking from us the privileges to which we are entitled, then ruin us by a scheme which must triple the expenditure, and lastly, fail in the respect which they owe to the people, by refusing to consult them before changing the Constitution. If I am not greatly mistaken, the party which is seeking these constitutional changes is the very party which calls itself Conservative, who obtained their elections to preserve and guard the Constitution, and which has always opposed us becomes, it exclaimed, we were the allies of the hon. member for South Oxford (Hon. Mr. Brown), to whom, said they, we were ready to concede representation by population, the powerful lever which was to endanger all our civil and religious institutions.

Well, what do these hon. gentlemen do to-day? Instead of preserving the Constitution, they change it and indeed destroy it, by granting to Upper Canada preponderance in

⁶⁹ Robert Christie wrote the six-volume *A History of the Late Province of Lower Canada*. *A History of Canada* was written by William Smith in 1815.

⁷⁰ [Robert Christie, A History of the Late Province of Lower Canada, Volume III \(1850\), p. 6.](#)

⁷¹ [Christie, A History.... Volume V \(1854\), p. 289.](#)

this representation. I prove this by citing the following extract from [the speech of the Hon. Minister of Finance \(Hon. Mr. Galt\):—](#)

Now it became necessary to introduce into the constitution of the Lower House the principle of representation proportioned to population; for without that, Upper Canada, who has so long demanded this reform, would never have consented to enter into the Confederation.⁷²

If Upper Canada would never have consented to enter into the Confederation without representation by population, then she has obtained it, as she has consented to enter the Confederation; and why say that that measure has not been conceded? In conclusion, I affirm that the proposed Confederation of the provinces is only a Legislative union in disguise, and I will cite the language made use of a short time ago by a man well known throughout the country for his talents and his eloquence, at a meeting, held in the city of Montreal, to condemn the Ministerial scheme, that the present Confederation is but the chrysalis of a Legislative union, and that the butterfly would not be long in making its appearance.

Some Hon. Members—*Cheers.*

James O'Halloran [Missisquoi]—Before proceeding, Mr. Speaker, to offer a few observations on the resolutions in your hands, I may say that if I had any hesitation in pronouncing on the merits of this scheme, I might have taken a preliminary exception to the jurisdiction of this House to pass this measure. You, sir, and I were sent here to make laws, not legislatures.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—We were sent here to work out the Constitution of this country—not to undermine and destroy it. There is not an elector from Gaspé to Sarnia, however humble he may be, who has not just as much right to pronounce upon this question as you and I have. Therefore, if it were my wish to shirk this question, which it is not, I

could justify myself by saying it was no part of my mandate, or of the compact between me and those who sent me here. When we assume the power to deal with this question, to change the whole system of Government, to effect a revolution, peaceful though it be, without reference to the will of the people of this country, we arrogate to ourselves a right never conferred upon us, and our act is a usurpation.

But I rise not for the purpose of discussing this scheme in detail, as it has already been discussed so fully—and I cannot possibly say much which may not already in substance have been said, and much better said than I could expect to say it—but I rise to record my protest against the usurpation which this House, in my humble opinion, is guilty of in undertaking to pass this measure, or, so far as in its power lies, to impose upon the people of this country a Constitution contrary to their wishes—a Constitution which they will never have an opportunity of seeing, until they are called upon to submit to it and obey it. I rise to protest also against this parliamentary gag by which the attempt is made to suppress free discussion in this House, and to compel it to adopt against its will, or against its reason and judgment, a measure with which, perhaps, a very large number of the honorable members of this House have no real sympathy.

It is no answer to me to say that I may express my views freely—that I may fully discuss this question. It is no answer to say that I have the privilege of pointing out the defects of this measure, if I am denied the privilege of obtaining the sense of this House, and of putting on record what I may consider its objectionable features—if I am denied the right of submitting to the House substantive motions and resolutions, which might perhaps meet the sense of the majority of this House, and which at all events would afford to the people of this country the opportunity of knowing the views of the honorable members of this House upon possible amendments which might be proposed to this measure.

⁷² [Alexander Galt, Speech at Sherbrooke \(Nov. 23, 1864\), p. 10.](#) Wording doesn't match in either language. *Supra* footnote 68.

At an early period of this session, I gave notice

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of substantive resolutions which, however little they might have met the sense of the majority of this House, express the views of a large majority of my constituents. It would interest them to see how far those views met the approbation of the representatives of the people here; it would interest them to know how far honorable gentlemen from Upper Canada are prepared to go to insure to the English speaking minority of Lower Canada those rights and liberties which they claim for themselves; it would afford us some criterion by which we might measure the degree of protection we should find in the Federal Parliament, from possible oppression in our Local Parliament.

For if honorable gentlemen from Upper Canada, on the floor of this House, will not hear us today, if they manifest an indifference to the injustice about to be inflicted upon the English speaking inhabitants of Lower Canada by the proposed Constitution, what guarantee have we that similar selfishness may not mark their conduct after we shall be powerless to rebuke it?

I will read those resolutions which I had designed to propose, for the purpose of obtaining the opinion of the House on a modification of this measure, which, if it must be adopted, might possibly have been so amended as to remove many serious objections now entertained to it by a large portion of the people of Lower Canada. They are in these words:—

Resolved, That assuming the Federal system of government to be a political necessity in a union of the British North American provinces, any Confederation of those provinces which ignores the difference of race, language and religion of the inhabitants of the respective states or territories sought to be thus united, and is not framed with a view to secure to the inhabitants of each such state or territory the management of their own local affairs, in accordance with their own peculiar views and sentiments, is unwise and inexpedient, and not conducive to good government, or to the peace and tranquillity of

those for whom it is framed.

This resolution I put forth simply for the sake of showing the idea which I had in my mind, without, I am free to confess, any expectation that the particular modification which I was about to propose would meet the sense of the majority of this House, but as giving an indication of the direction in which the English-speaking inhabitants of Lower Canada would consider that their interests might be best preserved. The second resolution I designed to propose is as follows:—

Resolved, That with a view to secure to that portion of the inhabitants of Lower Canada speaking the English language, the free exercise and enjoyment of their own ideas, institutions and rights, in any proposed Confederation of the provinces, Canada should be divided into three civil divisions, to wit: Western, Central, and Eastern Canada.

Why it is that objection is made to a legislative union? The reason why so large a portion of the people of Lower Canada of French origin will not consent to a legislative union, is the very reason that makes it desirable to the English speaking population of Lower Canada. We are in favor of a legislative union. We desire that Canada should be a united people, ignoring sectionalism, and basing our institutions upon one broad principle of Canadian nationality, which shall blend all races, and in time obliterate all accidental distinctions of language, religion, or origin. Our French-Canadian fellow-subjects will not consent to this. If they will not hear our arguments, let them listen to their own. If Federalism is necessary for the protection of their rights, it is necessary in a tenfold degree for the protection of the rights of the English speaking minority.

They tell us we may rely upon their well-known liberality and toleration. We cannot consent to hold our liberties by mere sufferance, when we are entitled to hold them by right. It would be unworthy of us to submit to such humiliation. In these remarks which

are forced from me, and which I am compelled to make in defence of the rights and liberties of those who sent me here, I mean no disrespect to those of another origin—to the French-Canadian honorable gentlemen whom I see around me.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—In many respects I sympathise with them, and have always sympathised with them. I desire to live among my French-Canadian fellow-subjects in peace. I desire to maintain those amicable relations which have always subsisted between the English-speaking and the French-Canadian populations of Lower Canada. As I said before, I sympathise with my French-Canadian fellow-subjects in many respects. I respect their character, I admire their laws.

But this antagonism is not courted by me. It is forced upon me. Let me call the attention of honorable gentlemen, more especially of those from Upper Canada, to the position in which this proposed Constitution now before the House would place the English-speaking people of Lower Canada. I may say at the outset, that although they number only one-fourth of the population, they possess at least one-third of the property,

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and pay one-half of the taxes. The French-Canadian differs very materially in many respects from the Englishman, or the Anglo-Saxon. He is simpler in his habits, more frugal in his mode of life, and less disposed to novelty. He is content to ride in a carriage of the same fashion as that of his grandfather. He is wedded to his institutions, his old customs, and old laws.

It is different with the English-speaking people. They are, as a people, more extravagant, more eager for novelty, and in

many other respects widely different from the French-Canadians in their tastes and habits. Of course a comparison would be invidious, and I do not desire to institute one. But I am not at liberty to ignore the facts. Let us see how, under this proposed Constitution, the English-speaking people would be placed in reference to their peculiar interests and their peculiar ideas.

In the first place, I would desire to direct your attention to the [14th resolution](#)⁷³, by which it is provided how, especially after the local governments are established, the Legislative Council of the General Government is to be constituted—by its members being appointed by the Federal Government on the nomination of the respective local governments. We must bear in mind that in this Local Legislature which will be imposed on Lower Canada, the English element will not certainly be more than one-fifth in number. Under these circumstances, and under the peculiar provisions with reference to the powers granted to the local governments, by which the legislative councillors are to be appointed by the General Government on the recommendation of the local governments, and in the case of Lower Canada, when its Local Government will be four-fifths French-Canadian and only one-fifth of English origin, think you how many English members from Lower Canada would ever find their way to the Legislative Council?

How would it be possible, when the Legislative Council is to be appointed on the recommendation of the Local Government, and that Local Government four-fifths French-Canadian, for the English element to obtain fair representation in the Legislative Council? When, I say, would an English-speaking inhabitant of Lower Canada ever receive such a recommendation, unless he approved

⁷³ [Quebec Resolution 14](#), which reads in full, “*The first selection of the Members of the Legislative Council shall be made, except as regards Prince Edward Island, from the Legislative Councils of the various Provinces so far as a sufficient number be found qualified and willing to serve; such Members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective Local Governments, and in such nomination due regard shall be had to the claims of the Members of the Legislative Council of the opposition in each Province, so that all political parties may, as nearly as possible, be fairly represented.*”
Supra footnote 9.

himself more French than English?

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—Again, by [the 23rd resolution](#), it is provided that “the Legislature of each province shall divide such province into the proper number of constituencies, and define the boundaries of each of them.”⁷⁴ How easy would it be, under the provisions of that clause, for the Local Legislature to snuff out one-half of the English constituencies in Lower Canada? They might arrange their bounds in such a manner that the English-speaking element would be confined within very narrow limits. There would be a few constituencies left entirely English, but the English population would thus be deprived of the influence which their numbers and wealth should give them in the Local Legislature.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—Again, the Local Legislature will have power to alter or amend their Constitution from time to time. We to-day may frame a Constitution—the English-speaking majority in this House may frame a Constitution which would give proper protection to the English-speaking population of Lower Canada. But, by this scheme it will be in the power of the local legislatures to change that, and to modify it so as to suit it to the wishes or prejudices of the French majority.

We would be powerless, after we leave these halls, any longer to conserve our rights, and the privileges which this Parliament might give us may be taken away at the very first session of the Local Legislature. Then look at the powers which, under this Constitution, are conferred on the Local Government. The first I find is the power of direct taxation. In the case of all governments, the power of taxation is the most important power they can possess. It is that which concerns all portions and all classes of the community, and which gives rise to the greatest controversy, and the greatest amount of difficulty.

It is the most important of all legislative

powers, and this power is to be conferred on the Local Legislature of a province, where one nationality has four-fifths of the numbers, and the other nationality contributes one-half of the taxes. Then the Local Legislature is to have the control of immigration—a very important subject, which deeply interests the English-speaking population of Lower Canada—but they would have no voice in framing the measures which might be adopted for directing and controlling that important matter.

Then the Local Legislature is to have the control of education. And what subject can there be of greater importance? And what subject is there which might be a source of greater strife between the two nationalities; which by this provision would be brought into antagonism? Even under our present system, with sixty-five Upper Canadian English-speaking members, who would naturally

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be expected to sympathise with the English-speaking people of Lower Canada, it is a crying grievance with the latter that they cannot get such legislation on the subject of education as they desire. What, then, would they have to expect if they went into a Legislature where four-fifths of the representatives were of a different nationality and a different religion, and whose prejudices and interests were in opposition to the claims of the one-fifth minority?

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—[Then the Local Legislature is to have control](#) of “the establishment, maintenance and management of hospitals, asylums, charities, and eleemosynary institutions.”⁷⁵ Now it is a positive fact, as I have stated before, that the English-speaking population of Lower Canada, on account of their wealth and expensive mode of living, their extravagant habits, their desire for change and progress,

⁷⁴ [Quebec Resolution 23](#), *Supra* footnote 9.

⁷⁵ [Quebec Resolution 43 \(10\)](#), *Supra* footnote 9.

their different ideas generally from the French-Canadians, consume more than one-half of the dutiable goods that are brought into this country, and pay one-half of the taxes; and yet the money which they would pay into the public chest would be distributed by a majority over whom they had no control—a majority who would not in any manner sympathise with them; and their taxes would be applied to objects which they might not deem desirable—which they might, perhaps, consider detrimental to their interests. And they would be completely without remedy, should this proposed Constitution unfortunately be imposed upon them.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—It is painful to me to be compelled to refer to these matters. It is not with pleasure that I bring before the House the antagonism which would inevitably arise between the two nationalities, should they be brought together into one Legislature, with such a vast disproportion between their means of taking their own part. We are told, and told very truly—I rejoice that it is the fact—that hitherto the two races in Lower Canada have lived in peace.

But it would be impossible that they could any longer live in peace; it would be impossible that with such a disparity of numbers, and with such antagonistic interests, they should not come into conflict. It would be a constant warfare, and this new Constitution, instead of settling the sectional difficulties in this country, instead of bringing peace to this country, instead of removing jealousies and heart-burnings would have the very opposite effect. From the fact that the field of conflict would be smaller, that the arena would be more circumscribed, the strife would be all the fiercer. You are not bringing peace, but a sword.

Some Hon. Members—Hear, hear.

William Powell [Carleton]—Does the leader of the Opposition in Lower Canada assent to that?

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—It is not my province to inquire what any hon. gentleman assents to or dissents from. What I have to do is to see that the interests of those who sent me here are not put in jeopardy. And it will be for the leader of the Opposition to see that he too, on his part, faithfully discharges his duty to those he represents. But, sir, the English-speaking people of Lower Canada are to be amused, and their attention is to be diverted from a full examination of those serious matters which press themselves upon our consideration, by cleverly drawn abstractions and sophistries, such as new nationalities—union is strength—a great empire—and the other plausible pretexts that are attempted to be imposed upon them. It would be easy to refute and show how baseless are all these schemes of greatness with which the people of this country are sought to be misled.

We are gravely asked: “What man would remain poor, when he could at once become rich? What man would remain weak, when he could at once become powerful? Who would be diminutive, when by merely taking thought he could add cubits to his stature? What people would continue to be a mere colony, when by the stroke of a pen they could at once become an empire, under a new nationality?” Sir, these sophistries will not impose upon the people of this country.

Where is the demonstration furnished us that by this scheme you would add one dollar to the wealth of this country, or one human being to its inhabitants, or one inch to its territory? We do not find it afforded during the course of this debate. I have listened attentively to the arguments in favor of the scheme, but no attempt has been made to demonstrate these things. It has been repeatedly stated that we are about to consolidate the strength of this country, in order to resist invasion; but I should like to know in what manner such an end is promoted by this measure. Are we not already united under one Government? Are we not already living under the control of the same

executive power? Do we not fight under the same flag, and pay allegiance to

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the same Sovereign? Is not every man in Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island just as much under the control of the head of our Government as the inhabitants of this province?

It is all sophistry this idea that we are going to increase the strength of this country by the proposed union with the Lower Provinces. An attempt is made to alarm us by sensational rumors about invasion, and it is stated that we must put forth every possible strength to save ourselves from being swallowed up by the neighboring republic; and we are gravely told that through the action of a number of self-constituted delegates assembled around a green table, and adopting certain resolutions, the whole of the physical laws relating to our country are to be changed. Newfoundland and Prince Edward Island are to be brought up into Lake Ontario, and the whole of our territory is to be compacted, consolidated and strengthened.

Our extended frontier is no longer to be exposed to attack, and, if attacked, will be much more easily defended. Is not this the most absurd sophistry? Can paper resolutions change the laws of nature, or modify the physical geography of the country. Will not Newfoundland be as isolated from this province after Confederation shall have been adopted, as it is to-day?

I think, sir, it is generally admitted that Canada is unequal to the defence of its own frontier against invasion from the only quarter from which it is apprehended. It is also admitted that the Maritime Provinces are alike unequal to the defence of their own frontier. By what process then will you demonstrate to me, that by adding the frontier of the Lower Provinces to that of Canada, and by adding the

force of those provinces to our own, there will not be the same defencelessness as at present? Will there not be the same disproportion between the defensive power and the object to be defended?

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—Mr. Speaker, in the first place I perceive no immediate necessity for those constitutional changes. I think that our present Constitution is ample for the wants of the people of this country, and that all the difficulties, either real or imaginary, under which we labor, might be solved within the limits of our present Constitution. I consider all our difficulties to be merely sectional, arising neither from differences of religion, of origin, of language, or of laws.

On examination it will be found that they are merely fiscal difficulties, and that they arise from the fact that our General Government does not confine itself to the true end and object of its existence. Do away with your local grants, and your absurd system of compensating for one improper expenditure by the creation of another. Let there be no expenditure for merely local purposes, or for purposes that do not properly come within the functions of the General Government.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—By what rule of right, for instance, are the inhabitants of Upper Canada called upon to pay for the redemption of the seigniorial tenure of Lower Canada; and what right has Lower Canada to be called upon to meet the extravagant municipal indebtedness of Upper Canada? If our difficulties arise from differences of language and races, how comes it that the English-speaking people of Lower Canada have so long harmonized and sympathized with the extreme [Ultramontane](#) party of Lower Canada⁷⁶?

⁷⁶ [Ultramontanism](#) refers to a Catholic clerical bias in Lower-Canada toward maintaining a role for the Church of Rome and the Papacy (i.e., beyond the Alps) in the state than post-revolutionary France which removed the Church and the French monarchy from it. Since ultramontanism resisted progressive secular forces in Lower Canada, it often found allies with Governors and other English elites that saw an important role for the Church and social order.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—I think you cannot find any reason for it, except on the supposition that they remain united for the purpose of maintaining their sectional power and influence, under a system by which the common exchequer is deemed a legitimate object of public plunder. Each section seems to have always regarded the public chest as fair game; and it is undeniable that Lower Canada has generally had the best of it. These things caused dissatisfaction in the minds of people from other sections of the country, and they undertake to form combinations for the purpose of obtaining from the public chest similar undue advantages.

The remedy for this state of things is to deprive the Legislature of the power to make grants for local objects. Let there be no revenue collected more than is absolutely necessary for the general expenses of the country, and let it be distributed for those general purposes with due economy, and we shall hear nothing more of sectional difficulties.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—Mr. Speaker, in connection with this same idea, I find in my own mind another very important consideration connected with the administration of the government of our country. It has now, I believe, ceased to be a crime to "look to Washington." Not long ago, the term "looking to Washington" was one of reproach. But that time has passed away, and our friends on the other side of the

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House have not only looked to Washington, but absolutely gone there, and imported the worst features of the republican system for incorporation in our new Constitution. While they were doing this, I regret very much that they did not import from Washington, or from some other parts of the United States, their ideas of economy in the administration of the fiscal affairs of the country.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—I regret

they did not import from that country a very important principle prevailing there, to the effect that the Government of the day shall impose as few burdens upon the people as possible To-day, sir, we are paying the man who stands at that door to admit you to this chamber a greater annual salary than is paid to the Governor of the State of Vermont.

We are paying the man who stands in that corner with his paste brush to wrap up our papers, more than the indemnity allowed to a United States senator. We pay the Governor General a greater allowance than is received by the President of the United States of America. We are the most heavily taxed people, and pay larger salaries for the work performed, in proportion to our resources, than any other people in the world.

John A. Macdonald [Kingston, Attorney-General West]—We pay ourselves well too.

Some Hon. Members—*Laughter.*

James O'Halloran [Missisquoi]—It has been said, and it seems to be thought a strong argument in favor of this scheme, that we must do something; that our affairs cannot with advantage go on in the same channel in which they have been doing; and that there is a necessity for some change. It is made a complaint that legislation is obstructed by party strife, and that the country suffers for the want of new laws. Sir, if there is one vulgar error in political economy more false and unsound than another, it is that the prosperity of any country depends on the amount of its legislation. We have, as a general thing, too much legislation. If I may use the term, we are legislated to death. And when I have seen bills pouring into this House by the hundred at every session, I have said to myself:—"What, in Heaven's name, will become of this country if all these bills should, by any possibility, ever become law?"

Some Hon. Members—*Laughter.*

James O'Halloran [Missisquoi]—The idea seems to prevail, that in this country even the grass cannot grow unless its growth is regulated by an Act of Parliament. No change in the Constitution of this country will remedy

the difficulties of which you complain, for they have their source within ourselves. It is honest, economical administration you require, not legislation, or a change in our form of Government.

“‘Bout forms of government let fools contest,
That which is best administered is best.”⁷⁷

You may remove your seat of government to Ottawa, and increase your Legislature from 130 to 194 members, but you will find the same difficulties under any system of government which you may adopt, so long as you continue extravagant sectional expenditure. Those difficulties will still meet you in the face, so long as the legislature or legislatures of the country are permitted to exercise functions that do not properly belong to a general government; so long as you refuse to compel localities to meet their own local expenditure by local means, you will find the same causes producing the same effects in Ottawa as in Quebec. *Coelum non anima mutant qui trans mare currunt*. (You but change your skies by the proposed constitutional changes.)

I remarked, at the outset, that I must deny to this House the right to impose on this country this or any other Constitution, without first obtaining the consent of the people. Who sent you here to frame a Constitution? You were sent here to administer the Constitution as you find it. Throughout the length and breadth of British North America, there is not one other government that has dared to arrogate to itself the right of changing the Constitution of their people without consulting them, except ours. I am surprised, sir, that even this strong Government of ours have dared to assume this power, when, sooner or later, they must go before the people of the country.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—There comes to my hand, this evening, a resolution

proposed by the Honorable Attorney General of Newfoundland in the Legislature of that colony. It is instructive as showing that there was one uniform sentiment, throughout all the Lower Provinces, in favor of submitting the question to the people it was so submitted in New Brunswick—it met its fate⁷⁸.

It is now about to be submitted to the people of Nova Scotia. The Administration of this province have been wiser in their generation than those of the Lower Provinces. They did not dare to submit it for the consideration of the people—a course which, if not exhibiting wisdom on their part, shows, at the least, that skill and craft in public matters for

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which most of them have become famous.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]— [The resolution I have referred to, and which embodies the policy of the Government of Newfoundland on this question](#), is as follows:—

Resolved,—That having had under their most serious and deliberate consideration the proposal for the formation of a Federal union of the British North American Provinces, upon the terms contained in the report of the Convention of delegates, held at Quebec, on the 10th of October last—[the despatch of the Right Honorable the Secretary of State for the Colonies, dated December 3rd, 1864](#)⁷⁹—the observations of His Excellency the Governor in relation to this subject in his opening Speech of the present session—and the report of the Newfoundland delegates—this committee are of opinion, that having regard to the comparative novelty and very great importance of this project, it is desirable that before a vote of the Legislature is taken upon it, it should be submitted to the consideration of the people at large, particularly as the action of the other provinces does not appear to require that it should be hastily disposed of, and as (the present being the last session of this Assembly) no unreasonable delay can be occasioned by this course; and they, therefore, recommend that a final determination upon this important subject be deferred to the next meeting of the Legislature.⁸⁰

⁷⁷ This appears to be O'Halloran's own poem.

⁷⁸ *Supra* footnote 15.

⁷⁹ [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\)](#).

⁸⁰ [Newfoundland, House of Assembly \(Feb. 14, 1865\). "House of Assembly," *The Newfoundlander* \(Mar. 16, 1865\)](#).

Some Hon. Members—Hear, hear.

An Hon. Member—That is the report of a committee.

James O'Halloran [Missisquoi]—Yes, it is the report of a committee; but it was submitted to the Legislature by the Hon. Attorney General as the policy of the Government. Of course, if the resolution is not carried in the Legislature, then the scheme is doubly defeated. In this little, petty province, whose interests, as compared with ours, are of trifling importance in relation to the scheme, the Government considers that the question is one of sufficient moment to demand that before the slightest action is taken upon it by the Legislature, the people should be consulted; but in this large province, with its comparatively large population, and with important interests to be affected, the scheme is to be hurried through without allowing the people to have a voice in the matter, or even to have time for its consideration.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—They are to have no voice in determining what kind of government they and their children are to live under for years to come. Mr. Speaker, I know very well that it is a bold declaration for me to make, that this Parliament has no right to deal with this question; but, sir, I make it not hastily nor unadvisedly, because I defy honorable gentlemen to find a precedent for their proposed action in any free country under similar circumstances.

We are not living to-day in a time of revolution or of great emergency; but, even if our circumstances were different, I doubt very much if any of the precedents that have been referred to, as having occurred many years ago and in troublous times, could again be practised or adopted, even in England, from which country we draw all our precedents. The precedents which have been invoked in approval of the course that has been adopted by the Government prove too much. If they

form a justification for the course we are pursuing, then you might prove by the same means that this House had the power to perpetuate its existence beyond the limit fixed for the termination of the present Parliament, or vote ourselves members for life.

We might just as well constitute ourselves life members of the Federal legislature of the proposed Confederacy, as to take the action that is contemplated. I know that it is represented as very important that the measure should be carried into immediate operation; but that is a mat term of mere expediency, and has nothing to do with constitutional principles.

Some Hon. Members—Hear, hear.

James O'Halloran [Missisquoi]—[The Irish union](#)⁸¹ has been triumphantly referred to as a precedent for this measure. To my mind it is a most unfortunate one, and little deserving of our imitation. Let me show you how this matter has been regarded by one, whose authority will not be disputed. I read from [May's Constitutional History of England, page 505 of the 2nd volume](#). Speaking of the union of Ireland with England, he says:—

A great end was compassed by means the most base and shameless. Grattan, Lord Charlemont, Ponsonby, Plunkett, and a few patriots, continued to protest against the sale of the liberties and free Constitution of Ireland. Their eloquence and public virtue command the respect of posterity; but the wretched history of their country denies them its sympathy.⁸²

This, sir, is the judgment of the impartial English historian upon the means by which this great national crime was consummated, and it is the just encomium on the noble few whose patriotic efforts failed to prevent it. I read it, in anticipation, as the future history of the wrong now about to be perpetrated on the people of this country; and while it implies, on the one hand, in no doubtful terms, the well-merited praise of

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⁸¹ [Union with Ireland Act 1800 \(U.K.\) & Act of Union \(Ireland\) 1800 \(Ireland\)](#).

⁸² [Thomas Erskine May, The Constitutional History of England, Vol. II \(1863\), p. 505.](#)

the small band who stand here to-night for the rights of the people, in opposition to this scheme, it pronounces, on the other, the just condemnation of those who trample on those rights, and who forget, in the pride of their brief authority, who it was that raised them to the positions they occupy, not that they might coerce, but carry out the will of the people, the only rightful source of all political power.

Some Hon. Members—*Cheers.*

John S. Ross [Dundas]—I will not attempt to address the House at any great length at this late hour of the evening, as I think it very desirable that this debate should be brought to a close at as early a day as possible; and believing that that is the prevailing opinion in this House, I shall endeavor to be as brief as I can. The hon. gentleman who has just taken his seat has referred to one matter on which I shall not at present say anything, on which I shall not commit myself. I suppose that it will be very well understood what I refer to, without my alluding to it more particularly.

But there was another statement which he made—that there was no necessity for any change—on which I shall dwell shortly. An endeavor to show that there was a necessity for a change. It must be in the recollection of every hon. member in this House that one year ago affairs were in such a state—such difficulties presented themselves, that legislation was becoming almost impracticable. No better proof of this could be desired than that the Government of the day found themselves so surrounded with difficulties in the House, that they declared themselves unable to carry on the administration of the affairs of the country in a satisfactory manner. Now, why should a Government possessing so much talent and ability as that Government did, make that declaration, if there was no necessity for it?

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—If you had voted with us, it would have been all right.

Some Hon. Members—Hear *and laughter.*

John S. Ross [Dundas]—Although I always entertained a very high opinion of the honorable gentleman who was Premier of that Government, I differed from him politically. Then, Mr. Speaker, there is another matter to which I shall refer, to show that this House did acknowledge that there were difficulties in the way. A [motion was made by the honorable member for South Oxford \[George Brown\]](#) for the appointment of a committee on constitutional changes. [That committee reported to this House](#), and I will just read the last paragraph of [that report](#) in support of what I have said:—

A strong feeling was found to exist among the members of the committee in favor of changes in the direction of a Federative system, applied either to, Canada alone, or to the whole British North American Provinces, and such progress has been made as to warrant the committee in recommending that the subject be again referred to a committee at the next session of Parliament.⁸³

Now, this was signed by twelve gentlemen, and among them I find the honorable member for Chateauguay [Luther Holton], who then declared that there was a necessity for some change. I think, Mr. Speaker that this clearly shows that the matter was not brought upon us in a hurry, that the scheme now before us is a subject which has been looked forward to for some time. When we refer to that period, we find that the Government of the day placed their resignations in His Excellency's [Viscount Monck] hands, a new Government was formed⁸⁴ which met the House on the 3rd of May, and on [the 14th of June they were defeated](#)⁸⁵. At that time, I believe, they had

⁸³ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

⁸⁴ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864).

⁸⁵ The administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight –

obtained from His Excellency [Viscount Monck] permission to dissolve the House. An effort was made, however, to effect a change in the Administration, in order that it might command a majority of this House, and be enabled to carry out the business of the country.

After some time, a reconstruction was effected, and in [the programme which the present Government adopted](#)⁸⁶, they did announce that they would take up this question, and that when they met the House the next session, they would be prepared to lay before the House a measure for the purpose of removing existing difficulties, by introducing the Federal principle into Canada, coupled with such provision as will permit the Maritime Provinces and the North-West territory to be incorporated with the same system of government.

If there were objections to a change, why were they not made at that time? Did not the House commit itself, then, by receiving it without any objection? Hence I think that the Government pursued a manly, straightforward course in coming down and announcing what their scheme was; and whether that scheme is a good or a bad one, they have redeemed their pledges; they have met this House with a scheme for the Confederation of the British North American Provinces.

Some Hon. Members—Hear.

John S. Ross [Dundas]—Whether this scheme is all that we could desire or not, is perhaps a matter on which

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we shall not be unanimous. I for one, ever since I have thought anything about politics, have always looked forward to the time when such a scheme as this might be carried out. I

have been an advocate of a legislative union. I think that is the correct principle, but I am not ashamed to say that I am open to conviction, and in dealing with a gnat question like this we must not expect to have everything to meet our own views; we must be prepared to make concessions, and take the best we can get.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—We know the hesitation with which the Constitution of the United States was accepted; that Washington—the father of that great country—expressed himself, as well as many other eminent persons, against it, but accepted it as the best that could be had. We find the same expressions falling from the gentlemen of the Conference which prepared this measure. They believe that it was the very best that could be had under the circumstances.

Some Hon. Members—Hear.

John S. Ross [Dundas]—Now, if we look for one moment at the work of the Conference which met here in Quebec, whether the scheme is what we all could desire for the benefit of the country or not, we must admit that the gentlemen who composed that Conference were men of ability, men of mind, men who have for years been the guiding spirits of public affairs.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—And the honorable gentlemen from the Lower Provinces stand in their respective provinces equally high with those who represented Canada, and I am ready to believe that the delegates who composed this Conference approached the question in a spirit of the truest patriotism, with the honest endeavor to settle the difficulties of the country, and in the hope that the scheme would be acceptable to the people, and be the means of bringing us together, and consolidating and building up in this part of

an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton’s *The Road to Confederation* \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\)](#), pp. 387-390. Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\)](#), pp. 205-206.

⁸⁶ See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\)](#), pp. 205-206.

the glorious Empire, a government that would be lasting and stable.

Some Hon. Members—Hear, hear, *and cheers*.

John S. Ross [Dundas]—And, Mr. Speaker, I think there has been nothing that has proved more acceptable, or that has been better received by the people of the country.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—So far as I am concerned, I took the opportunity of bringing the subject before my constituents, and when I read [the first clause of the resolutions](#)—“The best interests and present and future prosperity of British North America will be promoted by a Federal union under the Crown of Great Britain, provided such union can be effected on principles just to the several provinces,”⁸⁷ sir, it met with their hearty cheers.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—Although I have not the honor to represent one of the largest constituencies in Upper Canada, yet I represent one that I am proud of—the people of the good old county of Dundas are sound at the core; they do glory in British connection, and nothing would induce them to support me or any other representative who would give an uncertain answer to the question of whether we should retain that connection or not.

Some Hon. Members—*Cheers*.

John S. Ross [Dundas]—Sir, I believe that the time is upon us, when we look at the surrounding difficulties, for us to make some change, and there is an uncertainty in the minds of Canadians at present that we ought to get rid of, and the sooner we approach the subject the better. The sooner we find out that we have a great future to establish, that we have a country here of which we may feel proud and rejoice in, I think, sir, the sooner

that state of things is brought about the better.

Some Hon. Members—*Cheers*.

John S. Ross [Dundas]—Not only in a Canadian point of view is this desirable, but also for the sake of our position alongside of our neighbors, with whom, I am sure, we all desire to remain at peace, if they will only leave us in quiet amongst ourselves. That is all that we desire, but at the same time it is well that these people should understand that we have no desire whatever, not the most remote intention, of connecting our destinies with theirs.

Some Hon. Members—*Cheers*.

John S. Ross [Dundas]—Now, Mr. Speaker, it is said that this matter is new, and that it is forced upon us. I recollect reading, some years ago, and most able [letters written by Hon. Mr. Howe, of Nova Scotia, addressed to Lord John Russell](#)⁸⁸, to show how necessary this union was.

Thomas Parker [Wellington North]—I would like to ask the honorable gentleman if those letters were not in favor of a legislative union.

John S. Ross [Dundas]—I think they were; but I believe that if he—the writer of them—had found himself at Quebec as one of the delegates, he would have done just as they did. Again, I find that at another time in our country, [in 1849, in the city of Kingston](#), one hundred and forty gentlemen, chosen by the people—the ablest and foremost men of the country, and presided over by a gentleman who has since left this state of action—a gentleman of high mind, and universally respected—I mean the late Hon. George Moffatt—that organization, the British League, acknowledged that to lay a basis for the future of this country, a union of the British North American Provinces was essential⁸⁹.

Some Hon. Members—*Cheers*.

John S. Ross [Dundas]—If I had time, sir, I

⁸⁷ [Supra footnote 9.](#)

⁸⁸ [Joseph Howe, Letters to Lord Russell \(Sep. 18, 1839\).](#)

⁸⁹ The British American League met in Kingston from Jul. 26-Jul. 31, 1849. [Minutes of the Proceedings of a Convention of Delegates of the British American League \(1849\)](#). See also their second convention, later in 1849, in Toronto in [Minutes of the Proceedings of the Second Convention of Delegates of the British American League \(1849\)](#).

could show that at several

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periods in the House of Commons, the union of these provinces has been spoken of as what must eventually take place. And since the subject has been under discussion in this country, I have read with the greatest satisfaction, in the press of the United States, articles showing the advantages of this union; and in particular one very able article in the *Chicago Times*⁹⁰, in which the writer pays the people of this country a high compliment for the foresight with which they are seeking to protect their interests in the future.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—There are other authorities to which I could refer to show the advantages of a union of these provinces. Whether Legislative or Federal unimportant—union is strength, and union is desirable if we expect future growth and greatness. I think the arguments are in favor of a legislative union. When we approach the subject fairly, we must acknowledge that it is not reasonable to suppose that the people of the Lower Provinces should prefer a Federal to a Legislative union.

I can quite understand why they appreciate the advantages of the local parliaments; to ask them to give up their whole machinery of government, and to place themselves in the hands and at the tender mercies of a people who would have the commanding influences in the legislation of the country, and with whom they are comparatively little acquainted, would be asking rather too much. There is also some reason to fear why a legislative union would be too cumbersome.

Many think that too much of the time of the Legislature of the country would be taken up with the local business of the different sections of the province. I believe, after this machinery has been well in operation, and after we have become better acquainted with each other, that we shall find we can work together, and that

this has been a movement in the right direction, by bringing together the people from all parts of the country. We shall find that our interests are better understood, indeed that they are one; it will be the more easily to do away with the local parliaments, and to merge them all into one.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—Then, sir, there will be this advantage from the present scheme—we shall have the machinery for governing the whole country in existence; and it will be easy for those who desire it—if in the wisdom of the people who will be living under the institutions of the country at that time, it is thought desirable—the necessary machinery will be in existence for consolidation, and the change will not be of that radical nature that it would be at the present moment. Take another view of the case, which I believe will be borne out by the facts; if we are united—if we show to the world at large that we have resolved upon a more enlarged sphere of existence for the future—the population of this country will increase to such an extent, that there will be work enough for the local governments as well as for the General Government.

I think, also, that the system will have the effect of inducing, on the part of the local administrations, a spirit of emulation in the way of conducting their respective governments as cheaply and as economically as possible. I have no doubt, too, that when the local parliaments are once established, the people will see the advantage of material changes in the municipal institutions of the country; those institutions being to a greater degree subordinated to the local governments. At all events, these are all matters for future consideration, and possibly for future action.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—I shall now, Mr. Speaker, refer briefly to the question of Confederation in a commercial point of view. It is stated that in this respect no benefit will accrue to the country—that there will be no

⁹⁰ *Chicago Times*. Unconfirmed reference.

increase of trade between the provinces. But I ask this House to look at the matter in this light—and I am sorry to say that we have good reason for so viewing it—there can be no doubt of the fact.

The United States have given notice of the abrogation of the [Reciprocity treaty](#)⁹¹, and there is too much cause for the apprehension that the bonding system will also be done away with. Well, if we are cut off from all these facilities and advantages, what is our position? We are cut off from the ocean for six months of the year, and in this respect our position of dependency on a foreign power is a most humiliating one.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—The construction of the Intercolonial Railway has been insisted upon as a commercial necessity, and although it may be an expensive work, I think the time has come when it must be built. I may briefly state my own position in regard to that undertaking. When the appropriation was brought up for the Intercolonial Railway survey, so strongly was I opposed to that scheme at the time that I voted against it. But, as I have already stated, I now see the necessity for it. I believe the time has come when this railway should be constructed.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—I hope it will be constructed in a proper and economical manner, and, when it is built, I believe that in a commercial point, our position will be greatly improved.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—It is impossible for any honorable gentleman to show that by means of that railway no increase of trade will spring up between the

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different provinces. Western Canada is decidedly an agricultural country; it has a large surplus of grain, and it must find an

outlet for it. Shut out from the United States, and deprived of winter communication, where are we to go? To store and house it throughout the winter months would be a great cause of loss. It is said that the export of grain during the winter is not profitable. But do not the United States ship continuously large quantities of flour and products to England and to other parts of the world in the winter season? And what should hinder us from pursuing the same course if we have the Intercolonial Railway?

Some Hon. Members—Hear.

John S. Ross [Dundas]—Hon. gentlemen may attempt to argue that such is not the case, and endeavor to conceal the face; but I firmly believe it to be the policy of the United States to introduce coercive measures, with the view of making us feel that our commercial interests are identified with them, and I believe they will continue that course of policy towards us, not perhaps to the extent of immediate invasion and attempted subjugation, but I fear that their policy will be one of a restrictive kind, so as to make us feel as much as they can our awkward position of dependence. Such, I believe, is their policy. They do not intend immediate invasion, but instead of that, they will, so to speak, put on the screws, in order, if possible, to make us feel that our interest is with them and not separate from them.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—I can very well see and very well understand the meaning of this desire to annex Canada, although many have maintained that such is not their wish. Going back to the early history of the United States, I find that even in the articles of Federation of the United States, it is provided by [the 11th article](#) that Canada, acceding, shall be entitled to participate in all the rights and privileges of the union, whilst they refused to allow any other country to come in unless with the

⁹¹ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

consent of nine states⁹².

The war of 1812, too, evinced a strong disposition on the part of our neighbors to attach Canada. And I believe that the statesmen of the United States, in our own day, are animated by the same far-seeing policy in regard to this country, and that they are now applying a little gentle pressure to make us feel that our interest is no longer to remain isolated from them, but to connect our destiny with theirs.

Not long since I listened to a certain lecture in this city, in which it appeared to me that inducements were purposely and designedly held out for us to connect our destinies with those of the people of the neighboring States. It was said that the great cause of difficulty in the United States was now removed, and that there was no obstacle now in the way of their material and social progress. Well, sir, I acknowledge that they are a great people, and that their advancement has been great; but I fail to perceive that, if true to ourselves, we have not the same advantages.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—At all events, if our advantages are not so great, they are sufficient for all our purposes, and we ought to be satisfied. There is one other consideration to which I desire to allude. When we look at the people who inhabit these provinces, and consider from whence they come and what are their characteristics, that they are a progressive, enterprising and go-a-head people, is it reasonable to suppose that we are always going to remain in this state of uncertainty? Is it reasonable to suppose that we are always to be divided into different provinces, with an imaginary line?

Have we no desire or wish to expand and grow? And, I ask, is it possible that we can hope to attain national greatness in a separate state of existence? I think that the interests of the several provinces should be consolidated.

There is no disputing the resources of the country, so far as territory is concerned. Stretching from the Atlantic to the Pacific, it is ample for the support and sustenance of a great people. I have even heard it said, by persons who are good authority on the subject that they believe the child is now born who will see British North America inhabited by a population of 60,000,000. This may be going too far, but I think there can be no doubt a large increase to our numbers will take place when we shall have given effect to the scheme now in contemplation.

Some Hon. Members—Hear, and cheers.

John S. Ross [Dundas]—The honorable member for Hochelaga (Hon. Mr. Dorion) stated in the course of his remarks that it would be a dark day for Canada should these resolutions be adopted. Mr. Speaker that may be that honorable gentleman's opinion; but I must say that I differ from him entirely. On the contrary, I believe it will be a dark day for the whole country if we cannot agree upon some plan for securing our speedy union.

Some Hon. Members—Cheers.

John S. Ross [Dundas]—The honorable gentleman also stated that the scheme was far too conservative in its character. Well, I can understand why the honorable gentleman should find fault with it on that account, but I confess that that does not trouble me in the slightest degree.

Some Hon. Members—Cheers.

John S. Ross [Dundas]—He declares that it will destroy

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the great Liberal party. I should be sorry to see such a calamity. I have always professed to be a liberal—a moderate man in politics.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—While I would be sorry to see any great party destroyed by this scheme, I would particularly regret to witness the destruction of the great Liberal party.

⁹² [Article 11 of the Articles of Confederation \(1781\)](#), which reads in full, “Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.”

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—I believe, however, that that party will not be destroyed in any such manner. After this great scheme is perfected, we will have parties the same as before. There may be some changes as regards individuals, but I trust that at all events there will still be a great Liberal party.

Some Hon. Members—*Cheers and laughter.*

John S. Ross [Dundas]—Party is necessary for the good government of the country; but I trust that party feeling will not be manifested for the sake of creating divisions and discords, but that all parties will unite to build up a power here which will be felt and respected throughout the world.

Some Hon. Members—Hear, hear, *and cheers.*

John S. Ross [Dundas]—The honorable member for Brome (Mr. Dunkin) made some remarks which it struck me were very singular in their character, but which are a fair instance of the manner he adopts to illustrate and substantiate his views. He quoted from English statesmen and English publications all that could possibly be cited to throw doubt upon the scheme; but the moment English opinion was invoked in its favor, he turned round and declared that English views on Canadian affairs were entirely unreliable.

Some Hon. Members—Hear, hear, *and laughter.*

John S. Ross [Dundas]—As, however, that honorable gentleman is not present, I shall not refer further to his statements. The honorable member for Cornwall (Hon. J.S. Macdonald), for whom I have always entertained the highest respect, said that the cry of annexation had been raised in order to push this scheme through. Well, sir, if I am not mistaken, the honorable member for Hochelaga (Hon. Mr. Dorion) said that this was the very measure to bring about annexation.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—The Premier [Étienne Pascal Taché] stated that we were being driven towards annexation, and that this scheme would stop it.

John S. Ross—I think I have detained the House too long already; and if opportunity presents itself I will claim the indulgence of the House while I refer to one or two other points hereafter.

Some Hon. Members—*Cries of "Go on!"*

John S. Ross [Dundas]—As I said before, I believe the gentlemen who met in Quebec approached the matter in a spirit and with a desire to adopt a Constitution which would be for the good of the whole country. And although I do not entirely concur in the resolutions—although there are some things about them which I would desire to see changed, I shall give them my support as a whole. Take the Constitution of the Upper House for instance—I would prefer rather to see the present system retained; but as the delegates thought fit to change it, I would not feel justified in voting against the whole scheme on account of my objection to one or two items of detail.

Some Hon. Members—Hear, hear.

John S. Ross [Dundas]—We must expect to give up to a certain extent our opinions in order to the attainment of greater benefits than we at present enjoy. I, at any rate, feel it my duty to act in this manner, and I feel also that the honorable gentlemen will deserve the best thanks of the country if the scheme which they have brought down shall be carried into effect. I do hope that whatever may take place—that whatever checks this scheme may meet with—it will eventually be successful, and that Addresses will be passed by the respective legislatures asking Her Majesty to pass a measure giving effect to this scheme. When this Constitution shall have been perfected and ratified—when there shall no longer be any doubts about its containing the principles upon which the government of the country is founded—every true-hearted and loyal Canadian will have cause to rejoice that his lot has been cast in such a highly-favored land.

Some Hon. Members—*Cheers.*

Isaac Bowman [Waterloo North]—as the discussion on this great question appears to be rapidly drawing to a close, I desire to offer a

few remarks upon the scheme of Confederation before voting for it. The question of constitutional reform is not a new one in Canada. It is a question which has occupied the attention of the statesmen, the press and the people of this country for a number of years; and so urgent have been the demands for reform on the part of the people of Upper Canada, that it has been found impossible to form a Government under our present system, for several years past, which could command a majority in the House sufficiently large to carry on the business of the country with success.

The people of Western Canada have, for a number of years, agitated strongly for increased representation in Parliament, the justice of which few will pretend to deny. Owing to the disparity in the population of the two sections of the province, and the manifest injustice which is done to Upper Canada, I am satisfied that some change must be made soon, with a view of establishing

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a more satisfactory system of government.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—The people are so thoroughly in earnest on this question, that I am persuaded they are prepared to give a fair trial to any scheme which offers a reasonable prospect of inaugurating a better and more satisfactory state of affairs.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—There are, in my opinion, two methods by which this may be done. The first is a legislative union between Upper and Lower Canada, based upon representation by population; the second is by a Federal union either between the two Canadas or between all the British North American Provinces. Unless one or other of these two remedies is speedily applied, there is great danger that an entire separation of the two provinces may ultimately take place, which, in my opinion, would prove fatal to our existence as a British

colony.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—Our proximity to the United States makes it necessary that the union should be maintained at almost any cost. In order to effect a change in our Constitution, it is highly desirable to obtain the consent of a majority of the representatives of both sections of the province; for, although a scheme might be adopted by the majority of one section, aided by the minority of the other section, it would not give such general satisfaction as could be desired.

The demands made by the people of Upper Canada for representation by population under the existing union, have hitherto been resisted by the people of Lower Canada with a degree of determination that has convinced even the most sanguine advocates of that measure that it is impracticable, at least for some time to come. Admitting, then, that representation by population under the existing union cannot be obtained, I think it is our duty to endeavor to find some other solution of our sectional difficulties.

In my opinion the formation of a system of government based upon the Federal principle, with a Central Parliament which shall have the control of matters common to all the provinces, and a Local Legislature for each province to manage local affairs, is the only system which will prove satisfactory to the people of these provinces. Such is the scheme now under discussion by this House. It is said by some of the opponents of the present scheme that there is no necessity for a change, that the people of Upper Canada have abandoned their agitation for constitutional reform, and that they are perfectly content to go on as they are. I can only say to those honorable gentlemen, that they are entirely mistaken. The desire for a change is as strong now as ever, and the people of Western Canada will never be satisfied until their just demands are conceded in some shape or other.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—We are

not the only people who have found it necessary to alter their Constitution. There is hardly a nation in the civilized world which has not, from time to time, found it itself compelled to change its form of government in order to keep pace with the ordinary progress of events; and we generally find that those great political changes which result in the consolidation or disruption of empires, are brought about by violent civil commotions, involving the sacrifice of thousands of valuable lives and the expenditure of millions of money.

Of this fact we have a melancholy example in the present condition of the United States. The Constitution of that country was laid down by some of the wisest and ablest statesmen, yet in less than a century after its formation, the people who have hitherto looked upon it as being the most perfect Constitution in the world, find themselves in the midst of a most disastrous war, trying to remove a constitutional difficulty which has given them a vast deal of trouble. Now, if we shall succeed in laying down a permanent basis for the consolidation of these provinces—if we shall succeed in forming a union which will result in the perpetuation of British institutions on this continent, and thus check the absorbing influence of the neighboring republic—we shall confer a great boon upon posterity, and prevent much bitter strife among ourselves.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—While deliberating upon this scheme, we should divest our minds as much as possible of old political associations, in order that we may give it that calm and deliberate consideration which its great importance demands. When we consider the sectional difficulties to be adjusted, the conflicting interests which are to be reconciled, and the prejudices which are to be overcome, it is evident that we must consider this scheme in the spirit of compromise.

Mutual concessions must be made, so as to respect the rights and feelings of all, so far as

it can be done without doing an injustice to any. In reference to the scheme now before the House, allow me to say that although there are some of its details to which I am opposed, yet, taking it as a whole, I believe it is the best that can be obtained under our peculiar circumstances, and therefore I feel it to be my duty to support it. That part of the scheme which provides for a nominated Legislative

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Council I believe to be contrary to the wishes of a majority of the people of Western Canada, and particularly of my own constituents.

I think it will be admitted that the elective system has given us a class of representatives in that body which would do honor to any country in the world, and I should prefer to see that system continued. But while I would be prepared to vote for an amendment which would have for its object the perpetuation of the present system, provided it could be done without interfering with the success of Confederation, yet I do not believe that my constituents are prepared to reject the whole scheme, simply because there are a few features in it which are not exactly in accordance with their views. And I can assure you, Mr. Speaker, that I have no desire to do so.

The opponents of the scheme appeal to the French population, telling them that their nationality is in danger, that they will be entirely absorbed in the Central Legislature, and that their rights and liberties will be interfered with. Then the same parties tell the English of Lower Canada that their nationality and their schools will be entirely at the mercy of the French in the Local Legislature.

And, with a view of obtaining the defeat of the scheme in the west, they appeal to the pockets of the people of Upper Canada, asserting that they will have to bear the greater proportion of the taxation under the new system. Now, I think it has been clearly shown that the Maritime Provinces will contribute their full share towards the public revenue—that they will pay as much per head as Upper

Canada, and much more than Lower Canada, so that the financial argument against Confederation cannot be substantiated.

Those honorable gentlemen who are trying to defeat the scheme by appealing to the prejudices and sectional animosities of the people of Lower Canada, should bear in mind that they are pursuing a course which is calculated to mar the harmonious working of any system of government, and that if they should succeed in defeating the scheme, it would go very far to convince the people of Upper Canada that Lower Canada is determined not to consent to any measure of justice to Upper Canada.

Some Hon. Members—Hear, hear.

Isaac Bowman [Waterloo North]—It is also asserted that this scheme will bring about a separation from the Mother Country. Now, I believe that the advocates of union are as desirous to perpetuate our connection with Great Britain as its opponents, and that it is desirable to maintain that connection as long as possible. But assuming that we are laying the foundation of a British North American Empire, which is destined to become independent of the Mother Country, after our resources have become sufficiently developed, and our vast territory has been filled up with an industrious, intelligent and thrifty population, I do not think such an anticipation should induce us to vote against it.

Another objection which is raised against this scheme is the supposition that the Maritime Provinces will oppose the opening up of the North-West territory, which is an unwarrantable assumption on the part of the opponents of Confederation; for I think it will be found that even the people of those provinces will see that it is for their interest to have that portion of our dominions opened up for settlement. Such a course would extend their field for trade and commerce, in which the Maritime Provinces are extensively engaged, so that the advantages would be of a mutual character.

A great deal has been said about submitting the scheme to the people before it is finally

adopted, and I must say that I could never make up my mind to vote for it without first having an expression of popular opinion upon it in some way or other, unless I were perfectly satisfied that a large majority of my constituents are in favor of it. I took the precaution to hold a number of public meetings in the constituency which I represent, in order to obtain the views of the people upon it, and, in almost every instance, a large majority present at those meetings, not only expressed themselves in favor of the general features of the scheme, but also expressed a desire that it should be dealt with and adopted by this Parliament without first holding a general election. I shall take much pleasure in voting for the scheme now before the House, believing that by so doing I shall best discharge my duty to my constituents and to the country at large.

Some Hon. Members—*Cheers.*

Aquila Walsh [Norfolk] said—It was my intention, during the earlier stages of this debate, to have asked the House to bear with me while I made some lengthened remarks on the important subject embraced in the resolutions now in your hands. It was my intention to review the circumstances which made it necessary that the scheme now submitted should be placed before the inhabitants of British North America—to trace fully the course of the sectional agitation with reference to the difficulties between Upper and Lower Canada—and to show how it had gradually grown in importance, until the time had arrived when we had to accept

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one of two alternatives—a dissolution of the existing union between Upper and Lower Canada, or some larger scheme, such as that now. Contemplated by the people of these provinces.

I should also have stated at some length my reasons, if we had to decide between these alternatives, for opposing the former. I believe—and I think hon. gentlemen almost unanimously in this House agree with me—

that the union existing between these provinces at the present time has, in all its important bearings, more than realized the most sanguine anticipations of those who were concerned in bringing it about. We have seen, since the union, an increase in the population, revenue and resources of these provinces seldom witnessed in the history of any country.

We have seen two peoples entirely dissimilar in race, language and institutions—having nothing in common but their joint allegiance to the same Crown—we have seen those two peoples rapidly becoming one people—one in name, one in object, one in feeling. And I believe that in every respect the union under which we now live has been most happy in its results. If I had gone, therefore, into the subject, as I originally intended, I should have stated fully my views upon it in all its bearings. And I should have stated, as I now state, that if I had had to give my vote whether the connection between these two provinces should remain, or whether it should be dissolved, and we should go back to the state of separate existence in which we were before the union, I should have been found for one most hostile to a dissolution of that union.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—But circumstances, over some of which this House has not control, while others are within our control, have led to a probable termination of this debate at an earlier period than I had anticipated, and I will not trespass on the patience of the House, at this late hour, by detaining honorable members with any lengthened remarks. In the few observations I shall offer, I will confine myself to a reference to some of the leading features of the scheme now before us I shall not, as many honorable gentlemen have done, go into lengthy quotations of other men's opinions, or comment on the effect of different systems of government in other countries. I will confine myself to what I consider, from the best means of information I can obtain, the probable effect and bearing of this proposed scheme upon

ourselves.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I agree with many honorable gentlemen who have preceded me, when I say that since I first gave attention to public matters, I have looked forward to the time when a more intimate connection between these British American Provinces would not only be desirable, but would become absolutely necessary. I look upon it as desirable in a military point of view, and in a commercial point of view. It must be evident to any honorable gentleman who has occupied a seat in this House—even for the short period that I have had the honor of a seat here—that the opinion of the House of late years has very materially changed with reference to the defences of the country.

I am satisfied that we have, irrespective of party, become more alive to our duty in that respect; and that the people of this country, acting through those who sit here as their representatives, are prepared to take upon themselves their just share of responsibility for the defence of these provinces.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—And I look upon this scheme of union as a most important step in that view; because while we rely, as we do rely to a great extent, on the assistance of the home Government for the defence of this country, it must be evident to all of us that these provinces, acting in concert with each other, and all acting in concert with the home Government, can organize a more effective system of defence than we could do if we remained separate and isolated.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I believe this question should be considered chiefly from a commercial point of view. We must necessarily consider the question in connection with the more intimate commercial intercourse which it is contemplated will result from the construction of the Intercolonial Railway. A new market for our commodities will be opened up by the removal of the barriers to trade which now

exist between us.

Believing, as I do, that our commercial relations with our sister provinces should be free and unrestricted, I am heartily in favor of the construction of this railway. After stating that upon these general principles I am in favor of the union of these provinces, I may also state that had I my choice, and were my vote to decide the question, I would say “give us a Legislative union,” because I believe it would have, for its effect, the bringing of all the colonists more immediately into contact and connection with each other, rendering our interests much more identical than by the Federal plan.

But I infer, from the speeches made on the floor of this House at the opening of

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this debate, by honorable gentlemen who were delegates to the Conference held in this city, that the two schemes were discussed in that Conference—the Legislative and the Federal—and that the former was found to be impracticable. It is, therefore, not possible for us now to decide the question in favor of a legislative union. We have evidence before us that is satisfactory to my mind, that probably all of the other provinces would refuse to take part in a legislative union.

The Honorable Attorney General West [John A. Macdonald], in [his speech at the opening of the debate](#)⁹³, gave us sufficient information on the point to convince the House that this question had been fully discussed in the Conference, and the legislative plan rejected, on account of its being impracticable. For this reason, sir, believing that the choice before us is either to accept a Federal union or reject the proposal entirely, I give my assent to the present scheme without hesitation.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—It is brought as one of the strongest arguments against this union that the Federal Government will be far

more expensive than our present system. That may be true to some extent; but my impression is that it will not be found true to the extent represented. We must bear in mind that we have in each province a Government fully constituted, with all the machinery necessary for carrying on the business of government.

Therefore the new machinery required would be very little, and would amount simply to the local legislatures for Upper and Lower Canada. Upon these general principles then, I must say that I shall give my adhesion to the scheme of union submitted to us; and as was well remarked by the hon. member for Dundas (Mr. J. S. Ross), the language in which the scheme has been laid before us must prove very acceptable to all who are in favor of a union such as that proposed.

The gentlemen composing the Conference could not have used language more acceptable to me than that in which the first resolution is couched, except in the use of the word “Federal,” instead of “Legislative.” [The resolution](#) reads:—

The best interests and present and future prosperity of British North America will be promoted by a Federal union under the Crown of Great Britain, provided such a union can be effected on principles just to the several provinces.⁹⁴

Now, sir, I am prepared to say here, and I think I but echo the voice of every hon. gentleman present, that all the people ask is that the union be based upon principles just to the several provinces.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—We ask nothing more. Again, sir, the language employed in [the third resolution](#) is most satisfactory:—

In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of the connection with the Mother Country, &c, 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

⁹³ [John A. Macdonald, Legislative Assembly \(Feb. 6, 1865\), pp. 25-45.](#)

⁹⁴ [Supra footnote 9.](#)

our circumstances will permit.⁹⁵

Surely, sir, we all agree that no better model can be found, or better system of government followed, than that of the British Constitution.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—One of the features of this scheme that commends itself strongly to my approbation is the marked distinction between the system that is submitted to us, and that which is in existence in the neighboring republic. I believe that to a great extent we may trace the unfortunate difficulties that exist in that country to the absurd doctrine of state rights. Instead of their Central Government having, in the first instance, supreme power, and delegating certain powers to the local or state governments, the very reverse is the principle on which their Constitution is founded. Their local governments possess the principal power, and have delegated certain powers to the General Government. In the scheme submitted to us, I am happy to observe that the principal and supreme power is placed in the hands of the General Government, and that the powers deputed to the local governments are of a limited character.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I am glad also to observe that in the proposed organization of the General Legislature of the united provinces, that question which has so long agitated the people of Canada—representation by population—is in a fair way of being satisfactorily solved. It is proposed that in the General Legislature, or House of Commons as it is to be called, each province shall be represented in accordance with its population, thereby removing that which has been so long a source of agitation in Upper Canada, and of vexation to Lower Canada, and which has led to the discussion of the scheme now before the House.

In reference to the organization of the Legislative Council, I may say that I have always been found among those who opposed [the introduction of the elective principle into the constitution of that body](#)⁹⁶

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in this province, and I, therefore, find no difficulty in giving my hearty assent to the change now proposed. I have always believed, and I still believe, that we could not expect two branches of the Legislature, owing their existence to the same source, and being elected by the same class of voters, to work in harmony for any length of time.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—It may be called a retrograde movement, yet I can heartily assent to it, because, in my opinion, it places things where they should have been left. In pressing upon this House the adoption or rejection of these resolutions as a whole, I believe the Government are actuated by the best motives, and that it is their duty to do so. But whilst I am prepared to give my vote in that direction, I am also quite willing to admit the force of the objections urged by the Colonial Secretary [Edward Cardwell] in [his despatch to the Governor General \[Viscount Monck\] of the 3rd December last](#)⁹⁷, in relation to the constitution of the Upper House, so far as the limiting of the number of members is concerned.

I for one, although there is no doubt that these resolutions will be passed by this House precisely in the form in which they have been submitted to us, am quite content that the Imperial Parliament should make such alterations in that, or any other respect, as they consider necessary, and I shall bow with very great satisfaction to such amendments.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—There are two or three questions in connection with these resolutions upon which I desire to offer a few remarks. One of them is that of education. We

⁹⁵ [Quebec Resolution 3](#). *ibid.*

⁹⁶ [An Act to change the Constitution of the Legislative Council by rendering the same Elective](#) (Province of Canada, 1856).

⁹⁷ [Despatch from Right Hon. Edward Cardwell to Viscount Monck \(Dec. 3, 1864\)](#).

have already had, in the course of this discussion, a good deal said on this subject. I would simply say, as one of those who gave effect by my vote to the present law of Upper Canada for the establishment of separate schools, that in doing so I believed that I was according to the minority of one section of the province what I conceived the minority of the other section were entitled to, thus doing justice to all.

It gives me, therefore, great satisfaction to observe the recognition in these resolutions of the principle that the rights of the minorities, in each section, with respect to educational facilities, should be guaranteed. I confess that if I were living in Lower Canada, I should not feel that I was being justly treated in being called upon to contribute by taxation to the support of schools to which I could not conscientiously send my children.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I have the satisfaction of knowing that, after giving my vote upon the last [Separate School Bill](#)⁹⁸, and going back to my constituents, they were fully satisfied with the explanation I gave them, and my action was endorsed by them.

Another question that I look upon as of very great importance to these colonies, is not dealt with in these resolutions in that manner to which its importance entitles it. I refer to the management and sale of our Crown lands. I am very sorry to observe that they are to be confided to the control of the local legislatures. I believe that if, in any one question more than another, the Government of this province have failed in their duty in times past, it is in the management of our Crown lands.

The complaint I have to make is that they have not made use of those lands in establishing a wise and liberal system of immigration, by offering them free to all who would come and settle upon them. It cannot but be humiliating to every person having a stake in this province to observe the torrents of immigration that pour from the Mother

Country into the neighboring republic; and especially so when they see them passing through the whole length of Canada by multitudes to the Western States.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—We have, in times past, failed to hold out such inducements as would stop that tide of immigration from flowing past us. I fear that by leaving those lands in the hands of the local legislatures, the immigration question will be dealt with, in future, in the same narrow spirit in which it has been treated in times past. I would have been very highly pleased if I could look forward to the future with the hope that our General Legislature would adopt a large, enlightened, and liberal scheme of immigration, sending their agents to all the European ports from which the largest tide of immigration sets in, for the purpose of explaining to the people the advantages they could derive from settling in these provinces. I am, therefore, very sorry to see that the delegates were obliged to make the arrangement they have made with reference to this important question.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—Now, sir, in reference to another of the questions embraced in these resolutions, though not forming a part of the proposed Constitution, I am prepared to admit here that my opinions have undergone a very material change since I first came into this House. I refer to the construction of the Intercolonial Railway. I came here, in 1862, decidedly hostile to our assuming any portion of the expense of constructing that road. I believed, at that time, that it

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construction would be of no advantage to Canada; but the course of events has convinced me that the time has now arrived when we should take upon ourselves our fair share of the expense of constructing this important work. It cannot be satisfactory to

⁹⁸ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\).](#)

any Canadian, ongoing to New Brunswick or Nova Scotia, to find that he is a stranger in a strange country, and among a people who, though living so close to Canada, have no commercial intercourse with us. Although they are neighbors of ours, in one respect, yet they are neighbors with whom we have no intercourse.

It is very desirable that the barriers to our intercourse should be removed, and the construction of the Intercolonial Railway is, in my opinion, the only effectual means of removing them. Mr. Speaker, it has been argued by a great many of those who have taken part in debating this subject that this House is assuming for itself a power that it does not, or ought not to possess, in disposing of the question without submitting it to the popular will. It is said that before these resolutions take effect an expression of public opinion should be had through a general election.

Some of those honorable gentlemen who have taken this position have stated as a reason for advocating that course that the public mind was not yet properly informed as to the effect of the proposed change, and that, therefore, time should be given until public opinion is prepared to decide upon it. But with a strange inconsistency those same gentlemen are flooding this House with petitions from the electors, not asking for delay, not asking for further time to consider the matter, but asking that the scheme be not adopted. They in effect show by their petitions that they have considered the subject—that they know all about it—that their opinions are fully formed—and that the measure ought not to be adopted. Either the public mind is fully ripe for the adoption or rejection of the scheme, or else those electors are signing petitions without having sufficient information on which to base the opinions they express. But, sir, there is such a thing as obtaining public opinion on almost any question, and very correctly too, without going to the polls; and, for my part, I find elections very inconvenient.

Some Hon. Members—Hear, hear, *and*

laughter.

Aquila Walsh [Norfolk]—I believe the majority of the electors of Upper Canada have read those resolutions, and understand them about as well as many members of this House; and, sir, we have every reason to believe that the sentiment of Upper Canada at least is largely in favor of the adoption of this scheme.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I took occasion to consult my constituents before coming to this House on the present occasion. I held meetings in the various municipalities in the county, and I believe, sir, according to the best of my ability, I did submit this scheme to the electors of that portion of the province. I have heard a good deal said here about the importance of having the question submitted to a vote of the people.

Matthew Cameron [Ontario North]—I would like to ask the gentleman whether he laid any figures before his people to show the difference between the cost of a Legislative and a Federal union. Unless he did that, the people were not in a position to express an opinion as to what was best for their interests.

Aquila Walsh [Norfolk]—I did not submit figures to show the difference in cost between a Federal or Legislative union, for the simple reason that until the organization of the local governments is decided upon, it is not possible to give reliable figures, and I therefore think the people as competent to make calculations on this subject as myself or my hon. friend, lawyer though he be.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I may say, however, in answer to the hon. gentleman, that I did state to my constituents that the resolutions now under consideration place in the hands of the present Legislature the preparation of the constitutions and the organization and composition of the local governments of Upper and Lower Canada; and that as the Federal Government is to pay an annual subsidy of eighty cents per head of its population to the respective provinces, for carrying on their local governments and the

construction of local works, any sum required over and above that subsidy must necessarily be raised by direct taxation, and in that fact we have the strongest possible guarantee that in the arrangements made by this Legislature, and in the subsequent management of their domestic affairs by the local governments, the strictest simplicity and economy will be observed.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—So much, Mr. Speaker, in answer to the question of the hon. gentleman. The difference between us on this question being that whilst we are both advocates of a legislative union, he will accept none other. I, believing that unattainable at present, am prepared to accept

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the system now proposed, hoping that the experience of the people will soon induce them to agree to the abolition of the local governments, and the adoption of the legislative system.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I may add—and I do so with great personal satisfaction—that the meetings which were held in my own county were largely in favor of the scheme, and that resolutions approving of it were moved and seconded, in almost every instance, by persons of different political opinions.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—I was going on to remark, that it is said by many members of this House that the scheme could not be submitted to the people, because the Government in sending the resolutions to the members of the Legislature marked them “Private.” Now, sir, I managed to get over that difficulty without trouble. A copy of the resolutions was sent to me, and as I was precluded from making use of them in that form without violating the confidence reposed in me, I turned to the newspaper version of the same resolutions, and finding it to be a *verbatim* copy of the original, when I attended my meetings I read

from the newspaper and not from the private document itself.

Some Hon. Members—Hear, hear, and laughter.

Aquila Walsh [Norfolk]—I think other hon. gentlemen might have taken the same course with safety to themselves and profit to their constituents.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—Without wishing to detain the House longer, I shall content myself by simply expressing my regret that on a question of such paramount importance—a question which towers in magnitude above all others that have ever come before this House—a question which not simply affects Canada, but the whole British North American Provinces—a question which does not only interest us, but will be felt in its influence upon future generations—I have, I say, to express my deep regret that such a question should not have been treated apart from party feeling, party prejudices, and a desire for party triumph.

Some Hon. Members—*Cheers.*

Aquila Walsh [Norfolk]—Our object in considering this subject should not be to put one party out of office and another party in, but to determine what will most conduce to the present and future prosperity of the British North American Provinces.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—It is a matter of indifference to me, so far as it affects this question, who occupy the seats on the Treasury benches. I look upon this question irrespective of party feelings. From the present position of these provinces, I think it is our duty and our interest alike to give effect to these resolutions so far as we can do so. If they fail through the action of the Lower Provinces, we shall not be responsible. If we believe that the resolutions will be conducive to our interests, we are bound to sustain the hon. gentlemen who agreed to them as a basis of union. Believing this to be the proper course to be pursued, I shall, as I have already said, have great pleasure in giving them my support.

Some Hon. Members—Hear, hear.

Aquila Walsh [Norfolk]—There is just one other remark that I may perhaps be permitted to refer to, which fell from the hon. member for North Waterloo (Mr. Bowman), that I decidedly dissent from. The hon. gentleman spoke of this scheme as one which, if adopted, would conduce to independence. I must object to that view being taken of it. If I thought that the adoption of the scheme now before us could in any respect have the effect of severing these colonies from the Mother Country, whatever the consequences might be, I should have no hesitation in giving my vote against it. I believe there is nothing more ardently to be desired—no greater glory attainable than for these colonies remaining for all time to come, as we are now, dependencies of Great Britain.

James Cockburn [Northumberland West, Solicitor General West]—The honorable member for North Waterloo [Isaac Bowman] referred to it as a means of maintaining our independence against the United States.

Aquila Walsh [Norfolk]—I do not desire to misrepresent the hon. gentleman, and I am glad to hear that I have misconceived the tenor of his remarks. Mr. Speaker, I have detained the House longer than I purposed doing when I rose. I have touched very briefly on some of the general features of the scheme; but I have not occupied valuable time in quoting authorities, or in reading passages illustrative of the past political history of hon. gentlemen on either side. It matters very little to me, in considering this question, what certain hon. gentlemen thought twelve months ago about representation by population or any other subject. This is a question to be decided by itself and upon its own merits; and believing that the adoption of this scheme, so far as we in Canada are concerned, will be fraught with great benefits to ourselves as well as to those who may come after us, I repeat that it will afford me great pleasure in giving my support to the resolutions.

Some Hon. Members—*Cheers.*

Thomas Gibbs [Ontario South] said—Mr. Speaker, in rising at this late hour, I feel, in

common with

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many hon. members who have preceded me, that the debate has been sufficiently protracted, and should be brought to a close, as speedily as possible. Nevertheless, as a member lately elected to represent a wealthy and populous constituency, largely engaged in commercial, manufacturing, and agricultural pursuits, I deem it my duty to state my views on the proposed union of the British North American Provinces, now under the consideration of this House. In my opinion, sir, the gentlemen who occupy the Treasury benches deserve credit for the earnest and energetic manner in which they have applied themselves to carry out the pledges which they gave the country during the course of last summer.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I look upon it that the vote about to be taken is a foregone conclusion, and, for all practical purposes, might as well have been taken as soon as the resolutions had been read and spoken to by the Hon. Attorney General West [John A. Macdonald]. I have remarked, sir, that almost every hon. member that has spoken has expressed himself as favorable to a union of some kind or other with the Maritime Provinces.

When the delegates from the eastern provinces met at Charlottetown, Prince Edward Island, they contemplated a legislative union among themselves; but when invited to visit Quebec for the purpose of holding a conference with a view to a union of the whole of the colonies, the Federal principle was substituted for the Legislative, Lower Canada and the eastern provinces voting as a unit for it, while the members representing Canada West were divided, the Hon. Attorney General West [John A. Macdonald] preferring a Legislative union, and the Hon. President of the Council [George Brown] a Federal one.

The subject of “Union of the Provinces” has been looked upon with favor, not only by our

own statesmen, who have of late years regarded it as a measure calculated to remove the difficulties which have surrounded the legislation of the country, but by leading statesmen of England as well, who view the proposal favorably, as being the means of building up a great nation, and also of preserving monarchical institutions on this continent.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Mr. Speaker, whatever may have been the points of difference which gave rise to the lengthened discussions of the Conference, there was one upon which, judging by the speeches of the delegates, and also from the resolutions themselves, there was perfect unanimity—that of loyalty and attachment to the Throne of Great Britain.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—One would have thought it unnecessary to incorporate such a sentiment in the resolutions, yet the [first of the series](#) gives utterance to it and is thus expressed:—

The best interests and present and future prosperity of British North America will be promoted by a Federal union under the Crown of Great Britain.⁹⁹

With regard to the future of this proposed union, it is curious to note what is said and written in reference to it, some urging that its inevitable result will be a separation from our present happy connection with the Mother Country, and ultimate independence; while another class, equally confident, declares that it will lead to annexation with the United States.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—Whatever the ultimate fate of such a union may be, it is conceded by all parties that there exists a necessity for a change of some kind in the political relations existing between Upper and Lower Canada; and it is gratifying to reflect

that an expedient has been devised for allaying the rancorous party spirit that has been too frequently exhibited on the floor of this House.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—We may congratulate ourselves, sir, that while our republican neighbors are engaged in bloody strife, one portion spilling its best blood in order to obtain a new Constitution, we can discuss the propriety of making a change in our own, which has not been inaptly termed a “bloodless revolution,” without let or hindrance, but on the contrary with the full consent and authority of the power to which we owe allegiance.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—The provisions of this new Constitution have been widely disseminated, and in some sections thoroughly discussed. In the riding which I have the honor to represent, public attention was drawn to Confederation during the recent election, and I am fully justified in stating, that with a few exceptions here and there, there were not to be found may dissentients to it.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—It is true that upon one or two occasions there were found leading men who took the ground that they did not think it desirable to enter into this union, but such instances were rare. One of these gentlemen, the reeve of one of the most important townships in the riding, attended a meeting, where he met a large number of the electors; but after he had delivered his address, he could not find one to

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respond to the sentiments he had expressed.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Another gentleman, an ex-reeve and an ex-member of Parliament—although he never had the honor of taking his seat in this House—also addressed a large meeting, but with the same

⁹⁹ [Supra footnote 9.](#)

result as in the previous case. The only opposition which was manifested throughout the contest was not to the scheme itself, but to points of detail.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—The Constitution of the Legislative Council was the principal one referred to, my opponent contending that the Upper House should continue an elective body, as at present, instead of being a nominated Chamber, as it is proposed to make it. I can sustain the view taken by the Hon. President of the Council [George Brown] in his opening address the other evening, when he said he would not hesitate to go into any liberal constituency in Western Canada and obtain their sanction to this principle.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Such at all events was the result in South Ontario. I am free to admit that a change was not asked for in the constitution of the Legislative Council; but although the resolutions make the change, there is a feeling abroad in the country that on this account the scheme as a whole should not be rejected.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Whenever a point was attempted to be made against me that I was endeavoring, by my advocacy of the nominative principle, to build up an aristocracy in this country, and that the result would be the locking up of the lands of the province in the hands of a privileged class, I replied that such had not been the case in the past, and that in a country like ours such could never be its results; and I further stated that the leader of the Reform party, the Hon. President of the Council [George Brown], had himself stood almost alone on his side of the House in 1850, in resisting the change from the nominative to the elective principle.

My desire, sir, is to see the union carried out only on a fair and equitable basis, and this, I think, is likely to be attained in the manner proposed for the assumption by the Central Government (at \$25 per head) of the debts or

portion of debts for which each province is now liable. I regret, however, that so high a figure as 80c. per head has been fixed upon as the subsidy to the local legislatures, for I fear the revenue will be so large that taken in connection with the revenues derivable from local sources, the surplus, after defraying the expenses of government, may induce that extravagance which has been so frequently deprecated in the past, and which by this arrangement may be continued in the future.

I have taken some pains, sir, to ascertain what will be the probable position of Upper Canada under the arrangement as proposed, and I find that its revenue and probable expenditure will be about as follows:—

| REVENUE | |
|---|-------------|
| Law fees | \$100,000 |
| Municipal Loan Fund | 180,000 |
| U.C. Building Fund | 30,000 |
| Grammar School do | 20,000 |
| Crown lands | 280,000 |
| Education Fund | 8,000 |
| Public works | 64,000 |
| Subsidy at 80 cents | 1,117,000 |
| Other sources | 32,000 |
| | — |
| | \$1,831,000 |
| | — |
| EXPENDITURE | |
| Administration of justice | \$275,000 |
| Education | 265,000 |
| Literary and scientific institutions | 10,000 |
| Hospitals and charities | 43,000 |
| Agricultural societies | 56,000 |
| Goals, from Building Fund | 32,000 |
| Roads and bridges | 75,000 |
| Expense of managing Crown lands | 75,000 |
| Interest on liabilities over assets | 225,000 |
| Interest on proportion of debt to be assumed, say | 150,000 |
| Balance available | 625,000 |
| | — |
| | \$1,831,000 |

In this statement I have not included the Municipality Fund, as the receipts are distributed the following year amongst the

municipalities. Estimating the expense of the Local Government at \$150,000, we have a balance of \$475,000 per annum for local purposes. I regard the subsidy as altogether too large, and shall hope to see it very materially reduced.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—My hon. friend from North Ontario [Matthew Cameron], upon the hypothesis that the Maritime Provinces contribute one-fifth of the revenue of the proposed Confederacy, and the balance by the Canadas, in the relative proportion of two dollars by Upper Canada to one dollar by Lower Canada, founds an argument thereon, showing that each additional representative gained for Upper Canada will cost \$17,000.

Now, Mr. Speaker, I apprehend that when the union is accomplished and the duties equalized, this seeming objection will, to some extent at least, be removed, for it is well known that the Maritime Provinces consume much more largely of imported

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goods, per head, than we do.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—But let this principle be extended to county and township matters, and it would necessitate appropriations to the wealthier townships, in the proportion each contributed to the revenue of the county—a principle which has never been contended for, and facts will go to show that it is seldom done even upon population, as is proposed by this scheme. But as it was necessary to establish some basis for contributing to the expenses of the local governments, without compelling them to resort to direct taxation, I think the principle adopted, that of population, is not unjust.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Again, it is argued that as Canada West contributes in the proportion already alluded to, that in the payment of subsidies she will contribute more than her fair proportion in the proposed

Confederacy. To this I reply, if the hypothesis that the proportion which Upper and Lower Canada respectively contribute to the general revenue be correct, and that the subsidy should be based upon revenue and not population, then undoubtedly the argument is a good one. But, sir, let us see if the proposed arrangement is not a great improvement on the present method of distributing the public funds.

It is well known, sir, that the complaint which Upper Canada has made in the past was that the appropriations were made, not upon revenue, nor even according to population, but in utter disregard of both. Under the system which has hitherto prevailed for dividing money grants, of the proposed subsidy to the two Canadas (\$2,005,403, or 80 cts. per head),

| | |
|---|-------------|
| Upper Canada would have received one-half | \$1,002,701 |
| Whereas, according to population | 1,116,872 |
| Difference in favor of the proposed system over the old one | \$114,171 |

As the moneys have been distributed equally in the past between Upper and Lower Canada, I maintain that the balance of the public debt, say \$5,000,000, to be apportioned between them, should be divided in the same way, and not, as proposed by the Hon. Finance Minister [Alexander Galt], on population. But it is said the scheme will lead to extravagance. I had hoped, Mr. Speaker, that an alliance with the frugal and thrifty population of the eastern provinces would induce the very opposite, and lead to greater economy in the public expenditure than we have had in the past.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—With reference, sir, to the cost of the local governments, that subject has been left in the hands of the local legislatures entirely, the resolutions showing whence their income shall be derived, and what the subsidy shall be without compelling a resort to direct taxation. I claim for this scheme, Mr. Speaker, that it will

give us national importance.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—But here again it is objected that to obtain this we must have a vast population. When the colonies now forming a portion of the American union severed the connection from the parent state, their population was set down at 2,500,000, and although an impression has very generally obtained that they have increased in population faster than we have, an examination into the facts shows that such is not the case—for in 1860 their population reached 30,000,000, an increase of 1,200 per cent, while ours in the same period had increased from 145,000 in 1784, to 3,000,000 in 1861, or over 2,300 per cent.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—Confederation, sir, would give us nationality—I speak of British nationality—a nation created from the fragmentary portions of the provinces of Britain on this continent, but still retaining its allegiance to the British Crown. Then, sir, it is claimed that the commercial advantages which may arise from Confederation of the provinces can as readily be obtained by a Legislative as a Federal union. This is admitted; but as that is not obtainable, and as a union would remove the barriers to commercial intercourse and foster the trade between the colonies (each of which now effects more exchanges with the United States than with all the rest of the provinces), it is desirable that the union should take place.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—This leads me, sir, to remark upon the probable abrogation of the [Reciprocity treaty](#)¹⁰⁰. The country will be glad to know, from the announcement made to the House on Monday last, that the Ministry is alive to the importance of entering into immediate negotiations, through the English Government, with that of the United States, for the renewal of this treaty.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I am not of the number who believe that the advantages accruing from this treaty have been all on the side of Canada; for, from the statements lately published, it appears that

| | |
|-----------------------------|--------------|
| the whole trade of 1854 was | \$24,000,000 |
| And in 1863 | 43,000,000 |
| An increase in ten years of | |

• (p. 814)

| | |
|---|---------------|
| nearly 180 per cent | \$19,000,000 |
| The exports from Canada to the United States amounted in ten years to | \$150,000,000 |
| Imports into Canada " | 195,000,000 |
| | — |
| | \$45,000,000 |

The difference in favor of the United States being paid in gold.

| | |
|--|--------------|
| In 1854 free goods imported into Canada from the United States amounted to | \$2,000,000 |
| And in 1863 | 19,000,000 |
| | — |
| Increase in ten years 850 per ct. | \$17,000,000 |

I do not fear, sir, but that the treaty will be renewed; enlightened counsels will prevail, and, with the better feeling existing between the two countries, the subject will be taken up in a proper spirit, and legislated upon accordingly.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—The construction of the Intercolonial Railway is said to be a necessity of the proposed union, and without it there can be no union except in name. Calculations have been made which show that this road cannot be used for carrying heavy merchandise at remunerative rates, more especially flour, which it has been shown would cost \$2.25 per barrel from Toronto to Halifax, at two cents per ton per mile. The Grand Trunk Railway now carries flour from Toronto to Montreal for 25 cents per

¹⁰⁰ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 91.

barrel during winter, and at the same rate a barrel of flour would cost \$1.22. If this could be done, the difference in cost between winter rates and shipping via the St. Lawrence in summer, at 85 cents per barrel, would be made up in a saving of storage, interest, and insurance.

Then there is the military aspect of the subject, which has already been thoroughly discussed. I contend, sir, that union with the Maritime Provinces not only allies us more closely to them and to each other, but also to that power which alone could render us aid whenever subjected to attack; and, regarded from this point of view, this railroad is said to be a necessity. Lord Durham in [his report](#) said:—

An union for common defence against foreign enemies is the national bond of connection that holds together the great communities of the world, and between no parts of any kingdom or state did the necessity exist of such a union more obviously than between the whole of these colonies.¹⁰¹

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—In conclusion; sir, if we reject the proposed union, what is offered as a substitute? In the absence of anything better which will settle our existing difficulties, shall we reject the opportunity now presented and that may never recur? Rather let us, as members of the same family, unite for weal or for woe. By it we secure enlarged commercial intercourse, greater security in case of attack, a remedy for the existing difficulties between Upper and Lower Canada, and also render more lasting the connection now existing with the Mother Country.

Some Hon. Members—Hear.

Thomas Gibbs [Ontario South]—While in favor of this measure, but believing that it should be submitted for the approval of those who are to be affected by the contemplated change, I shall feel it to be my duty in the first instance to vote against the “previous

question,” in order that such an amendment may be put, reserving the right to vote for the amendment of the hon. member for Peel [John Cameron], when that shall come up for discussion, its object being to submit the question for popular sanction.

Some Hon. Members—*Cheers.*

Thomas Gibbs [Ontario South]—If this, however, shall fail, I shall vote, Mr. Speaker, for the resolution now in your hands.

The debate was then adjourned.

¹⁰¹ [Durham Report \(1839\), p. 101.](#)

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



THURSDAY,
MARCH 9, 1865

The Order of the Day being read, for resuming the adjourned Debate upon the Previous Question which was, on Tuesday last, proposed,—

That This Question—

That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on certain Resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the City of Quebec, on the 10th October, 1864.

—be now put.¹

David Jones [Leeds South] resumed the adjourned debate. He said—I rise, Mr. Speaker, to address the House on the resolutions which you hold in your hand in favor of a Confederation of all the Provinces of British North America. I feel that the question is one involving such very great interests, involving a change in the whole Constitution of the country, and involving consequences which may plunge us into great difficulties, or which may have the very opposite effect—that I feel great diffidence and embarrassment in approaching it. But I feel it is a duty I owe to myself and to those who sent me here, that I should express my opinions on this proposed union, before I record my vote on the resolutions now before the House. I desire to do this, because I cannot give my approval to the whole scheme, some of its details being such that I cannot support them.

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Luther Holton [Chateauguay]—Hear, hear.

David Jones [Leeds South]—The way in which I look at this question does not at all depend on whether this hon. gentleman or

¹ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 186](#). This continues the debate that the question be now put, which was introduced by [John A. Macdonald to the Legislative Assembly \(Mar. 7, 1865\), p. 703](#). The motion, “that the question be now put” is effectively a closure motion, which may be used to bring the debate on a particular motion. If the House votes in favour of a motion “that the question be now put,” the motion which is then under debate is “put forthwith, without any amendment, or debate.” In this case, [the main question was John A. Macdonald’s February 3 motion for an Address to Her Majesty](#). Once he had moved “that the question be now put,” the House began to debate whether it was appropriate to bring to an end the debate on the “main motion” (i.e. on the motion to endorse the Address to Her Majesty). The standing order regarding “the previous question” may be found in [Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Canada, adopted by The House, in the 3rd Session of the 6th Parliament, and revised in subsequent Sessions. \(1866\), Rule no. 35](#). (“Previous Question”). The Hunter & Rose version begins with Jones’ speech.

that hon. gentleman may be at the head of affairs in this country; or whether we may have a Coalition Government or a purely party Government; but I consider we should look at the scheme on its own merits, and deal with it as a whole, giving a fair and square vote on the resolutions as a whole.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I think, therefore, that the course which has been taken by the Government to obtain such a vote is the wise and honest course.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I think they deserve credit for the step they have taken with a view to bringing this debate to a close. We have been debating this question day after day for a number of weeks, and I must say that the opposition given by hon. gentlemen on the other side has been of a very factious character; time after time they have risen to make motions on this, that, and the other thing, keeping the House from addressing itself to the matter really under debate, and protracting unnecessarily the decision of the question.

Only the night before last, when an hon. gentleman had risen for the purpose of addressing the House, they cried out that it was too late, and called for an adjournment of the debate; and yet, when that was agreed to, they wasted two or three hours in moving additions to that motion for adjournment. This was done, too, by hon. gentlemen who were well conversant with the rules of this House, and who must have known that these motions were not in order. At midnight they were too tired to allow the debate to go on, and yet they kept the House sitting after that till three in the morning, discussing mere points of order.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—That has been the course pursued by hon. gentlemen opposite. And what, on the other hand, has been the course pursued by the Administration? Did they not put a motion on the notice paper—a motion which the factiousness of hon. gentlemen opposite prevented from being put to the vote—to give further time for the discussion of this question, by resolving that instead of its being taken up at half-past seven, it should be taken up at three, the whole time of the House being devoted to it?

We have been debating the question for weeks, and though hon. gentlemen opposite have been in their places they have not proposed a single amendment. And yet, after this had gone on for such a length of time, so soon as the “previous question” is moved, those hon. gentlemen get up and cry out that they are gagged. Even after the House began to discuss the question at three o’clock, these hon. gentlemen day after day wasted the time by getting in one sidewind after another, in order to create delay, to see if something might not turn up against the scheme. Now, at last, they have got something. Something has turned up in New Brunswick², and I suppose they will now permit us to come to a vote.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—In discussing this question, I do not see any necessity for going back eight or ten years to the speeches of hon. members. I do not see why lengthy extracts should be read to show that the hon. member for Montmorency [Joseph Cauchon] opposed the union of the provinces in 1858, or that the hon. member for Hochelaga [Antoine-Aimé Dorion], at that time, was in favor of it. I do not see what that has to do with the question before us.

² Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley’s Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

It is now submitted in a practical form for our decision, and what we have to do is to give a square vote, yea or nay, that we are in favor of this Confederation, or that we are against it. Our circumstances have changed within the last few years; but it is not on that account merely that I now support this union. I have always, upon every occasion, on the hustings at public meetings and elsewhere, advocated a union of the British North American Provinces; and were our relations with the United States in the same favorable form that existed some five or six years since, I would still give my support to a union.

It is, therefore, sir, not because I think there is a great present necessity for the scheme being brought to a speedy conclusion that I now support it. That present necessity, however, now exists, and I do not see why other hon. gentlemen, after a lapse of five or six years, when times have changed, and a greater urgency has arisen for such a union, should not be allowed to change their minds. "Wise men change their minds; fools have no minds to change."

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Shortly before the meeting of this House, I advertised that I would hold a series of meetings in the riding of South Leeds [David Jones], for the purpose of placing my views upon this question before my constituents, and to see whether their views accorded with my own; men of all shades of politics were requested to attend these meetings, and they were very numerous and respectably attended, not only by those who supported me, but also by those who were my most bitter opponents at the last

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election. And at all of those meetings, some six or seven, not a single voice was raised against the union of these provinces with the Provinces of Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island. All appeared to think such a union advisable and necessary, not only for commercial purposes, but because it would tend to strengthen the ties that bound us to the Mother Country. It has been said that this union has never been before the people, that it has never been a test question at the polls.

Now, sir, so long ago as the year 1826, this union was advocated by Sir John Beverley Robinson³, one of the most able men this country has ever produced; subsequently, on different occasions, it was adverted to by Lord Durham in [his celebrated report](#)⁴—also by the [British American League](#)⁵, presided over by the late lamented Hon. George Moffatt of Montreal, and latterly in [that despatch to the home Government in October, 1858, over the signatures of the Hon. Messrs. Cartier, Galt and Ross](#).⁶

Why action was not taken upon that despatch, I cannot say; I leave this matter in the hands of those who at that time administered the affairs of this country, and who are responsible for the course they pursued in allowing it to be dropped. Sir, the union of these provinces would, in my humble opinion, be of the very greatest advantage to us in many points. It would strengthen, and not weaken, as has been said by its opponents, the ties that bind us to the Mother Country. It would give us a standing in the eyes of the world. Instead of being several small,

³ John Robinson's proposal in 1822 was written in response to the [1822 Bill in the UK Parliament](#), in correspondence to Lord Bathurst on Apr. 23, 1822 in [W.P.M. Kennedy, Documents of the Canadian Constitution 1759-1915 \(1918\)](#), pp. 312-316. [John Beverley Robinson](#) also co-authored with Jonathan Sewell, [Plan for a General Legislative Union of the British Provinces in North America \(1824\)](#).

⁴ [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\)](#).

⁵ The British American League met in Kingston from Jul. 26-Jul. 31, 1849. [Minutes of the Proceedings of a Convention of Delegates of the British American League \(1849\)](#). See also their second convention, later in 1849, in Toronto in [Minutes of the Proceedings of the Second Convention of Delegates of the British American League \(1849\)](#).

⁶ [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & Oct. 25, 1858\) in Colonial Office, "Confidential: Question of Federation of the British Provinces of America," \(Nov. 1858\)](#).

disjointed and fragmentary provinces, as was so ably expressed in [the Speech from the Throne](#)⁷, we would form one great nationality, with a population to begin with of nearly 4,000,000 people, which would place us among the list of the first countries of the world.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—It would tend to strengthen our securities both here and in the Mother Country. Instead of our stocks and our bonds being quoted as if by accident on the Stock Exchange in London, they would be looked for daily, and sought after. It would give us an increased market for our produce and our manufactures, and it would tend more than anything else to cause a tide of emigration to flow to our shores.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Now the emigrant in coming to America is perplexed to know to which of the different provinces he shall go, and when he speaks of going to America, the only place he thinks of is New York. It would create a daily line of steamships from the different points of Europe to Halifax, the nearest point and shortest sea voyage to this country—and with the Intercolonial Railway to bring the emigrant directly through to Canada, who will say that we shall not have a tide of emigration to our shores such as we can scarcely imagine? The only emigration we now have is that induced to come by friends who have made this country a home and have prospered. These, sir, are the reasons, from a political point of view, why I support the resolutions now in your hand. And, sir, in speaking in a commercial sense, and as a commercial man, they shall also have my full and hearty support.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Does any one pretend to say that by the addition of yearly a million of inhabitants to these provinces, a thrifty and intelligent people, that this country will not be made more prosperous? Does any one pretend to say, that by taking away the barriers that exist to trade, with a million of people living close alongside of us, that this country will not be advanced? Will we not have largely-increased markets for our manufactures when those hostile tariffs that now meet us at every port in the Maritime Provinces, restricting our trade with them, are removed? Will we not have an increased market for our produce when we are linked together by the Intercolonial Railroad, and when a free interchange of all our commodities exists? Can we remain, as at present, without any highway of our own to the Atlantic, for ingress or egress, for five months of the year?

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—When we see the hostility existing towards us, and forcibly shown towards us, by the press, the people, and the Government of the United States, by the enforcement of the obnoxious passport system, by the notice of the abrogation of the [Reciprocity treaty](#)⁸, hay the annulling of the bonding system, by the notice given to the Government of Great Britain that the treaty regarding armed vessels on our lakes is to be done away with—when our farmers cannot send their produce for five months of the year to a market; when our merchants, for the same period, cannot get their stocks of merchandise for the supply of the wants of the country; when we are dependent on the generosity of a foreign country even for the passage of our

⁷ [Lord Monck, Legislative Council, Speech from the Throne \(Jan. 19, 1865\), p. A:1](#). The paragraph referenced is as follows, “With the public men of British North America it now rests to decide whether the vast tract of country which they inhabit shall be consolidated into a State, combining within its area all the elements of national greatness, providing for the security of its component parts and contributing to the strength and stability of the Empire; or whether the several Provinces of which it is constituted shall remain in their present fragmentary and isolated condition, comparatively powerless for mutual aid, and incapable of undertaking their proper share of Imperial responsibility.”

⁸ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

mails to Old England—when that is our position, shall it be said that this union with the Lower

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Provinces is not desirable, and that we shall not, as soon as possible, have a railroad across our territory to the Atlantic seaboard, to Halifax, one of the best harbors in the world? Shall we be indebted, be subservient to, be at the mercy of a foreign country for our very existence?

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Sir, shall we remain dependent upon that country for all these things, or shall we not rather put our own shoulders to the wheel, throwing off our supineness and inertia, and by building the Intercolonial Railway, provide an outlet for ourselves?

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—And simultaneously with the construction of that great work, I hold that for the benefit of the commercial interests of the country we ought to enlarge and deepen our canals.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I desire now to read a [Minute of the Executive Council](#), issued by the Sandfield Macdonald-Dorion Government⁹, under date 19th February, 1864. It is as follows:—

Although no formal action, indicative of the strength of the party hostile to the continuance of the [Reciprocity treaty](#), has yet taken place, information of an authentic character, as to the opinions and purposes of influential public men in the United States, has forced upon the committee the conviction that there is imminent danger of its speedy abrogation, unless prompt and vigorous steps be taken by Her Majesty's Imperial advisers to avert what would be generally regarded by the people of Canada as

a great calamity.¹⁰

And in another place it is stated:—

Under the beneficent operation of the system of self-government, which the later policy of the Mother Country has accorded to Canada, in common with the other colonies possessing representative institutions, combined with the advantages secured by the [Reciprocity treaty](#) of an unrestricted commerce with our nearest neighbors in the natural productions of the two countries, all agitation for organic changes has ceased, all dissatisfaction with the existing political relations of the province has wholly disappeared.¹¹

From this Minute it appears to have been the opinion of the Sandfield Macdonald-Dorion Government¹² that the abrogation of the [Reciprocity treaty](#)¹³ would probably be a great calamity to this country. But I am not of that opinion, and I believe that the people of this country will never be so reduced as to go on their knees to pray the Government of the United States to continue the treaty.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Indeed, for the past year or two, in consequence of the difference in the currency between the two countries, we have felt almost as though that treaty had been put an end to already. In consequence of the state of the currency, many of the best interests of this country have been injured, the mining interest of the province has been put a stop to, and the lumbering interest, one of the most important of our many important interests, crippled and paralysed.

Some Hon. Members—Hear.

David Jones [Leeds South]—What much greater injury can befall us, by the abrogation of the [Reciprocity treaty](#), than that we now suffer through the derangement of the currency? Instead of the repeal of the

⁹ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

¹⁰ Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Governor General on the 19th February in "Return: Address of the Honorable the Legislative Assembly, dated 15th February, 1865 for Copy of all Correspondence between the Government of Canada and the United States, or the British Ambassador at Washington, and of all Despatches from the Home Government, and Orders in Council, on the subject of the Reciprocity Treaty," [No. 26] in [Sessional Papers \(1864\)](#).

¹¹ *ibid.*

¹² Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

¹³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

[Reciprocity treaty](#) being a great calamity, it will lead to an agitation for organic changes which cannot fail to be of the greatest advantages to the future prosperity of the country. For my part I do not at all like the idea of a document of that kind, emanating from our Canadian Government, falling into the hands of the American people, and leading them to believe that in our estimation the repeal by them of the [Reciprocity treaty](#)¹⁴ would be calamitous to this country.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I repeat that I do not believe that the abrogation of that treaty will eventually be detrimental to our interests. It is true that we may suffer for four or five years, and suffer greatly, but we will be thrown upon our own resources, and ultimately become strong and self-reliant. Our merchants will no longer be denied an outlet to the ocean during five or six months in the year, except by the favor or forbearance of our Yankee neighbors. Let us put our hands into our pockets to build this Intercolonial Railway, and we will be opening a way to the ocean to our merchants and our farmers for shipping their products over their own territory.

And when we are in that position, we shall be able to say to the people of the United States—"You shall no longer be allowed to participate in the benefits of our fisheries—we will close the navigation of our canals against you—and we will cease to permit, without the payment of a heavy duty, the importation into this country of your coarse grains for the supply of our distillers and brewers." And, sir, when it is stated that the importations of these grains have amounted to nearly two millions of bushels annually, it will be seen that after all the reciprocity is not altogether on one side.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I think that they will then acknowledge it will be better (or them to be on more friendly terms with this province, seeing that we control the

navigation of the Welland and St. Lawrence canals, the

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natural outlet for the products of the Western States, which in 1863 amounted to the enormous quantity of five hundred and twenty million bushels of grain—they will be dependent upon us, instead of our relying upon them. Compared with the St. Lawrence navigation the Erie canal is but a ditch, and it is closed by the frost earlier in the season than our lake and river navigation. When all these advantages which we enjoy are considered, the people of the United States will see how much better it is to live on terms of friendship and amity with us, instead of, to use a vulgar but forcible phrase, "cutting off their nose to spite their face."

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—With regard to the proposed resolutions, I stated at the outset that there were portions of the scheme to which I objected, and I may now, sir, be allowed briefly to advert to them. I would prefer that the whole power was concentrated under one head by a Legislative union, rather than a Federal union. I fear that the machinery will be complex, and that we will find, under the proposed system, that the expenses of the Government will be much greater than if we had one General Government without these additions of local legislatures for each of the provinces.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—But I am happy to say that the proposed Federal system is not a reflex of the old Federal union of the United States. Notwithstanding some honorable gentlemen have praised the Federal system in the States as worthy of imitation, full I think our proposed system much to be preferred. It differs in this—the United States Federal system was formed from a number of sovereign states, with sovereign powers, delegating to a central power just as much or

¹⁴ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

as little of their power as they chose; thereby the doctrine of state rights obtained, and, as we have seen within the last four years, has been the cause of bloodshed and civil war, it may be to the probable destruction of that Federal union.

Our case is exactly the reverse instead of the Central Government receiving its power from the different provinces, it gives to those provinces just as much or as little as it chooses. Hear what [the 45th resolution](#) says—"In regard to all subjects in which jurisdiction belongs to both the general and local legislatures, the laws of the General Parliament shall control and supersede those made by the local legislatures, and the latter shall be void so far as inconsistent with the former."¹⁵ This places the whole control in the hands of the General Government, making the union as nearly legislative as the circumstances of the various provinces would admit. So much is this the case that the hon. member for Hochelaga [Antoine-Aimé Dorion] fears that it would eventually result in a legislative union—a result to my mind most devoutly to be desired.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—There are two or three more of the points of the resolutions to which I have objection. The public lands are placed at the disposal of the local legislatures; immigration also is in the hands of the local legislatures, and the seacoast fisheries are in the hands of the local legislatures. These are matters common to the whole, and should, for many reasons, be under the control of the General Government. These various interests, however, are all covered by the 45th resolution of the Conference which I have just read, and which declares that when consistent with the welfare of the General Government, their control will be taken from the local legislatures.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—I have, as briefly as possible, shown that in my opinion,

in our political and our commercial relations we would be benefited by the union of Canada with the Maritime Provinces. I have also adverted briefly to the objections which I bold to the proposed mode of carrying out the union.

I shall now endeavor to show that as a means of defence it is highly desirable. If there is one thing more desirable than another, it is to have the whole forces of the country under one governing power. How might it fare with us, in case of war or invasion, with the provinces disunited? Objections could now be made against the withdrawal of a portion of the militia from one province to the others, without the consent of the government of that province, and before they could be brought into the field, valuable time would be lost, red-tapeism would stand in the way, and the delay might be dangerous.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—By being united and controlled under one head, troops could be thrown upon any point attacked, at a moment's notice. Objections have been made by hon. gentlemen to any expenditure for the purpose of building fortifications, at proper points, for the defence of the country; but I am satisfied there is no reasonable sum that may be required that will be grudged by the people of Canada; for if there is any purpose for which they will contribute cheerfully, it is for the defence of their country, and to continue the connection and cement the tie that binds us to the Mother Country.

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Some Hon. Members—Hear, hear.

David Jones [Leeds South]—It has been also stated that we could not defend ourselves against an overwhelming power such as the United States. Time was when we did defend ourselves, and that successfully; and if the time should ever come again, the people of Canada and of the Maritime Provinces will not be found backward to defend everything they

¹⁵ [Quebec Resolution 45. Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

hold sacred and most dear.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—It has also been said that we should keep a strict neutrality; in fact that our neutrality should be guaranteed by England, France and the United States, in case war should unfortunately take place between them. But such an idea is too absurd to be considered for a moment.

Would the people of this country submit to such an arrangement even if attempted to be carried out? Would we allow England, if forced to go to war with the United States, want the assistance of her Canadian subjects? Could we restrain the people of Canada from doing their duty, when they saw the Mother Country battling with her foes? If I thought such would be the case, I should deny my country, for we should be held up to the scorn and derision of the world.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—On the question of our defences, I desire to read an extract from [the report of Col. Jervois](#), the able engineer sent out to report upon the practicability of defending Canada against attack:—

The question appears to be whether the British force now in Canada shall be withdrawn in order to avoid the risk of its defeat, or whether the necessary measure shall be taken to enable that force to be of use for the defence of the country. The sum required for the construction of the proposed works and armaments at Montreal and Quebec would only be about one year's expense of the regular force we now maintain in Canada.¹⁶

It is a delusion to suppose that force can be of any use for the defence of the country, without fortifications to compensate for the comparative smallness of its numbers. Even when aided by the whole of the local militia that could at present be made available, it would, in the event of war, be obliged to retreat before the superior numbers by which it would be attacked, and it would be fortunate

if it succeeded in embarking at Quebec, and putting to sea without serious defeat.

On the other hand, if the works now recommended be constructed, the vital points of the country could be defended, and the regular army would become a nucleus and support, round which the people of Canada would rally to resist aggression, and to preserve that connection with the Mother Country which their loyalty, their interests, and their love of true freedom alike make them desirous to maintain.

Such is the report of Col. Jervois, one of the ablest men on those subjects in the English service, and I think it can with greater reason be relied upon than all the mere assertions of hon. members, who are not supposed to know much, if anything at all, upon a subject which they have never made a study, and upon which they have had no experience whatever.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—Sir J. Walsh also, a few days since, in [a speech upon an Address to Her Majesty](#) for papers and correspondence with the American Government in relation to the [Reciprocity treaty](#)¹⁷, and the notice for a finality of the treaty restricting the number of armed steamers upon our inland waters, spoke thus:—

There might be some hon. gentlemen who would contemplate, without shame or regret, the total and entire severance of the connection between England and Canada, and who would say that this country would get rid thereby of a source of much embarrassment, expense and trouble. He would, however, tell those hon. gentlemen that Great Britain could not, if she would, cut Canada adrift.

As long as Canada retained her desire to be connected with this country—as long as Canada preserved her spirit and her resolution to be independent of America, so long would England be bound by her honor, by her interests, and by every motive that could instigate a generous or patriotic nation, to sustain, protect and vindicate the rights of Canada, and to guard her, whether as an ally or a dependency, against the aggressions of the United States;

¹⁶ [Letter from Lieutenant Colonel Jervois to the Secretary of State for War with Reference to the Defence of Canada \(Jan. 1865\), pp. 6-7.](#) Quote is almost verbatim.

¹⁷ [Canadian-American Reciprocity Treaty of 1854.](#) *Supra* footnote 8.

it was impossible for England to shrink from the obligation.

But if ever that day should come, and if ever that speech were made, the whole world would observe that the old English oak was not only withered in its limbs, but was rotten at its heart. There was, in fact, no escape from the obligation which bound Great Britain, by every tie of national honor and interest, to maintain and defend Canada. The question was not one merely between England and Canada, but was one between England and the United States. It appeared to him that the notice given by the American Government was an act of such unmistakable hostility, that it almost

- (p. 820)

amounted to a declaration of war, and at a much earlier period of our history, it would have been so regarded.¹⁸

When such views are held in England, when so strong a desire is manifested in Canada to maintain our connection with England, and to remain under the sheltering folds of that flag we love so well, shall it be said that we have not the spirit left to defend ourselves? I know, sir, that the people of Canada will not be backward, should ever that time arrive. I feel that there is some of the spirit of 1812 still left among us. I am convinced that the blood of those men who left the United States, when they gained their independence, and who gave up all in order to live under the protection of the laws of Old England—the blood of those old United Empire Loyalists, I say, still courses through our veins.

Some Hon. Members—Hear.

David Jones [Leeds South]—Sir, I trust that this union may be consummated, in order that British power on this continent may be consolidated, our connection with the Mother Country cemented and strengthened, and that under this union this country may be made a happy home for hundreds of thousands of emigrants from the Mother Country—a happy and contented home for all now living here, and for our children and children's children for generations to come.

Some Hon. Members—Hear, hear, and *cheers*.

Richard Cartwright [Lennox and Addington], said—Mr. Speaker, the turn which this debate has assumed of late is somewhat remarkable. Up to a very recent period, hon. gentlemen opposite have dwelt chiefly on the extreme—I think they even said the indecent—haste with which this project has been pushed forward. They have asserted that this scheme was the sole, the only bond of union between the members of the present Ministry, and further, that so rash, so inconsiderate was their eagerness to effect their end at any cost, that they have seriously compromised our interests by undue concessions to the remaining provinces, and notably to Newfoundland and New Brunswick.

Latterly, however, the question has assumed a new and different phase. It has been discovered that so far from being a bond of union, the project of Confederation is a mere pretext, a blind to cover their predetermination to maintain their position at all hazards. Now, sir, passing over the obvious inconsistency of these contradictory accusations, passing over the absurdity of calling the Confederation the sole bond of union, and yet a sham to cover that union, I shall have a few words to say as to the reasons which induced me, in common with a great majority of this House, and I believe with a great majority of the people of this country, to support honorable gentlemen on the Treasury benches, not only as regards the project we are now discussing, but as to their general policy in effecting the extraordinary fusion of parties which took place last summer.

Sir, it is idle to talk of that step as if those honorable gentlemen were alone responsible for their conduct on that occasion. What they did was done with the full knowledge and consent of their supporters, and reflects on our honor, if wrong, quite as much as on theirs. But, sir, I am very far indeed from admitting that we were wrong. I think the reasons which influenced us then were strong enough to

¹⁸ [UK, House of Commons, "Canada and the United States" \(Feb. 10, 1865\), vol. 177, cc141-50.](#)

justify us fully; those reasons are tenfold stronger now.

To understand them, Mr. Speaker, we need only glance at the parliamentary history of the last few years, and then ask ourselves whether any language is too strong, any sacrifice too great, to put an end to the state of things which prevailed throughout that period.

But first, sir, let me pause to deal with the charge of undue haste. Doubtless the rapidity with which these negotiations have advanced was as remarkable as it was unexpected. I believe there is hardly an instance in which a political project of such magnitude and delicacy has made such astonishing progress in so short a time; and so far from holding it an objection, so far from allowing that this is any evidence that the country has been taken by surprise in assenting to this scheme, I hold that it is, on the contrary, the best possible omen of its ultimate success, no matter what temporary checks it may encounter, because it shows conclusively not only how zealously and honestly Ministers have devoted themselves to the task of carrying it into effect, but, which I think of even more importance, because it proves how powerfully the events of the last few years have contributed to mature men's views on this subject, and shows that, so far as this province is concerned, my honorable friends are but aiding to carry out a foregone conclusion—a conclusion long since arrived at by every man among us who desires to maintain our independence or our connection with the British Crown; that in this, or some such scheme as this, lies our best, if not our only hope of escaping absorption into the great republic which adjoins us.

Sir, this is an argument which perhaps has more weight with us than with some hon.

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gentlemen before me. It may be that there are gone even here who are secretly dazzled by the magnificent vision, so dear to American statesmen, of an empire which shall spread from sea to sea, and unite every scattered state and province from the Gulf of Mexico to

Hudson's Bay under one law and one rule. Sir, I can understand the fascination which such an idea can exercise; I can even sympathise with it to some extent; and it is just because I do understand it that I am prepared to oppose it to the utmost, believing that in the long run the establishment of a power so gigantic could not fail to be fraught with the greatest misfortunes to those who might live under it, if not to the whole human race.

And now, sir, to return to my subject, I would like to take a rapid glance at the perils from which we have but lately escaped; and in so doing, I shall speak only of those of which I have myself been cognizant in my own parliamentary career, brief though it is; and I appeal again to the consciousness of every honorable gentleman, whether there is anything in the events of the past two sessions of which we have much reason to feel proud, save, perhaps, their closing scene? What was our position, Mr. Speaker; what was that position which some honorable gentlemen have the hardihood to affect to regret?

Two dissolutions granted (though in the latter case the Royal prerogative was not exercised); three changes of Ministry within the space of a single twelvemonth; the fate of cabinets dependant on the vote of a single capricious or unprincipled individual, in a House of 130 members; a deficient revenue and a sinking credit; all useful legislation at a stand-still—these, sir, were circumstances which might well have filled us with apprehension, had they occurred in a time of profound peace; but which, sir, coming, as they did, at a period when we are menaced with the gravest danger which can befall a free people, would have argued us deaf and blind to every lesson which the misfortunes of our neighbors ought to teach us, had we not embraced the very earliest opportunity to extricate ourselves from such a position; and the wonder to me is not that our statesmen should have shown themselves willing to bury their private grudges and paltry personal animosities, but rather that we could have been infatuated enough to permit such a state

of things to continue at such a crisis for two whole years. It is not for me to say who has been most to blame in the past.

I judge no one, still less do I undertake to defend them; but I speak of acts patent and known to all, when I say that the position of parties in this province, the bitterness and virulence of party feeling, and the narrowness and acrimony to which those feelings gave rise, were degrading and demoralizing us all to a degree which it is not pleasant to look back upon even now. And so far from regarding the union of parties which has taken place as a political misfortune in itself, or as tending to deprive the people of any safeguard, I say that it was of the greatest importance to our people that they should be relieved, if only for a brief period, from the desperate party struggles in which they have been engaged—that a lull of some kind should be afforded, that they should have some opportunity of considering the grave dangers which encompass them, some chance of escaping from the state of practical anarchy into which they had been drifting.

It is to their credit, Mr. Speaker, and to the credit of those who control the press of this country, that ever since this project has been fairly before us a very marked improvement has taken place in the whole tone and temper of public discussion. Of the press, in particular, I must say that the moment they were relieved from the necessity of supporting party manoeuvres—the moment a subject of sufficient importance was submitted for consideration, they seem to have risen at once to the level of the subject, and to have abandoned all those unhappy and rancorous personalities which, in times past, were too apt to disfigure their pages.

Sir, I believe the people of Canada have learned a lesson which they will not easily forget. I believe that henceforward it will not be found so easy to array citizen against citizen, race against race, as it has been heretofore. I believe our people have discovered that men who rise to be the heads of great parties are not of necessity villains and

scoundrels—that both sides may have great political principles to maintain—that the words Reformer and Revolutionist, Conservative and Corruptionist, are not absolutely convertible terms, and that men who have given up the best part of their lives, and sacrificed too often, the best part of their fortunes in the service of their country, have had some better and higher reasons than mere love of

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jobbery and intrigue for doing so.

To me, sir, this appears a matter of great moment. It is only too notorious how much of the misery and misfortune which has befallen the United States, is to be traced to the systematic degradation of their public men. It is well for us that the matter is still in our own power. It is well for us that we have still the choice whether we will have statesmen or stump orators to rule over us—whether this House shall maintain its honorable position as the representatives of a free people, or whether it shall sink into a mere mob of delegates, the nominees of caucuses and of wire-pullers. It is still in our power to decide whether we shall secure a fair share of the best talent we possess to carry on the affairs of the country, or whether we will ostracise from our councils every man of superior ability, education or intelligence—with what practical results we need not look far abroad to see; and I think, sir, it is fast becoming apparent that in this, as in other matters, the people of Canada are well disposed to adhere to the traditions of their British ancestry.

There is one objection, Mr. Speaker, which has been advanced perpetually throughout this debate by some hon. gentlemen who, while unable or unwilling to show any valid reason against Confederation in itself, profess themselves bitterly scandalised at the political combination by which it is likely to be brought about. Now, sir, I admit at once that there is a prejudice, a just and wholesome prejudice, against all coalitions in the abstract. I admit that that prejudice is especially strong in the

minds of Englishmen, and that, in point of fact, a coalition is always an extreme measure, only to be had resort to in cases of extreme emergency. A coalition, Mr. Speaker, may be a very base act, but it may also be a very noble one.

It may be a mere conspiracy, for purposes of revenge or plunder, on the part of men hating and detesting each other to the uttermost—or it may be an honorable sacrifice of private personal enmity before the pressure of overwhelming public necessities, to escape from great danger or to carry a great object. Sir, I shall not insult the intelligence of the House by enquiring whether this present existing Coalition has proposed to itself an object of sufficient importance to warrant its formation. Even those who censure the details of this scheme most strongly are fain to do homage to the grandeur of the project, and are compelled to admit that a union which should raise this country from the position of a mere province to that of a distinct nation, is a project well worthy of the utmost efforts of our statesmen.

To determine the remaining question whether the position of our affairs were so critical as to require the utmost energy of all our leaders, and to justify any union which gave a reasonable hope of extricating ourselves from our difficulties, I must again revert to the condition in which we found ourselves during the last few years, and I ask every hon. member to answer for himself whether it was one which it gives him any pleasure to look back upon? Was it pleasant for us, Mr. Speaker, a young country without one penny of debt which has not been incurred for purposes of public utility—was it pleasant for us, I ask, to find our revenue yearly outrunning our expenditure in the ratio of 20, 30 or even 40 per cent, per annum? Was it pleasant for us to know that some of our once busiest and most prosperous cities were being depopulated under the pressure of exorbitant taxation? Was it pleasant for us, inhabiting a country able to sustain ten times its present population, to find capital and immigrants

alike fleeing from our shores, even if they had to take refuge in a land desolated by civil war? Was it pleasant for us, sir, the only colony of England which has ever vindicated its attachment to the Empire in fair fight, to know that our apathy and negligence in taking steps for our own defence was fast making us the byword to both friend and foe?

And lastly, Mr. Speaker, I ask was it pleasant for us, needing and knowing that we needed a strong Government above all things, one which should maintain a firm and steady policy, and possess the good-will and support of at least a large majority of our people—I say, sir, was it pleasant for us at such a crisis to find ourselves the victims of a mere political seesaw—to be sure only of this one fact, that whatever course of policy was adopted, the circumstance that it emanated from one party would cause it to be viewed with jealousy and suspicion by the whole remaining moiety of the nation? I would not have it thought, Mr. Speaker, that in saying this, I am blind to the difficulties with which our statesmen have had to struggle. So far from this I believe that it has been quite too much the fashion to underrate them in times past. We have spoken of them as if it were the easiest task in the

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world to blend together, in less than one generation, two distinct peoples—peoples differing from one another in race, in language, in laws, customs and religion—in one word, in almost every point in which it is possible for men of European origin, and professing one common Christianity, to differ from each other.

Sir, this could never have been an easy task. It is one which has again and again baffled the ablest statesmen of the most powerful monarchies of Europe; and I will not undertake to say whether it is ever capable of complete accomplishment. Be that as it may, I know that in every empire which has ever existed, from the English to the Roman, which has held different races under its sway, it has always been found necessary to make large

allowances for distinctive national traits—has, in fact, been found necessary to introduce in some measure the Federal element, though it is equally, true that in every state which deserved the name of an empire, the supreme authority of the central power in all that concerns the general welfare has been acknowledged unreservedly.

And, sir, it is just because this seems to have been effectual in all essential points in the scheme now before us—because, while reserving to the General Government the power of the purse and the sword, it accords the amplest defensive powers to the various local bodies—because, even where there may be some conflict of jurisdiction on minor matters, every reasonable precaution seems to have been taken against leaving behind us any reversionary legacies of sovereign state rights to stir up strife and discord among our children.

For all these reasons, I say, I am disposed to give my hearty support to the scheme as a whole, without criticising too narrowly the innumerable details which it must inevitably present to attack. All I hope is that in adjusting our new constitutions, local and general, we shall not allow our minds to be warped by antiquated notions of the dangers which threaten our liberty. No fear here, Mr. Speaker, for many a day to come at least, of perils which await us from the tyranny of hereditary rulers, or the ambition of aristocratic oligarchies.

No, sir, no; and while it is true that here as elsewhere, there are always dangers enough to retard our progress, I think that every true reformer, every real friend of liberty will agree with me in saying that if we must erect safeguards, they should be rather for the security of the individual than of the mass, and that our chiefest care must be to train the majority to respect the rights of the minority, to prevent the claims of the few from being trampled under foot by the caprice or passion of the many. For myself, sir, I own frankly I prefer British liberty to American equality.

I had rather uphold the majesty of the law than the majesty of Judge Lynch. I had rather

be the subject of an hereditary monarch, who dare not enter the hut of the poorest peasant without leave had and obtained, than be the free and sovereign elector of an autocratic President, whose very Minister can boast the power of imprisoning one man in New York and another in St. Louis by the touching of a bell-wire! I said, sir, that there were many reasons why we should all unite in furthering this project. It is not merely because of the barriers to material progress which it will remove—though I am far from undervaluing their importance; it is not merely because of the higher prizes which it will throw open to individual ambition—though I do not affect to despise this either; but it is chiefly, after all, because I believe it will be found to have the most beneficial results, in elevating our politics and in inspiring our people with those feelings of dignity and self-respect which lie at the bottom of all real national greatness.

Sir, I can only liken our position for some time past to that of a youth who has been allowed to take possession of his inheritance at an age when he is not yet legally responsible for his actions. I do not believe that such a position is good either lord a nation or an individual, and I for one rejoice that it is about being brought to a close. There were several other subjects, Mr. Speaker, which I had intended to allude to; but I find my voice is still too weak to allow more than a few remarks. Still, sir, I do not wish to sit down without saying briefly that I am glad to find one lesson at least, which the British Constitution ought to teach us, is beginning to be impressed upon our people.

That Constitution, Mr. Speaker—though we have not always been sufficiently alive to the fact—while it does not require the possession of those lofty, impracticable virtues which most republican institutions demand from their votaries, does nevertheless presuppose a reasonable amount of discretion at the hands of those who are intrusted with the

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carrying out of its details. And, sir, though it is

true that it does recognise the calm, deliberate, just decision of the majority—and the calm and deliberate decision is almost always just—as final in the last resort, it does still so abound with safeguards—with latent checks of all kinds—checks established, mainly of them, more by custom and usage than by positive law—as to make it all but impossible for any majority, however strong, to perpetrate any gross act of injustice on a minority, so long as that minority could command but one or two resolute representatives on the floor of Parliament.

Sir, it is impossible not to feel that it is in a very great degree to this fact; to the instinctive sense of the inherent powers of self-defence which our customs give to the weak against the strong—to the conviction that to drive any party to despair would create an inevitable dead-lock—that England owes it that she has contrived to administer her affairs for near two hundred years without any overt acts of tyranny or one direct collision or irregular interference with the ordinary course of law.

Sir, I rejoice to see that we will continue to adhere to a system which has borne such good fruit, as a whole, in the parent land; and I think the reflection how difficult, if not how dangerous, it is to oppress a determined minority under such a system, may serve to calm the fears of those honorable gentlemen who dread the loss of local rights and privileges at the bauds of the stronger race.

For the rest, Mr. Speaker, though I will venture upon no predictions—though I know we must expect many difficulties, many checks before we can hope to bring so great an enterprise to a successful issue—I trust I may be pardoned for expressing my conviction that the loyalty and fidelity of the early settlers of this country—and I speak here without regard to any special nationality—is destined to be rewarded in the way in which they would most have desired to see it rewarded if they had lived to see this day, by the establishment of a kingdom on the banks of the St. Lawrence, which, without binding itself down to a slavish adherence to the customs of the old

world, would yet cherish and preserve those time-honored associations our American neighbors have seen fit so recklessly to cast away.

Sir, our forefathers may have had their faults; but still, in spite of all, I dare affirm that the brave, self-sacrificing spirit they displayed—their manful struggle against heavy odds—and last, but not least, the patient, law-abiding spirit which has ever induced them to prefer reform to revolution, even when engaged in sweeping away the last vestiges of worn-out feudal systems in Church and State from their midst—I say, sir, that these afford us ample proof that the men to whom, I hope, we shall soon look back as the founders of a new nation, were ancestors of whom any people might be proud; and I trust that we, their descendants, may prove ourselves but half as capable of administering and developing the vast inheritance which awaits us.

Sir, I believe that even we ourselves are but just beginning to grow aware of the immense resources, whether in field or forest, in mine or in minerals, in seas or in fisheries, with which it abounds; that we are but just beginning to appreciate the advantages which surround us—our all but unpatrolled internal navigation; a healthy and far from over-rigorous climate, and a country which, even if it does not present the same facilities for accumulating enormous fortunes in the hands of a few individuals which some other lands may afford, still promises, and, I think, will continue for many a day to promise, comfort and competence to every man who is willing to work for it.

Older nations, Mr. Speaker, are working for us even now. Older nations are accumulating the skill and the capital which will yet be transferred to our shores, if our own folly do not prevent it. Older nations are even now busied in solving those problems which advanced civilization is sure to bring to us in our turn; and we, if we are wise, may learn and profit by their example.

A little patience, a little forbearance, a little

timely concession to mutual prejudices, a little timely preparation against possible dangers, and we may well hope to establish a state which, in all essential attributes of power and happiness, need not fear comparison with any other on this continent. Let us not be daunted by any accidental checks—we must lay our account to meet such in matters of not one tenth its importance—this is the time and this the hour; never again can we hope to enter on our task under circumstances better fitted to remove the natural, the inevitable prejudices, which must exist between so many different provinces—never again can we hope to receive a warmer and more energetic support from the Imperial authorities—never again can we hope to see a

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Ministry in office which shall command more completely the confidence of the great mass of our people, and which shall possess the same or equal facilities for adjusting those sectional difficulties which have disturbed us so long; and I trust that in this most important crisis, this House will show itself not altogether unworthy to be intrusted with the destinies of three millions of their countrymen.

My own years are not very many, Mr. Speaker, but yet even I can remember when Canada was but a petty province, an obscure dependency, scarce able to make its voice heard on the other side of the Atlantic without a rebellion; forgotten or ignored, as if, [as the French Minister said when he signed the treaty for its surrender](#), “it mattered not what became of a few barren acres of snow!”¹⁹

And yet, sir, in less than thirty years I have lived to see Canada expand into a state equal in numbers, in resources and power of self-government to many an independent European kingdom—lacking only the will to step at once from the position of a dependency to that of an ally—a favored ally of the great country to which we belong, and to take that rank among the commonwealth of nations

which is granted to those people, and to those only, who have proved that they possess the power as well as the wish to defend their liberties.

This, sir, is what I think Canada can do; this is what I think Canada ought to do; and if, as I believe, this project of Confederation would contribute most powerfully to enable us to do so, there are few sacrifices which I would refuse to make for such an object—much more, forgive my honorable friends yonder for having in time past spoken somewhat over harshly and hastily of each other. Let them only persevere, let them only go on and complete the task which I will say they have so nobly begun, and they will have made good their claim—I do not say to the forgiveness—but to the regard, the affection, the esteem of every man who shall hereafter bear the name of Canadian.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil] said—Mr. Speaker, the importance of the proposed measure; the fatal consequences which would result to the country if the plan of Confederation were rejected by this House; the sources to social, political and commercial prosperity with which the measure of Confederation is pregnant, if it is adopted with a firm determination on the part of all to contribute their part towards its perfect working, are such, that notwithstanding the eloquent speeches delivered on the subject on both sides, and which seem to have completely exhausted it, I consider it my duty to make known to the country the reasons which influence me to assist in passing it. Called, as we all are, to record our votes either for or against this great constitutional change, it is no more than right that everyone should in his own way account for the part which he may take in a measure which will naturally inaugurate a new era in the parliamentary annals of Canada.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—I have

¹⁹ [Voltaire, *Candide* \(1759\), p. 209.](#)

listened attentively to the opponents of the measure, and read their speeches again and again, and truly the only effect they have had on my mind is a stronger conviction that in the anomalous position of the country, a Federal union of all the Provinces of British North America is the only remedy for all the innumerable difficulties which are shadowed forth on our political horizon.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—The opponents of the measure, not being able positively to deny the advantages of Confederation to all the five provinces of British America, endeavor to get up a cry that this union would involve the loss to us French-Canadians, and Catholics, of our nationality, our language, our laws and institutions. I, for my part, cannot look upon it in so terrible a light—having all history before me, I cannot come to that conclusion. I shall soon show clearly that there exists throughout the world confederations in which are included different nationalities, different religious sects, and in which, nevertheless, the most thorough equilibrium prevails of the political, civil and religious rights pertaining to the different classes of which they consist. Do we find any other means of settling our difficulties of all kinds besides this of Confederation? No, I find none; and none is proposed to us by the opponents of the plan now before the House!

Mr. Speaker, the country is come to a political dead-lock; we have arrived at a crisis; ambition, the thirst of power, political passions worked upon in all ways and on all sides, have so clogged the wheels of the machine of government, that it has been brought to a stand-still; and those who guided its movements have had to rack their brains to find some way of continuing the transaction of public business—a way by which we may arrive at a solution of the difficulty, and escape

from the slough of status quo in which the wheels of government are stuck fast, and by which we may return to the

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high road of progress and improvement.

Truly, Mr. Speaker, if the bitterest enemy of Canada had had it in his power to invent an [inclined plane](#)²⁰ on which he might place us to hurry us to ruin, he could not have done it better than the different political parties have done it within the last few years. Elections on elections, one Ministry succeeding another; one crying out extravagance, the other issuing commissions of inquiry to try to make places for its friends—what, in short, has been the course of events for the last few years?

Since the 21st May, 1862, have we not had [four or five governments who have managed the affairs of the country](#)²¹? One we had which seemed to be “the darling of the nations,” the paragon government of economy and retrenchment, the Macdonald-Dorion Government²². What did it do for the country? Nothing, absolutely nothing; it had not even the moral courage to stand by its own measures. In the beginning of February, 1864, it brought in a bill (that respecting sheriffs).

Well, what did it do in the circumstances? Afraid of its own work, it stood aghast at the remonstrances of some of its own partisans, who were contumacious—despair fell upon the leaders—the camp was a scene of confusion; and lo! One fine day this Ministry, which was to bring back the golden age of happiness and prosperity, sank placidly to rest—became a thing of the past, and left “not a wreck behind” to mark its accession to power. In a word, that pattern Administration died in its virginity, died with the famous scheme of retrenchment in its hand, and a still-born “budget” on its conscience!

Some Hon. Members—*Continued laughter*

²⁰ [Étienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 6.](#)

²¹ [Taché, LC \(Feb. 3, 1865\), p. 9.](#) He mentions five administrations: Cartier-Macdonald (1858-1862), Macdonald-Sicotte (1862-1863), Macdonald-Dorion (1863-1864), Taché-Macdonald (Mar. 1864-Jun. 1864), and the Great Coalition (Jun. 1864-Present).

²² Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

and cheers.

Antoine Harwood [Vaudreuil]—I ask every man of sense how many such governments as that we should require to take the ship of the country's welfare into port—to redeem us from our unhappy condition—to calm the strife of parties—to settle the many questions, often irreconcilably incompatible with each other, which had so long agitated the different sections of the country—a strife which threatened to become perpetual? What would have become of us if a providential piece of good fortune had not brought together the men who compose the present Administration?

Every one can conceive that the Coalition Government, the only possible one in such circumstances, came in just in the nick of time; and, as a proof of its fitness for its mission, it “took fortune by the forelock,”²³ as the proverb says, and cleverly made use of opportunity. In fact, three months after the present Ministry was formed, three of the Lower Provinces, comprehending the utility of a union among themselves, conceived the idea of forming one from which might flow strength and prosperity to all; being convinced that a state of disunion such as theirs had always been—their commerce paralyzed by hostile tariffs—was a political suicide.

They therefore sent delegates to Charlottetown, to devise a plan among themselves for the purpose of solving, in some profitable manner, the difficulties which beset them, the three provinces. What course did our Government then take? The members of the Cabinet—too wise to disregard the importance of the movement—too statesmanlike to neglect its advantages—found means to take part in the proceedings at Charlottetown; and being convinced that a Federal union of all the Provinces of British North America would be the real salvation of

the country, laid before the delegates at Charlottetown a large, well-digested scheme based on a regard for justice and equality in respect of the rights and privileges of all; a scheme by which each origin and each belief will enjoy full and complete protection; a scheme of Federal union, in a word, having for its apex the powerful aegis of England; for its foundation, social, political and commercial prosperity; and for its cornerstone, Constitutional liberty in all its amplitude and strength.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—This idea of a Confederation of the provinces is not a new one. All who are in the slightest degree acquainted with the parliamentary history of the country, are aware that a plan for the Confederation of the British North American Provinces was one of the bases upon which the programme of the Cartier-Macdonald Administration rested in 1858²⁴.

It may be asked—“Why should we have Confederation?” “Why should we not remain as we are?” It is impossible, and its impossibility is proved by the past. Let those who do not see the reasonableness of the Confederation look at what is going on on the other side of the line—what do they see there? The threatened abrogation of the [Reciprocity treaty](#)²⁵. The abrogation of the transit system is threatened. A passport system, which throws the greatest possible obstacles in the way of our free travel through the States, and does serious injury to the development of our trade, has been inaugurated. We have no means of communicating

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during the winter with the Mother Country, except by passing over American soil, and our passage over that soil is merely tolerated; we may at any moment be deprived of this privilege, and in that case we should find

²³ i.e. “Seize an opportunity.”

²⁴ Led by George-Étienne Cartier & John A. Macdonald (1858-1862). The government administration was formed on Aug. 6, 1858.

²⁵ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

ourselves all at once, during the long winter season, without any possible means of communication with Europe. These reasons are more than sufficient to cause us to seek to improve our position, and the only possible means by which to effect that, object, is a commercial, social and political union with our sister colonies, the Maritime Provinces.

I hear honorable members say—"Why not rather have the repeal of; the union?" "Why not leave Upper and Lower Canada separate as they were previous to 1840²⁶?" Such a measure would probably put an end to the reiterated demands of Upper Canada for representation based upon population, and the fears entertained by Lower Canada, the fear of seeing her institutions endangered, should that system of representation be conceded; but that measure would be rather a retrograde one, which would throw the country back, and would place it in the position which it occupied previous to the union.

That measure would abrogate an agreement which has long existed—a union which has proved to the country a well-spring of progress, riches and prosperity. Such a dissolution would only tend to weaken us still more, and we should be but two weak and insignificant provinces, whereas our union has converted us into one province comparatively strong. We can realize the gigantic works which have been carried out when we look upon our canals and our railways. Is there any one man endowed with ordinary fairness—any one man who has not completely taken leave of his senses, who will venture to say that Upper and Lower Canada would have been as far advanced, each of them, as they now are, if they had remained separate, with tariffs inimical the one to the other?

"Sooner than have Confederation," will exclaim an opponent, root and branch, of the

scheme proposed, "let us concede to Upper Canada representation adjusted on the basis of population wholly and entirely, as the honorable member for Hochelaga [Antoine-Aimé Dorion] would appear in [his celebrated manifesto of 1865](#)²⁷ to desire;" but this is positively absurd—it is a violation of the spirit and the letter of the [Union Act of 1840](#)²⁸; it is the principal source of all the difficult is of a sectional nature which have proved the source of difficulty, both in this House and throughout the country, for several years past.

It would be asking for the utter ruin to the civil and religious rights of the French-Canadians. Under such melancholy circumstances, Mr. Speaker, what is then left for us? There is left for us the Confederation of all the British Provinces in North America. That is the only possible remedy under existing circumstances. Of two alternatives we must select one. Either we shall form part of a Confederation of the British North American Provinces, or we shall fall into the unfathomable gulf of the Confederation of the neighboring States, formerly the United States.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—How absurd are they who believe that the United States do not want us, with our mineral wealth and our fisheries, which latter are fry themselves an inexhaustible source of riches to the country!

The United States did not, in 1776, number more than four millions of inhabitants; there were then only thirteen states; now there are thirty one states and seven territories—at least that was the number before the war—and a population of more than thirty millions. We know that the prodigious growth of the United States is owing to their purchases, their treaties and their conquests. They want us, and would stir heaven and earth to have us in their grasp.

²⁶ i.e. previous to [The Union Act, 1840 \(U.K.\)](#).

²⁷ [Dorion's letter to the voters of Hochelaga \(Nov. 7, 1864\)](#), A.A. Dorion, "Aux Electeurs du Comté d'Hochelaga," *La Minerve* (Nov. 11, 1864).

²⁸ [The Union Act, 1840 \(U.K.\)](#).

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Let us beware! We stand on the brink of the yawning gulf of the American Confederation, falling into which we encounter, first, our share of liability to pay a national debt of three thousand millions of dollars, and an annual expenditure of five hundred millions; and next, a share of their national quarrels and civil wars. Exposed to persecution by the conqueror, and loaded with the heavy burthen of enormous debts incurred in the prosecution of a cruel and fratricidal war—a war of which, be it said, everybody knows the beginning, but of which nobody knows the end—the uncalculatingly opponents of the measure before us will regret their obstinacy and their disregard of their country's weal.

Then they will see the naked features of those democratic institutions which are in reality inconsistent with true liberty—of those boasted institutions, under whose influence the last vestiges of liberty have faded away, as does the light at the close of a bright day. Under them the liberty of the press is unknown; under them, liberty is but a name, a dream, an illusion, a mockery, often a snare; under them no man can venture to speak frankly what he thinks, and must take care

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that what he says is in unison with the opinions of the majority of his audience; under them the rights of the minority are unacknowledged, ignored, as if they had no existence: the will of the majority is law.

For my part, Mr. Speaker, democratic institutions have no charms for me. Liberty, Equality, Fraternity! How many sad and mournful memories are connected with those three words in France? In the name of Liberty, Equality, Fraternity, in the year 1793, that country saw the best of kings led to the guillotine, provinces laid waste, blood flowing like water; the standard of rebellion and insubordination raised and borne

triumphantly; file pillage of churches and monasteries, the desecration of the altar; priests, nuns, old men, women, and even children, murdered! Those three magic words were the signal and vindication of the "[drownings at Nantes](#)," sometimes called by the fine sounding name of "[republican marriages](#)."²⁹

Yes, Mr. Speaker, civil war rages among our neighbors; but let us hope that Divine Providence will guard these new countries from the disasters and the horrid crimes which, to the eternal shame of civilization, stain the history of certain portions of Europe at the close of the last century. It was after a civil war that the terrible proscriptions of Marius and Sylla commenced. Let peace once be made between the Federal and Confederate States, then we shall see the harvest of rancorous hatred cover the earth, the fires of revenge burst forth; then woe to those who have given offence to men of the type and character of the famous General Butler. What is incumbent on us, then, if we would escape sharing the horrors of the situation?

What but to unite, one and all—to combine all our means, our resources, our end rigs, and to have confidence in ourselves and in one another—to show England that we intend to emerge from the state of isolation in which each several province has lain as regards the others; that we intend to organize a system, so as to be prepared to do our part in the hour of danger? We have every assurance that England will spend her last man, her last shilling, in defending and protecting us. Having a Federal union, all the wealth which abounds in the five provinces will be most highly developed; our mineral riches, our timber, our fisheries, our commerce, internal and external, our industrial arts and manufactures, will all receive a fresh impulse; capital will flow in, and with it the means of defence of every description.

I do not pretend to say that the mere fact of a "Confederation" will render us invincible.

²⁹ [Mass executions during the Reign of Terror in Nantes France between 1793 and 1794.](#)

No, far from it, especially when opposed to so formidable, so warlike a foe as the neighboring Confederation has now become; but I do venture to say that if we do our best, England will never desert us, and if the armies of the neighboring Confederacy should occupy our country, it would not be hers to keep it long. It is not essentially a necessity, Mr. Speaker that a small Confederation cannot exist by the side of a large one without being swallowed up and absorbed. If all great nations are bound to subject to their yoke all the little ones, why are there so many small states in Europe?

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—It may be that the mutual jealousies of the great powers are the cause; then who shall say that France—France which fought side by side with England in the Crimea—France which, looking at Mexico, is so deeply interested in the affairs of this continent—would not join with England in a war between that power and the neighboring States, if the latter should undertake to drive the English from the banks of the St. Lawrence? When a nation, strong in its rights, is determined to preserve them, it is often invincible. When Xerxes, with a million of men, fell upon Greece, was he not driven back with the total loss of his immense army? When war was declared against the South, was not the North, with its population of twenty millions, going to annihilate the South in three months?

It is now more than four years that the war has been raging, and the South, without friends, without allies, is not yet conquered and made to pass under the yoke. The history of Prussia affords a proof of what bravery can achieve, even when opposed to an enemy infinitely superior in numbers. In 1740, the youthful Prince Frederic ascended the Throne of Prussia. The country contained no more than 48,000 square miles, and had a population of only two millions and a half, less than the population of Canada alone, as it now is. Her frontier northward was a wall of ice, all the seaports were closed during the winter season; her only ally was lukewarm; to the

east, west and south, she was bounded by powerful empires, the population of each of which alone far exceeded that which she could boast. The country was long and narrow; it was flat and well adapted at all points for the movements of troops; no country could be more exposed to an invasion; nevertheless the Prince, unchallenged, threw himself headlong

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into a bloody war—as the aggressor—with all his neighbors. Alone, and simultaneously, he had on his hands Austria, France and Russia. Yet he left to his successor a kingdom of 74,000 square miles, and a people numbering nearly six millions.

The small and heroic republic of Holland did not hesitate to enter into a war with the mighty monarchy of Spain, then mistress of the wealth of the Indies. At this day her vessels are found in every sea. Java and Sumatra belong to her. Yet her population is smaller than that of the Provinces of British North America. Single-handed in 1848, Piedmont dared to enter on a struggle with Austria. The King of Piedmont had then four millions of subjects; he now reigns over twenty-two millions. Even poor little Greece, with a million of inhabitants, must have its share in revolutions, choose a king, and talk of its rights, its pretensions, and its aspirations.

No, Mr. Speaker, the one, the only means of safety for us, in the circumstances, is to have a Federal union of all our provinces—a social, political, commercial and military union. Happen what may, when we have done all that men of courage and energy can be expected to do to mend our position, our future will not be so dark as the friends and advocates of the status quo would have us believe. Do these wonderful patriots really believe in their hearts, that continuing to be isolated as they are from each other, having no cordial alliance, almost no relations or intercourse, the Provinces of British North America would be either stronger or less exposed to the attacks of the Northern States than they would be if united? Are those

persons not original in their ideas who allege that the endeavor of the Provinces of British North America to form a Confederation is a kind of provocation and defiance to the Northern States? If the Northern States made this allegation, the most that could be said of it would be, that it would be a vain pretext, as futile as it would be absurd.

Not less ridiculous and misjudging are those persons who pretend that the Confederation of the Provinces of British North America would be a step towards annexation to the Northern States. Truly, there are some minds which have an odd way of looking at things. If, indeed, the opponents of Confederation would only prescribe some other remedy to obviate the evils which threaten us as an effect of Confederation, we should have at least the benefit of a choice; but no—nothing of the sort—they attack, criticise, but suggest nothing. On the other hand, the principal journals of Europe and several respectable journals in the neighboring States have recorded their approbation of the scheme of Confederation submitted by the Government, and predict a brilliant future for the new empire which is about to arise on this side of the frontier line.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Referring to history, we find that confederations have been formed in nearly all ages, and that the principal cause of their formation has been, not only the purpose of mutual protection, but a military object. These two motives combined with a third, that of commercial advantages, suggested the project which now occupies our attention. Among the ancient Greeks there were several Federal unions, the two principal being the Ætolian and the Achaean; the former, dating from a period long antecedent to that of Alexander, was broken up by the subjection of the states composing the league to Rome, about 180 years B.C.; the second, which was formed about 280 years B.C., was destroyed by the Romans about 150 years before the vulgar era. The Ætolian Confederation comprised all the northern

parts of Greece on the confines of Thessaly and Epirus, a portion of Central Greece, and several of the islands of the Ægean sea. This was a union rather of provinces than of cities. It had a “Constitution” “States General,” a chief magistrate, a commander-in-chief, and different public officers, with different functions or powers; the power of declaring war and that of making peace, of levying taxes coining money current at that time—all were intrusted to the Central Government.

The Achaean League, on the contrary, was a union, not of provinces, but of cities or towns—not less than seventy in number. There was a Federal capital, a “Constitution,” different public officers, each invested with privileges and certain powers and duties, too many to be enumerated in this place. Who has not read the life of Aratus and that of Philopoemen, the latter one of the greatest statesmen, the other the greatest captain of the Achæan union?

In reading the history of these nations we shall find that it was their union which saved them so long from the inroads of their enemies, and which, for ages, preserved their autonomy. We next come to the Italian Confederation of the middle ages. Like those of Greece, they derived their origin from military necessity. The League of Lombardy, and that of the Tuscans, were projected principally as a mutual protection

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against the emperors, who were greedy of conquest, and among them against Frederic Barbarossa. In that of the Tuscans, there was even an ecclesiastical element of a decided character, inspired by Pope Innocent III, its principal author. The famous Roman Tribune Rienzi tried to form a Confederation of all the Italian States, but perished without realizing this dream of his existence. Rome was to be the Federal Capital. Rienzi died in 1352.

The Swiss or Helvetic Confederacy existed from the twelfth century. In 1474 Louis XI of France endeavored to subdue it, but lost his trouble. In 1477 Charles The Bold of Burgundy

lost his kingdom and life while foolishly assailing this Confederate power. In 1488 the Emperor Maximilian tried also in vain to subjugate the country. Spain likewise endeavored on many occasions to subdue the Confederate States, but failed. In 1798 the Cantons of Switzerland became the Helvetic Republic. In 1803 they fell under the protection of Napoleon I., and in 1813 the allies overran them. In virtue of the Federal Act signed at Zurich in 1815, important amendments were made in their Constitution.

The purpose of the Helvetic Confederation is the protection of the country against foreigners, the maintenance of peace and tranquility at home, the preservation of public liberty in the Confederation, and the increase of its general prosperity. This Confederation has survived two European revolutions, without mentioning internal troubles, and it is now fifty years old. We must bear in mind that a population the most various, the most mixed in point of origin, language and religion, lives under this Constitution. The people number about two millions and a half; about one and two-thirds of a million speak German, half a million speak French, and the remainder Italian and other languages. One half of the population is Catholic, the other Protestant. Their interests arising from locality, race and faith, are as complicated and as various as are their manners, language and customs, and yet they all are free, all live securely, respected, happy and prosperous. They all enjoy the greatest and the purest liberty. There are twenty-two Cantons, and what is astonishing is that the chief of the Canton of Neufchâte is a king, the King of Prussia.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—I shall not speak of the Confederation of the United States of the Netherlands, which had their day, their glory and their use; but I shall say a word of the great Germanic Confederation. This is composed of forty states of very different size, and contains thirty-four millions of inhabitants. There belong to it kingdoms, grand duchies, duchies, principalities and free

cities. In this vast association are Catholics, Protestants, Jews, in short different religions and nationalities, and yet none tyrannise over others; all live happily under the same Federal union and under the protectorate of the Emperor of Austria. Of these states, Austria is, properly speaking, the first in importance; her army in time of peace is 280,000 men, in time of war she can bring into the field 800,000. Prussia is the second, with an army of 200,000 men, and a national militia of 400,000 men.

There are, as I have said, in these states various nationalities and different sects of religion, and, nevertheless, the rights of each are preserved in all their integrity. Why then should not we, French-Canadians and Catholics, become a component part of the Confederation of the Provinces of British North America, without any apprehension of seeing our language, our laws, our religion and our institutions endangered? It seems to me that we could find no perfect and complete protection otherwise than by a Confederation of this nature, inasmuch as it is a union based on equity towards the inhabitants of the five provinces as its most vital and fundamental principle.

As to the Confederation of the United States, I shall merely name them. Every one knows that in 1775, when the thirteen colonies revolted against England, they believed that the only means of securing internal prosperity and of defending themselves against the common enemy, was to unite together for their mutual protection; clearly perceiving that if they remained separate, and without any bond of union, as the uncalculating opponents of the present plan of Confederation would wish the Provinces of British North America to remain, their defeat was certain, and instead of coming victoriously out of the struggle, they would be easily conquered.

I shall now, Mr. Speaker, ask to be allowed to say a few words on the other confederations which have existed on the continent of America. In the first place I shall mention that of Central America, or Guatemala. That

Confederation was situated on the shores of the Pacific Ocean and the Gulf of Mexico. It consisted of five states—Guatemala, Honduras, San Salvador, Nicaragua, and Costa Rica. These states were peopled by Creoles, Mestizos, Indians and Negroes. Until the year 1821 this Confederation was rich and

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prosperous. Guatemala, then, imitating the ill-advised example of other Spanish colonies, declared its independence, and thought fit to set up as a Federal republic; but in 1839 an insurrection detached the state of Honduras from the Confederation, and shortly after the other states also declared themselves to be independent (1847); and what are they now? They have fallen into complete insignificance, a prey to the ambition of numerous dictators, without any common bond, disunited, and therefore without vitality or strength.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—We next come to the united provinces of Rio de la Plata, now constituting the Argentine republic. The Confederation of La Plata comprised fourteen states, the greater part of which formed at one time a portion of the immense Viceroyalty of Peru. In 1778, being united to the present province of Bolivia, to Paraguay and Uruguay, they formed a particular Viceroyalty, that of Rio de la Plata. In 1810 they took part in the important insurrectionary movement which shook all the transatlantic dependencies of Spain; from that time everything tended to republicanism; separate and independent states became republics. They are now a prey to anarchy and the confusion which attends such institutions. The industrial arts are unheeded, and the commerce limited. If, sir, that Confederation had proved to be faithful to the cause which gave it life, if union had prevailed instead of disunion, strength, power, prosperity and wealth would have fallen to the lot of the association, in place of poverty, misery, and decay, which seem now to be their inevitable fate.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—But some of the honorable members of this House have maintained that the union would be beneficial to none but the Maritime Provinces, that they alone would derive advantage from it, as they are comparatively poor, while Canada is rich by means of its trade, through its industrial pursuits, its manufactures and its agriculture. I maintain for my part that we are as much in need of them as they are of us—

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—both in regard to industry, to trade, and to military power. In the first place, let us consider the various resources of the several Maritime Provinces. Nova Scotia is not, certainly, altogether an agricultural country, but it contains valleys in which the soil is as deep, as rich, and as well suited for farming as the best lands of the West. A large portion of the population are devoted to fishing, and skilled in drawing from the bosom of the deep the inexhaustible treasures which will be a perennial source of wealth and prosperity to that country; moreover, such a life tends to form men to brave the dangers of the sea, and, in case of need, those hardy seamen would be ready and willing to lend their aid and do their part in the defence of the country.

Nor is this all; the country exports prodigious quantities of timber of all kinds, which will not be exhausted for ages to come. Every year they build a great number of ships, and, in proportion to its population, Nova Scotia has a larger amount of “tonnage” than any other country in the whole world.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Another source of wealth is possessed by that country, ever abounding, never failing. One would say that nature has especially favored it and endowed it with the most bountiful of her gifts—I mean the rich mines of coal which superabound in that country, which the hand of Providence has placed, as if by express design, not in the interior of the country, but along the sea side.

Everybody knows that coal at the present

day, when steam does so much that the hand of man formerly did, is one of the principal aliments which nourish the industry of mankind throughout the civilized world. Situated on the shores of the Atlantic, these mines can be worked very cheaply, and are easily accessible to ships of all nations. The charges of loading are small indeed, there is scarcely any land carriage required to convey it to the bays and ports to which the different trading ships resort for their lading. Geologists celebrated for their knowledge have explored these regions, and declare that there are thousands of square miles of coal, and in some places seventy-six beds or layers of coal one above the other. What a fertile source of revenue, of wealth!

And when we reflect that the main source of the prosperity of England has been and still is her mines of coal, small in comparison with those of Nova Scotia, we shall find that no change of circumstances, no political ties or relations could ever prevent that province from possessing in it coal measures, a source, an element of wealth, incomparably greater than the famous gold and silver mines of Peru. Thousands of years must pass away, no doubt, before they will be exhausted. I say nothing of the mines of gold, silver and copper, with which the country seems to be covered. And now, am I to be told that Canada, having the benefit of free trade with such a country, is to be no better for it?

Does not everybody know that firewood is beginning to run short in the district of Montreal and elsewhere in Lower

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Canada, and that if we have no coal to take its place, the country people will in thirty years' time be obliged to abandon their farms for want of means to enable them to bear the cold of our long winters? We shall obtain wood from a distance, some will tell you; but thinking men know very well that firewood is not to be carried far without great expense,

which must raise the price so as to put it beyond the reach of the great majority of consumers. Perhaps we shall find coal in Canada. No, says Sir William Logan, our learned geologist—impossible; science tells us that it does not exist.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Now every man who has the least idea of public order, of political economy, must be well aware that a mere commercial union, a union for the levying of customs—a "[Zollverein](#),"³⁰ in a word—would not suffice to create the wellbeing and general prosperity of the five provinces. The Maritime Provinces are immensely important to us in a social, industrial, commercial, political, and especially a military point of view. New Brunswick has also considerable resources.

Looking at the seasonableness, and the other points making for the union of the provinces, we must not omit to consider it in its relation to our means of defence. In this point of view, Newfoundland is of paramount importance. Casting a glance at it on the chart, we find it lying across the Gulf of St. Lawrence, commanding the two straits by which the trade of the countries surrounding the gulf and the river reaches the ocean. Let that island but fall into the hands of foreigners, the trade of Canada would in war time be as completely stopped as if the ice of winter had erected its permanent domicile in the middle of the gulf.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—These are the reasons which have led our statesmen to secure, by all possible, means, the alliance of that province, as they well understood that, that wanting, the Confederation would lose the benefit of all other advantages and would be in continual danger. The seaboard of Newfoundland is 1,200 miles in length, and it possesses the finest harbours in the world, roadsteads which might shelter whole fleets. The main source of her wealth is her fisheries, in which more than 30,000 men are annually

³⁰ [German customs union that was created in 1833 and formally began in 1834.](#)

engaged—men accustomed to brave the waves of a tempestuous sea. Her trade in fish with foreign nations brings her in contact with nearly all the maritime countries of Europe, and with the United States, and yet she has at present scarcely any such connection with Canada.

What is her position with relation to us at this moment? Her merchants are forced to resort to the States to transact their business, for, in order to reach Montreal, they must pass through Halifax and Boston. The establishment of a line of steamers between that island and Canada would be a great advantage to both provinces; for Newfoundland possesses what we want and requires what we have. It appears that the Island buys from the United States to the amount of several millions of dollars yearly, and exactly those articles which we are able to furnish; and that the current of trade having taken its present direction, is owing to certain fiscal impediments to trade between the two provinces. With free trade, Newfoundland would buy from Canada woollen stuffs, cutlery and hardware—everything, in short, which she requires.

Under Confederation, the town of St. Johns, in Newfoundland, would be the most easterly sea-port of the union, and by making it a port of call for our transatlantic steamers, it would bring us within six days of the Mother Country. As to Prince Edward Island, that also has its importance. Its revenue is well managed; it is in a prosperous state, and has no debt; on the contrary, it has a considerable reserve fund.

Accordingly, now is the time to take a step in the right direction. This union of the provinces is a political necessity, and any delay would entail the danger of losing the opportunity altogether, which might never occur again. Canada, with her immense commerce, is indebted for her access to the seaboard during six months of the year to the tolerant good-will of a neighboring nation. If that permission were withdrawn, our merchants must import during the summer all

the goods which they require in the year. This would, in the long run, be the loss of the consumer, because everything must, of course, be paid for at a higher rate.

Finally—and this is the most important consideration of all for every one, and one which would of itself be sufficient to make us desire the union of the provinces—it would be the most effectual means of procuring the building of the Intercolonial Railway—a road which would open an uninterrupted line of communication between Sarnia and Halifax, thus connecting the two extremities of the Confederation. Three things are necessary, nay, indispensable, to the prosperity of a great empire—the personal element, the territorial, and the maritime element. In Canada we have the personal and the territorial elements; the maritime element alone is wanting, and this we may obtain by the union of the provinces.

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Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—As to us, French-Canadians and Catholics, what have we to fear from Confederation? Our language, our rights and our privileges are guaranteed to us. Look at the United Kingdom of Great Britain and Ireland; does it not consist of three distinct nations, holding several religious creeds? Those three nations have fought side by side on sea and land for ages, against the enemies of their country. What glorious victories, what noble deeds in arms have they achieved! And the most perfect harmony exists among them.

In England, are the Jews persecuted, deprived of their rights and privileges? Are the Roman Catholics? Is there not residing in the very capital of England a prince of the Romish Church—Cardinal Wiseman? And, Mr. Speaker, who would have believed the fact?—the last census shows that the city of London contains 100,000 Catholics more than Rome itself—Rome the seat of the Catholic Church! And a greater number of Jews than there are in Judea or all Palestine!

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—And yet all these people enjoy their respective rights and privileges, and worship their Creator according to the traditions of their forefathers, unmolested, undisturbed by any.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—I now come to the plan of Confederation considered intrinsically. I shall not enter into a discussion of its details; four members of the Administration have given us explanations of it which were so clear and lucid, that it is useless to enter on the subject anew. There are, no doubt, certain points which are not all that we could desire; there are certain articles which I should be disposed to reject if I were not aware that we are to look at the question from five different points of view, and not from one sectional point of view.

I can conceive that the Conference considered the plan as a compromise—a treaty in which the five provinces were the contracting parties; that many concessions were found to be necessary, to satisfy the interests of individuals or of localities; that great conciliation was an important element, with a strong wish, by great concessions on all sides, to carry forward an important negotiation, which in their absence would have utterly failed!

I am, moreover, convinced that the Ministers of Canada did everything in their power to promote and guard our general and local interests; that their only aim was to make us a great and strong nation; that the dominant idea in their minds was that “a Federal union,” under the protection of England, would be for Canada a harbor of refuge from all storms, particularly that which now assails us, as well as conducive to advance the best interests and the prosperity of all the provinces; that this union would secure to us the continued enjoyment of our laws and institutions, of our liberties and our relations with the Mother Country, while it would facilitate the development of our national, social, commercial and political prosperity.

If we do not adopt it as a whole, if we

meddle with its clauses to make radical changes in it, the other contracting parties, justly offended, will reject it wholly, as they understand that we have no right to depart from its provisions without their consent; or if, following our example, the Maritime Provinces should also make changes in it, the whole plan would be so mutilated and disfigured, that it would become a mark for universal disapprobation, and all the labors of the Conference would be rendered useless and abortive. Moreover, if in the meantime the Maritime Provinces, taking up again their old scheme of a union among themselves, should refuse to listen to any overtures we might make, we should, like madmen, have lost the golden opportunity. Nothing would remain for us but annexation to the United States—an idea most abhorrent to my feelings, but one which is, perhaps, in reality, the cherished desire of the unreasoning opponents of the present measure.

Some Hon. Members—Hear.

Antoine Harwood [Vaudreuil]—As a British subject, I find most pleasure in that article of the scheme which declares the Sovereign of Great Britain to be the head of the Executive. The monarchical element will predominate in the Constitution, and we shall thus escape that weakness which is inherent in the Constitution of the neighboring States. Their President, Mr. Speaker, is no more than the fortunate chief of a party; he can never be regarded as the father of his people; his reign is but temporary; i.e. is, for four years a kind of despot, with unlimited power and immense patronage; his favors fall out those oily who have elected him, and who can elect him anew at the expiration of four years; none feel the refreshing dews of his favors, save his party. Woe to the unlucky ones who have voted against him at his election! For them there is no smile, no gracious acceptance, and no favors. Under the working of our Constitution, on the contrary, as the sovereign is permanent (“the King is dead—God save the King!”) we have at all times in him a father, whose interest and whose

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inclination it is to extend his protection equally over the cottage of the poor and over the palace of the rich, and to dispense equal justice to both.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—Our Ministers will still be responsible to the people. In the States, the President is under no obligation to consult his Cabinet, which is composed merely of the heads of departments. In the scheme which now engages our attention, all matters of general interest, which are not left to be disposed of by the local legislatures, will be settled by the General or Central Government, and the disposal of local matters will belong to the local governments.

Accordingly all necessary power has been assigned to the general as to the local legislatures; and that source of weakness has been avoided which has been so frequent a cause of trouble in the neighboring States—the conflict of jurisdiction and authority between single states and the Federal or Central authority. It is really astonishing to see the different means employed by the journals in the interest of the unreasoning opponents of the plan of Confederation.

They utter cries of distress, amidst which the veil of party is easily seen through. According to their views, no good can come out of the system for either party in the commonwealth. “Think twice of what you are doing; you English Protestants of Lower Canada! The Local Government will swallow you up,”³¹ cries the *Montreal Witness*. “Take care of yourselves, you French-Canadians of the Catholic Church!”³² bellows the *Montreal True Witness*; “if the plan of Confederation is sanctioned by the Legislature, you will disappear like a dream: the hydra of the Central Government will poison you with its pestiferous breath.”³³

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—And the other journals of the same party, inspired by the same spirit, open full cry on the plan of Confederation, as nothing less than a “political suicide!”³⁴ Others there are—and some in the interest of the present Government—who have some misgivings, some doubts, touching the clauses relating to marriage and divorce.

With respect to the provision of the instrument which bears on these two important questions, they seem at first sight, I confess, a little alarming to Catholics—to us who have learned from the Church the indissolubility of the marriage bond, who look upon marriage not only as a civil contract, but “a sacrament.” With reference to this subject, I answer that the system on which the new Constitution will be based is to be considered in the aspect which it bears to all the provinces.

We are not all Catholics, and the majority are Protestants. Again, if the control of matters connected with marriage and divorce had been assigned to the local governments, what would have been the fate of our co-religionists in Upper Canada, who are in a minority in that province? Add to this, we have not in Canada at present any divorce law, and we need not apprehend that the Federal Government will impose one upon us. Nothing indicates that the proportion of Catholic members in the Federal Legislature will not be about equal to what it is in the Parliament of United Canada.

Moreover, everybody is aware that it was by the help of the Protestants, who think as we do on this subject, that we have hitherto escaped the passing of a divorce law. Divorce is not looked upon with a favorable eye by all Protestants; far from it, and we must hope that at no distant time that source of disorder and scandal of every species will be effaced from the parliamentary records of every Christian community.

³¹ Quote from the *Montreal Witness*. Unconfirmed reference.

³² *ibid.*

³³ *ibid.*

³⁴ Unconfirmed reference.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—We must bear in mind, also, that there are Catholics elsewhere besides in Lower and Upper Canada; they are to be found in all the Lower Provinces, and what would be their position if these questions were left to the local legislatures? The Catholics, therefore, of both Upper and Lower Canada, as well as those of the Lower Provinces, are directly interested in the removal of these questions from the local legislatures.

It seems to me that every man who studies this question in a Catholic point of view, as it stands in the five provinces, will find that the Conference was perfectly right in not leaving the question of divorce to the control of the local governments I shall not enter into all the details of the plan of Confederation, inasmuch as hereafter inch of its clauses will be discussed.

I shall reserve, however, the right of adding a few words. I think, therefore, Mr. Speaker, that every man who has the interests to his country at heart—every man who will take the pains to read history, the great teacher of kings and nations, will be convinced that situated as are the five provinces of British North America, separated, disunited, with no social, political or commercial ties to bind them together, but having tariffs calculated to injure each other, but no free interchange to commodities—without railways by which they might hold communication during the long winters, when the rivers are obstructed with

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ice, and taking into consideration the exceptional position of Canadian respect of its near neighborhood to the United States, and the political troubles which have so long wounded it in its bosom—a Federal union of all the provinces is our only harbor of refuge, and the only means of securing to the Provinces of British North America sure and durable prosperity.

Some Hon. Members—Hear, and *cheers*.

Antoine Harwood [Vaudreuil]—Now, Mr. Speaker, we have seen that in ancient days, in the middle ages, and in modern times, states, provinces and kingdoms desirous of growing in strength, wealth and prosperity—desirous of acquiring power internally, and making themselves formidable to rivals abroad—desirous of means to repeal ambitious assailants and enterprising neighbors—combined together—formed confederations with a view to increase the general prosperity, and the means of a common defence and mutual protection.

We have seen that it was the surest, the most rational, and the most generally adopted plan in all ages; and why should not we, profiting by the experience of others, do the same? How long has union been a cause of weakness? Is not England, united under one ruler, infinitely more powerful than in the days of the Heptarch or Seven Kingdoms? Are not the forty states which compose the Germanic Confederation stronger, more powerful, united, than they would be if isolated and separate? Would each individual state, if alone, left to its own resources, without free trade with its neighbors, without social, political or commercial relations, be richer, more prosperous than it is now, joined, united and allied to the rest?

And in the United Kingdom of Great Britain, where a kind of Federal union is found, is not each nationality, every sect and every religion fully and entirely protected and guarded from the attacks of bigotry and of political and religious intolerance? After the States had separated from England in 1775, would they have done better to remain in the position of thirteen colonies detached from each other, without social, commercial, or political relations, as the colonies of British North America now are, than to form a compact as they did?

Is it not from that union that their strength has grown, that they have become so powerful, so rich, so independent of the rest of the world, and the admiration of modern times? So would they have continued to

advance too, with giant strides, in the path of progress and improvement, if the demon of civil war had not arisen to break up a union but lately so happy and so prosperous! Let us avail ourselves to the example of others, and of the auspicious circumstances which seem to have occurred expressly and opportunely for our benefit, and let us resolve to become a great empire.

Is it not asserted that, if a union of the provinces should be effected, we should be, at the least, the fourth maritime power in the world? Are there not kingdoms—confederations—in Europe which would be numerically inferior to us? Belgium has no more than 4,500,000 of inhabitants; Denmark, including the Duchies, no more than 2,500,000; the Kingdom of Bavaria, 4,500,000; the Kingdom of Greece, 1,000,000 the States of the Church, 3,000,000; Portugal, 3,500,000; Sweden, 3,500,000; Norway, 1,500,000; the Helvetic Confederation, 2,500,000; while the proposed Confederation will soon contain 5,000,000; and yet these provinces are but in their infancy, we may say. Anyone who has the slightest knowledge of the natural riches and the resources of the five provinces, and of the energy and love of labor which characterise the different races which people them, may safely predict a brilliant future for our new Confederacy.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Is there a single Canadian who does not know that Canada will always hold the first and most exalted position in the Confederacy? Lower Canada, especially, will be the centre of the industrial arts and commerce, the point towards which all the rich produce of the west, and the oil, fish and coal of the east, will naturally be brought; Lower Canada, especially, which is so rich in mines, ores, and minerals. Do we not know that certain great capitalists have recently formed companies on a vast scale, to work the rich gold and silver mines of the district of because? Do not the geologists, who have explored that region, tell us that it contains copper, silver and gold,

scattered in rich abundance over hundreds of square miles.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—Canada possesses a territory of about 360,000 square miles—160,000,000 of acres of land, of which 40,000,000 are conceded; 11,000,000 are under cultivation. Canada possesses above 2,000 miles of railway, which intersect the province in all directions; it has 4,500 miles of telegraph line; it possesses, moreover, 250 miles of canal, which carried, in 1863, 3,000,000 tons of freight, and gave a revenue to the Provincial Government of nearly \$400,000.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—There are hundreds of

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rivers in Canada, three of which, with I their tributaries, water a surface of 150,000 square miles. Five or six of the lakes cover a surface of 84,000 square miles. The mails are carried over 15,000 miles of road, in which distance there are 2,000 post-offices, which annually distribute 11,000,000 of letters, besides newspapers.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—The mineral wealth of Canada is almost fabulous, and awaits only the introduction of English and American capital to astonish the world.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—The Acton copper mine, in Lower Canada, is perhaps the richest existing. The copper mines of Lake Superior are already famous for their extent and the richness to the ore; and the iron mines of St. Maurice and Lake Superior are supposed to be inexhaustible According to Sir William Logan, our learned geologist, there are iron mines of great value in the seigniory of Vaudreuil and on the outskirts of the parish of St. Martha, in the county of Vaudreuil. The diggings in the auriferous river of the Chaudière and the Gilbert, in the Eastern Townships, have been very productive during the last two years. A new company has just

been formed at New York, with a capital of five millions of dollars, to work on the Chaudière. The capital stock of the companies and private persons now engaged in this pursuit is reckoned by millions.

The *Trade Returns* show that the produce of the mine exported Iron Canada has been nearly nine hundred thousand dollars. The manufactures of Canada are extensive. Those of lumber occupy upwards of two thousand sawmills, which turn out annually nearly eight million let of timber. There are more than two hundred distilleries and breweries, which produced last year more than nine million gallons of spirituous or fermented liquors, yielding an excise duty of more than \$700,000.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—These distilleries and breweries consume more than 1,500,000 bushels of grain and malt. The county cautious at least 1,000 grist mills for the grinding of wheat and oats; 250 carriage factories, nearly 200 foundries, 200 carding mills, 180 cloth mills, and 500 tanneries. Other establishments of less account are innumerable. Canada produces annually between 20,000,000 and 30,000,000 bushels of wheat, 12,000,000 bushels of peas, 40,000,000 bushels to oats, more than 1,500,000 tons of hay, 18,000,000 bushels of buckwheat, 28,000,000 bushels of potatoes, and 10,000,000 bushels of turnips. Canada consumes 30,000,000 pounds of beef, shears 5,500,000 pounds of wool, and makes from 42,000,000 to 45,000,000 pounds of butter. The cattle, mulch cows, horses, sheep and pigs owned in Canada are above two millions in number.

The fisheries yield to the value of two million dollars annually. It appears that Lower Canada alone owns 2,500 fishing vessels. The Magdalen Islands, which belong to Canada, send out to the fisheries 270 boats. The capital Stock of the banks in Canada, which have a charter, amounts to \$33,000,000. Here is real wealth, and yet our country is still in its infancy, if I may be allowed to use the expression; and the third part of this beautiful country is still uninhabited; what will it be

when inhabited, cleared and settled in every direction? From all quarters men will come—some to obtain a nook of land which they can really call their own; others to escape from the horrors of civil war and the ruinous taxes which bow them down to the earth. Here we have peace and tranquillity—good air—room enough—a superabundance of land—and the virgin forest wooing the axe of the woodman, to be converted into fertile farms; here, above all, we have the “birth-right of man,” liberty in all its purity.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—It is time, Canadians, that we should withdraw from the political dilemma in which we are involved. If we reject the plan of Confederation, we fall back into a species of *status quo*; now, for a new country like ours, to remain stationary is to retrograde! Let us not forget that British North America contains other provinces besides these of ours, namely, British Columbia, Vancouver, &c., which will hereafter form a part of the Confederation; that those vast countries are in extent as large as all Europe; that the soil in many places is of marvellous fertility; that the day will come when the greater part of all those countries and provinces will be inhabited; that there will be a net-work of railway connecting the extremities of all those possessions, and lines of steamboats connecting us, not with the Mother Country only, but with the whole of Europe, and that at all seasons of the year. When we all, without exception, animated by the same spirit, struggling after the good, after the prosperity of our common country, shall see rising around us a vast empire under the protectorate of England, we shall then understand the political sagacity of those who, now steering the vessel

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of State, have brought before us and carried through the scheme of Confederation proposed.

There may be certain faults of detail in the system: I grant that there are. But does not

every work of man bear the impress of imperfection? Is the celebrated *Code Napoléon* perfect? The most celebrated French lawyers do not think it so; and yet this production is a master-piece of legislation in many respects. Does not the Constitution of the United States contain faults? And yet it is said to be a model work of its kind. I am of opinion that the plan of Confederation, taken as a whole, is the best we could desire or hope for, adapted, as it had to be, to the well-understood interests of the five provinces.

To consider it from a purely sectional point of view, would be to misunderstand the position which a statesman should occupy. If however, Mr. Speaker, the unreasoning opponents of the proposed measure were able to suggest any means of meeting eventualities, and point out a way by which, while rejecting the scheme proposed, we might find some practical mode of escape from our difficulties, I should then be disposed to listen to them, and to compare their scheme with that which is now before us; but those gentlemen think it sufficient to blame and criticise.

The celebrated Mr. Rameau even (the author of *La France aux Colonies*), from his retirement in distant France, sends forth a cry of alarm at the dangers with which he thinks Confederation is pregnant³⁵, but not a word of good counsel or of a better remedy of his own. Others cry aloud from the house-tops that this scheme is not a "Federal union," but a Legislative one in every point! If it were so, Mr. Speaker, I should be the first—and I proclaim it here before the whole country—I should be the first to scout and reject the scheme with all the power which Providence has given me; but as it is, on the contrary, a Federal union, in the full force of the term, having a Central Government invested with all the power necessary to obviate and remedy the weakness which characterises Federal Government in

the American union, giving, in a special inner, to each province the management of its own local affairs, and to its inhabitants full and unrestricted power to make its own laws, I cannot, for the interest of my constituents, for my country's interest, help approving of a measure which, while it respects the rights and privileges of all, will have the effect of increasing the individual and collective strength of this five provinces, will secure to us the confidence of the Mother Country, and make of this section of British North America, under the powerful aegis of England, another *imperium in imperio*³⁶.

Some Hon. Members—*Cheers*.

Antoine Harwood [Vaudreuil]—I return to those whose cry is, "But our nationality will be lost our language, our civil and religious institutions will disappear." O ye who cry so loudly, and who find such charms in the neighboring republic, do you think that if we fell into theft whirl of divers nations and different religions composing the American Confederacy, which have no common traditions nor common history with us, French-Canadian nationality would long enjoy a separate existence, or that it would not speedily be lost amidst so many others? Answer if you can, and I will believe you.

Some Hon. Members—*Cheers*.

Antoine Harwood [Vaudreuil]—Consider the fate of Louisiana, inhabited chiefly by French! Is not the English element in a majority in the Parliament of United Canada? And have I not, nevertheless, the honor to address you at this moment in French? In that beautiful language of our ancestors in which Jacques Cartier, in 1535, extolled the glories of our majestic St. Lawrence!

Some Hon. Members—*Cheers*.

Antoine Harwood [Vaudreuil]—Would you know one of the reasons assigned against General Frémont when he was an I candidate

³⁵ See, for example, [Edme Rameau, "La Confédération des Provinces Canadiennes," \(Sep. 20, 1864\)](#) & ["De la Confédération de l'Amérique Anglaise," \(Jan. 5, 1865\)](#). Both articles are from the *l'Économiste Français* (1864) and were reprinted in *La Minerve*.

³⁶ i.e. "a government within a government/power within a power." Lit. "an empire within an empire."

for the Presidency of the United States a few years ago? "Do not vote for Frémont," was the cry on the hustings and in the papers of the day; "Frémont is a Frenchman" — "Frémont is a Catholic" — and Frémont lost his election accordingly. However, Frémont was not a Catholic! But they said he was, and it was a crime sufficient in their eyes to disqualify him in his candidatureship for their confidence, notwithstanding that they proclaim "liberty of conscience!"

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Do they reject a man in England because he is a Catholic? Does that fact debar him from enjoying the confidence of his Sovereign and his fellow citizens? Certainly it does not, and there are instances to prove it. Have we not often seen, in Canada, Catholics representing counties essentially Protestant? Was not the county of Vaudreuil, a county in which Catholics are a majority, lately represented by an English Protestant? Why should the English, under the Confederation, seek to destroy French-Canadian nationality? What interest could they serve in doing so? In

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1775, and in 1812, the French-Canadians, at the call of their clergy, rose as one man to defend the Crown of England.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—What interest have the English to induce them to sweep away our religious institutions? In what school or college are youth educated with greater talent or greater success—where do they receive a more thorough classical education—than in our colleges? Where does a young man learn his duty to God, to himself, to his country and to his Sovereign better than in our Catholic colleges?

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—I passed ten years of my life, Mr. Speaker, in a Catholic college, that of Montreal, and if I did not profit by the instruction I received, mine is the fault; in that house, I heard none but the counsels of

wisdom, saw only examples of virtue in the venerable priests who were intrusted with the care of my youth.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—Where is better instruction in agriculture to be had—agriculture, the source of the prosperity of a country—than in two or three Catholic colleges in Lower Canada? Who has better appreciated the force of the maxim, "The soil is the country," than the Catholic clergy? What are the model farms founded by the Government compared with the model farms of two or three of our colleges?

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Is it the Catholic clergy themselves who would be endangered by the Confederation? There is not a single right-thinking Englishman in the land who will not stand up and testify to the virtues of our clergy and their usefulness in the country! Wherever there is an asylum to be built, or a house of refuge for the poor, the insane, the aged or the orphan, then and there you see the clergy foremost in the work, first to set the example, and often defraying all the cost!

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—If the Queen of England desires to see a faithful subject, on this side of the Atlantic, She will assuredly find him in the ranks of the clergy! If the country calls for a zealous citizen, animated by the noblest patriotism, the call will first be answered unmistakably by a priest—by one of those men who seek no other toward for their actions than the approbation of their own conscience—by one of those who perfectly comprehend the maxim that "the poetry of life is the fulfilment of duty"—by one of those wise but modest men, as humble as they are pious, who, standing ever constant at the post which Providence has assigned to them, instruct the young, encourage the good, seek to bring back the sinner into the paths of virtue, obey the laws and teach that obedience to others, pray daily for the happiness and prosperity of "Our Gracious Sovereign" and of

the Mother Country, visit the poor in garret and cellar, soothe the sufferings, moral and physical, of the sick and dying, and finally point out the road to heaven—they themselves leading the way!

Some Hon. Members—*Prolonged cheers.*

Antoine Harwood [Vaudreuil]—What have such men to fear from Confederation? Nothing. No, Mr. Speaker, such men have nothing to fear! England loves and reveres our clergy, and sees in them loyal and faithful subjects of the Queen.

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—Would you see an instance of what the Catholic clergy can do when the country wants a man of courage? All know that the country is in a political dilemma, that the machine of government is at a stand, that the sound of a mighty tempest is heard from afar; that the fate of the country is traced out in feeble and wavering lines in an uncertain future, overshadowed with threatening clouds filling a void of conjecture and doubt; hat the moment is come for the true friends of their country—for men of education—to declare their views on the course to be taken to save the country from the danger impending and the perils of actual events.

Well, here too we have a member of the Catholic clergy boldly standing forth to give his opinion on the subject, and counsel us in this melancholy crisis! I will lead to you an extract of [the letter of the Catholic Archbishop Connolly of Halifax, on the subject of Confederation:—](#)

Instead of cursing, like the boys in the upturned boat and holding on until we are fairly on the brink of the cataract, we must at once begin to pray and strike out for the shore by all means, before we get too far down on the current. We must, at this most critical moment, invoke the Arbiter of nations for wisdom, and abandoning in time our perilous position, we must strike out boldly, and at some risk, for some rock on the nearest shore—some resting place of greater security.

A cavalry raid visit from our Fenian friends through the plains of Canada and the fertile valleys of New Brunswick and Nova Scotia, may cost more in a single week than

Confederation for the next fifty years; and if we are to believe you, where is the security, even at the present moment, against such a disaster? Without the whole power of the Mother Country by land and sea, and the concentration in a single hand of all the strength of British America, our condition is seen at a glance. Whenever the present difficulties will terminate—and who can

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tell the moment?—we shall be at the mercy of our neighbors; and victorious or otherwise, they will be eminently a military people, and with all their apparent indifference about annexing this country, and all the friendly feelings that may be talked of, they will have the power to strike when they please, and this is precisely the kernel and the only touch-point of the whole question. No nation ever had the power of conquest that did not use it, or abuse it, at the very first favorable opportunity. All that is said of the magnanimity and forbearance of mighty nations can be explained on the principle of sheer expediency, as the world knows. The whole face of Europe has been changed, and the dynasties of many hundred years have been swept away within our own time, on the principle of might alone—the oldest, the strongest, and as some would have it, the most sacred of titles.

The thirteen original states of America, with all their professions of self-denial, have been all the time, by money power and by war, and by negotiation, extending their frontier until they more than quadrupled their territory within sixty years; and believe it who may, are they now of their own accord to come to a full stop? No; as long as they have the power, they must go onward: for it is the very nature of power to grip whatever is within its reach. It is not their hostile feelings, therefore, but it is their power, and only their power, I dread; and I now state it as my solemn conviction, that it becomes the duty of every British subject in these provinces to control that power, not by the insane policy of attacking or weakening them, but by strengthening ourselves—rising, with the whole of Britain at our back, to their level, and so be prepared for any emergency.

There is no sensible or unprejudiced man in the community who does not see that vigorous and timely preparation is the only possible means of saving us from the horrors of a war such as the world has never seen. To be fully prepared is the only practical argument that can have weight with a powerful enemy, and make him pause beforehand and count the cost. And as the sort of preparation I speak of is utterly hopeless without the union of the provinces, so at a moment when public opinion is being formed on this vital point, as one deeply concerned, I feel it a duty to declare myself unequivocally in favor of Confederation as cheaply and as honorably obtained as possible—but Confederation at all hazards and at all reasonable sacrifices.

After the most mature consideration, and all the arguments I have heard on both sides for the last month,

these are my inmost convictions on the necessity and merits of a measure which alone, under Providence, can secure to us social order, peace, and rational liberty, and all the blessings we now enjoy under the mildest Government and the hallowed institutions of the freest and happiest country in the world.³⁷

This letter is dated in January, 1865. The Catholic Bishop of the Island of Newfoundland, Monseigneur Mulloch, has also written [a magnificent letter in favor of Confederation](#)³⁸. Moreover, Mr. Speaker, when the time comes, our Catholic clergy—our Canadian clergy—will make their voices heard in favor of the proposed measure, and will show the whole world that now, as formerly, they can keep pace with the times—that they can distinguish the true from the false, and that their paternal eyes watch with the tenderest solicitude over the destinies of their children.

Some Hon. Members—*Loud cheers.*

Antoine Harwood [Vaudreuil]—Now, Mr. Speaker, let us cast a glance over the English colonies in Australia. They, like us, are desirous of taking steps to form a Confederation, to break from their state of isolation, stretching forth their arms to each other as beloved sisters, and making efforts to lay the foundation of a great empire out the distant shores of Oceania.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—As to ourselves, let us show England that our hearts yearn to maintain our connection with her, and she will spend her last soldier and last shilling to keep and defend us against all the world, and to assist us to become a great and powerful nation Back! Back! Those who think

that England will cast us off, and leave us to our hard fate. Back! All those who, like Bright, Cobden, [Goldwin Smith](#), and others of [that school](#)³⁹, weary the ear with crying that England loses more than she gains by her colonies! They are confronted by the logic of facts. England, we thought her colonies, would be a power of the second class.

Let us hear what Mr. Laing, late Minister of Finance for India, said, in answer to Goldwin Smith and others:—

I would have you observe, said he that our foreign possessions are by far our best customers. Taken together, they make up nearly a third of our import trade, and a half of our export trade British India holds the first place on the list, and gives us nearly £50,000,000 sterling of imports, taking in return £20,000,000 of exports. In the present year these figures will be greatly exceeded, and the rate of progress is more distinctly marked: the imports having been, 10 years ago, £10,672,000 only, and the exports £9,920,000. We find in Australia still more astonishing results, if we consider the recent date of her establishment as a colony, and her limited population. Besides gold, she sends about £7,000,000 of imports, and takes from us £13,000,000 of exports.

The North American colonies, with a population also British, give us £8,000,000 of imports, and take from us nearly £5,000,000 of exports. The small island of the Mauritius, which enjoys British Government and thrives with British capital, sends us nearly £2,000,000 worth per year, and takes in return £5,000,000. These figures clearly show the advantages derived to commerce

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from colonies, and confute the false theories of those men who would persuade us to abandon our distant possessions as useless.⁴⁰

Observe, Mr. Speaker, that these enormous amounts are not in dollars, but pounds sterling: each pound being worth nearly five

³⁷ Archbishop Connolly's letter was published in the *Halifax Morning Chronicle* on Jan. 13, 1865. Republished in the [\[Quebec\] Morning Chronicle on Jan. 24, 1865.](#)

³⁸ Letter from John T. Mullock, Bishop of Newfoundland on Jan. 5, 1865. Republished in "[The R.C. Bishop of Newfoundland on Confederation](#)", [\[Quebec\] Morning Chronicle \(Feb. 24, 1865\).](#)

³⁹ Goldwin Smith was a British historian who advocated anti-imperialism. Smith held, "*a conviction that 'colonial emancipation' should take place as rapidly as possible because it was – except for India and Ireland – inevitable. This conclusion appeared in a series of articles published in the London Daily News in 1862–63 and then in pamphlet form as The Empire in 1863. There he presented a distillation of the opinions of his friends John Bright, Richard Cobden, and others of the so-called Manchester school who believed that Britain's economic power, under free trade, was so great that the formal, political empire could be disbanded without economic loss.*" [Ramsey Cook, "Smith, Goldwin," Dictionary of Canadian Biography \(2003\).](#)

⁴⁰ Samuel Laing response to Goldwin Smith et al. Unconfirmed reference.

dollars of our money. This is information for those who think that colonies are of no importance to England; that they add nothing to her grandeur, her power, or her commerce! Those who know anything at all of England, know perfectly well that she is an essentially commercial nation—perhaps the most commercial nation in the world—that “that nation of shop-keepers,”⁴¹ as [it was called by Napoleon I](#), has always found in its commerce the chief element of its strength; for with commerce comes money, from money men to carry on its wars.

The ancient Romans knew how to conquer provinces, countries, kingdoms, because their genius was essentially warlike; but they did not know how to keep them, because they had not what chiefly distinguishes England—a genius for commerce. Accordingly when the English make themselves masters of any territory, you immediately see a crowd of traders rush into it, build stores, find out the resources of the country, and next come a body of soldiers to second the authority of justice, and enforce respect for law and order. In a short space of time you see a nation, but lately barbarian, buried in sloth and inaction, shake off the slough of infancy, assume a different aspect, grow rich and prosperous, and in turn cooperate in adding to the greatness of the Mother Country.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—Yes, Mr. Speaker, England is bound to keep us. Losing us, she would, at a future day, lose her West Indian possessions, and would enter on the first phase of an eclipse which she is too far-seeing not to anticipate and avoid.

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—England sees with pleasure the efforts which our Government is making to carry out the union of all the provinces, and looks upon our future union as a step in the right direction—the only practical means of increasing our resources

and strengthening our power. One word, Mr. Speaker, on the appeal to the people. There are three classes of men in society: those who deceive, those who are deceived, and those who are neither deceivers nor deceived. I take my place advisedly among the last. I will not rank as a deceiver; and as I have promised my constituents that I would lay before them, and explain the scheme of Confederation, with all its details, before giving my vote finally, I am at all times ready to do so.

For the present, I shall vote purely and simply for the “resolutions,” because I am in favor of the principle of Confederation, and because, hereafter, when the Ministry shall have laid before us the plan for the local governments with its details, then will be the time to demand an appeal to the people, if my county requires it of me. To ask for it only with reference to the principle of Confederation, and to ask for it again when we shall have the plan and all the details relating to the local governments, would be an absurdity; for it would be a double appeal to the people on two parts of the same scheme of Confederation, and consequently two elections on the back of each other—a needless excess of expense and trouble, both for the country and the members. We must bear in mind that after the two elections constituting the double appeal to the people, we must have still more general elections to inaugurate the new Parliament, for the present session is the third of this Parliament. I would not be one of the deceived; and I should be so in a striking degree if I allowed myself to be cajoled by the gentle purring’s of the Opposition, who makes a show of agitation for the appeal to the people, only that they may have an opportunity, at any cost, of defeating the scheme of Confederation.

I maintain, Mr. Speaker, that the Opposition have not the slightest wish to go to the country; and why? Because if the Opposition had really and truly wished for an appeal to

⁴¹ Quote attributed to Napoleon when talking about England. [Barry O’Meara, *Napoleon in Exile* \(1822\), p. 81.](#)

the people, they would at any time, within this last fortnight at least, have made a motion in this House expressive of their desire—as a preliminary—for such an appeal! The House has been debating this measure three or four weeks, but the Opposition have not shown the least disposition to move for an appeal to the people; and, when it is too late, they will come forward with such a motion—

Some Hon. Members—Hear, hear.

Antoine Harwood [Vaudreuil]—and then, when they do not carry it, they would go crying throughout the land, in town and country, that if the people have had no voice in the business, it is no fault of theirs; that they moved heaven and earth—but such was the bull-headed obstinacy of the Ministry, it was not to be obtained; and the people will believe them; and we, who are the real, the best friends of the people, we shall be pointed at as the real

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criminals! Poor people!

Why do you allow yourselves to be deceived? If the Ministers are desirous of pushing on the measure, it is because of the check which the Ministry of New Brunswick have just had⁴², and because it is for us to use all diligence to show the Mother Country that we do not hang fire, but are ready to do our part to carry out the treaty or compromise agreed on by the delegates at the Conference held at Quebec. It is time we should do something to improve our position; for the intended revocation of the [treaty of reciprocity](#)⁴³, the probable abolition of the “transit” system, and other tokens of ill-feeling with which [President Lincoln’s Message](#) of the present year⁴⁴ is filled, are enough to warn us to prepare to meet the storm which is blowing up on the political horizon, that we ought immediately to look out for better shelter than we have at present.

Some Hon. Members—Hear.

Antoine Harwood [Vaudreuil]—If, hereafter, an appeal to the people, relative to the plan and details of the local governments, becomes necessary, I am convinced that a majority of the counties of both Canadas will understand their true interests, will be able to distinguish their real friends from those who aim at deceiving them by flattering their prejudices, and that we shall be sent back to this place with full powers to vote the final adoption of the scheme of Confederation.

Some Hon. Members—*Cheers*.

Antoine Harwood [Vaudreuil]—But if I, for one, am civilly told that I must stay at home, I shall have the satisfaction of saying that I have fallen like a man who preferred his duty to a fleeting popularity; and although it may be an easy matter for the fair and intelligent county of Vaudreuil to send to this House, as its representative, a member more competent in many respects than I am, I venture to affirm that it will be difficult to find any one who has more at heart than I have the interests, the happiness and the prosperity of his country!

Some Hon. Members—*Continued cheers*.

Antoine Harwood [Vaudreuil]—I have abundant reason to believe that the people will comprehend the position of the country, will see that a measure of this kind is necessary—nay, indispensable, and that when once the union of the five provinces of British North America has been perfectly settled, we shall enter on a new era, an era of progress in all things—industrial, manufacturing and commercial, and shall begin to take a prominent place among the nations of this vast continent; the people will understand, finally, that the vessel of the state has fallen into the hands of able pilots, well qualified to take it into port, notwithstanding the storms and rocks with which its course is beset.

Some Hon. Members—*Cheers*.

Antoine Harwood [Vaudreuil]—I for one, Mr. Speaker, have full confidence in our future

⁴² *Supra* footnote 2.

⁴³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

⁴⁴ [Abraham Lincoln, Annual Message to Congress \(Dec. 6, 1864\)](#).

in the bosom of Confederation. The day is, I think, not far distant when the "[Good Genius](#)"⁴⁵ who rules over the future destiny of the new Empire of British North America will cry aloud, with one foot on the shores of the Pacific while the other rests on that of the Atlantic—"All this is ours. This wealth, these fair fields, those pretty hamlets, those vast cities, in which thousands of people enjoy the fruits of their toil, and live without fear under the English flag, belong to us! See those factories, those works of all kinds, those canals and railways crossing each other in every direction, fostering trade throughout the length and breadth of this vast domain! We are now a numerous and mighty people—our population has grown—Europe has contributed its contingent to brave and courageous hearts, who have been attracted hither by the hope of an amount of happiness and prosperity which their native country had denied them." Then too, this "Good Genius," turning his eyes in the direction to Great Britain, will say with truth—"Mother, behold your eldest-born, worthy of such a parent!"

Some Hon. Members—*Cheers.*

Antoine Harwood [Vaudreuil]—And posterity, glorying in their ancestors, will exclaim—"Behold the fruits of the conscientious and patriotic labors of that chosen band of thirty-three, who sat in high conference at Quebec, in October, 1864."

Some Hon. Members—*Loud cheers.*

George-Étienne Cartier [Montreal East, Attorney-General East]—After hearing the eloquent and talented speech which the hon. member for Vaudreuil [Antoine Harwood] has just delivered, I have one emotion of regret: it is, that the venerable ancestor of that gentleman (the Hon. Alain Chartier De Lotbinière), who was one of the first Speakers called to the Chair of the Legislative Assembly of Lower Canada, whose portrait adorns this House, has not, from the tomb, heard the accents—the well-considered, loyal and heartfelt expressions of his descendant. How justly

would he have been proud of him!

Some Hon. Members—*Cheers.*

Maurice Laframboise [Bagot]—Mr. Speaker, the honorable member for Vaudreuil [Antoine Harwood] asked, a moment ago, what we French-Canadians had to fear under Confederation? Well, I will tell him at once, or rather when his friends have done congratulating him. The honorable gentleman read us a couple of letters from bishops of the Lower Provinces in order to convince us that all must be for the best under Confederation for our Catholic

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population; with the permission of this honorable House, I will read for his benefit the letter of a Lower Canadian priest, who, having the advantage of a somewhat closer view of things than the bishops of the Maritime Provinces, is in a better position to judge whether our special institutions and our nationality will be sufficiently guaranteed under the Federal system now about to be imposed upon us.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—[This letter appeared in the *Canadien*](#):—

To the Editor of the *Canadien*.

Sir,—If the Confederation of the provinces may be considered a thing decided upon, there is nevertheless no denying fact that the minds of the people are filled with a fear and anxiety which nothing can remove. I have read the speeches of our representatives; I have heard their explanations; and far from being reassured, I am more uneasy than ever. The necessity of Confederation has indeed been demonstrated, but has there been any attempt to explain certain clauses of a dangerous character in a French-Canadian and Catholic point of view? Promises, eulogies, dazzling pictures of our future prospects, figures more or less successfully, all these we have had ad nauseam; but what I have looked for in vain is a satisfactory explanation as to our future liberty of action under Confederation.

With your permission, sir, I will state as briefly as possible my objections to the scheme of Confederation, and the features which cause it to be dreaded so much by almost all those who have studied it. I leave aside the question of

⁴⁵ Probably [The Brothers Mayhew, "The Good Genius That Turned Everything Into Gold" \(1847\)](#).

divorce; the ecclesiastical authorities being silent upon the matter, I do not pretend to be more Catholic than the Pope.

Let everyone bear his own responsibility. When, at some future day, Catholic Lower Canada will be dishonored by the presence of a divorce court, everyone will, no doubt hasten to wash his hands of the matter, and repudiate all responsibility for ... the circumstances in which we are placed. My objections to Confederation as proposed, are—first, the dangerous centralization it establishes; second, the enormous expense it entails. Centralization!

Behold the great danger of modern governments. In place of endeavoring to confer on each of our provinces the greatest measure of liberty compatible with a central power, one would fancy that our Ministers had done their best to leave us but the very smallest measure possible. In endeavoring to avoid the excess of power vested in the states of the American Confederation, they have given us a scheme tolerably closely copied from the Swiss Confederation.

They wished to avoid state independence, which caused the war between the North and the South, and they expose us to a new [Sonderbund](#)⁴⁶ with all its disasters. Let us see what are the powers of the Central Government, and the rights of the provinces, and of Lower Canada in particular, under our Confederation. The Central Government will be composed of—first, an elective Chamber, based on population; second, a Senate; third, an Executive Council, and Responsible Ministers, and a Governor. The Lower House will be composed of 194 members. Of these 194 sixty-five will be Lower Canadians, and fifty French-Canadians. In the House of Representatives we shall therefore be one to three, or, if we count as French-Canadians, 1 to 4. How many Lower Canadians or French-Canadians are we to have in the Executive Council? One, perhaps; two at most.

Such is the measure of our influence in the Central Government. And this is the Government that is to appoint our senators after the first selection is made. It will appoint, or rather impose upon us, a governor. It will have the power of veto over all our local measures. It will also enjoy that power through the governor, its creature! Was there ever a more dangerous centralization? What liberty of action, then, is there left to our legislature? An Orangeman will perhaps be sent to govern us; and what can we say?

Our senators will be selected, if it should please the central power, from the ranks of our enemies; to whom shall we apply for redress? All our most cherished local measures, our acts of incorporation, will be reserved or vetoed; and who will redress our grievances? But all these are mere

imaginary dangers! Imaginary, forsooth! Heaven grant that they may be! But do we not know the Orangemen? Is not the example of Ireland before our eyes? But the Sonderbund war! Be quiet, we are told; men so well tried, as honorable as our leaders, would never propose the measure for our adoption if it could possibly be of a fatal character.

I do not desire, in any way, to accuse our statesmen or to question their motives. But have our statesmen always avoided contradiction—dangerous measures? Is it prudent to trust solely to men, without scrutinizing their measures? What of the experience of the past? What of the maxim, “Measures, not men?” “Fear not,” we are told again, “none of the dangers you fear can arise; the thing is impossible.” Impossible! Why, then, leave a possibility of danger in the law? Why so much haste with a measure of such importance? The authors of the Constitution of the United States labored for months and years at the draft of their Confederation, and after eighty years it is found defective.

Our statesmen elaborate a Constitution in a law days, in the midst of the noisy rejoicings of hospitality, and we are told that Constitution is perfect! “You must not touch it; you shall not amend it.” But, we say. It contains dangerous clauses, it gives our enemies power to annihilate us. The answer is: “Be silent! It is the creation of our Ministers, our leaders! Trust in their honor, in their talents.” Excellent reasons, no doubt! And yet, strange to say, people are still uneasy, still distrustful! But, are not the clergy, are not the people for Confederation? As to the clergy, no; they are not all for your Confederation as it is proposed. A great many of them, it is true, feel no uneasiness, and trust all to our statesmen;

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but many of them, also, dread it, and would wish to see it amended. As to the people they know nothing about your scheme, and until the time comes when they shall undergo the ordeal of taxes and imposts, they will, I fancy, exhibit the utmost indifference. But let the Confederation be carried out, let the fabulous expenses be commenced connected with the defence of the country, the support of a militia, the creation of a marine, the construction of the Intercolonial Railway and other public works, and, as the proverb says, “Time will tell.” Yes, we shall then perceive the disastrous results of this measure, but it will be a little too late. I now come to my second objection to the scheme of Confederation. With your permission I shall treat it on a future occasion.

A Citizen.

⁴⁶ [The Sonderbund War \(1847\)](#) broke out between the cantons of Switzerland (then a confederacy)—including an alliance of seven, Catholic cantons called the *Sonderbund* (separate alliance). The *Sonderbund* was defeated leading to the federal state of Switzerland.

Quebec, March 6th, 1865.⁴⁷

Well, Mr. Speaker, if I am not mistaken, that reverend gentleman, a member of our clergy, seems to be somewhat less convinced than our Ministers and the honorable member for Vaudreuil [Antoine Harwood] of the safety of our religious interests, and of our nationality. Are not his expressions sufficiently energetic and significant?

But let us now see whether the reverend gentleman has grounds for his alarm, and whether he is not somewhat carried away by his zeal and patriotic anxiety for the welfare of his fellow-countrymen. Let us see whether, on the contrary, he does not appreciate more correctly than our Lower Canada Ministers the position in which we shall be placed by Confederation. I think we shall be enabled to judge from an article which appeared in a late number of the organ of the Honorable President of the Council [George Brown].

The [Toronto Globe of the 6th March inst.](#), — a paper which is now one of the principal organs of the present Government—publishes [an article](#), written perhaps by the Honorable President of the Council [George Brown] himself, in which I find the following kindly expression applied to our honored clergy:—

We trust that those well-meaning but mistaken friends of the Common School system of Upper Canada, who have been censuring the educational agreement in the Quebec resolutions, will now see something of its value. Bishop Lynch's bold letter should be a warning to us all how utterly unsafe our schools are under the present Constitution. The Romish Church is ever aggressive—getting to-day concessions with which it professes to be entirely satisfied, only to come back and demand new ones at the first opportunity. (Under our present parliamentary system, it is never safe to say that the Romish bishops in Canada cannot, with a little labor, get all they may ask. Under Confederation, while gladly “crying quits” and leaving them what they now have and can keep in spite of us, we should be placed in a position to refuse them anything more. But let our present Constitution last five years longer, and the chances are that the new demands of the hierarchy will be conceded.)⁴⁸

If the honorable gentleman is not satisfied now that the fears of the clergy are well founded, I really cannot see how he can possibly be convinced.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—That honorable member gave us a splendid and perfectly just eulogium of the admirable merits and devotedness of our Lower Canadian clergy—an eulogium which expresses the thought of every man who has any feeling of admiration for deserving merit, wherever it may be found, and whatever may be his own nationality or religion—an eulogium which I endorse with my whole heart.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—But, Mr. Speaker, I am not the less convinced that everything foreshadowed by the extract I have just read from the *Globe* is destined to occur one day, if we adopt the measure now before us. And what is the meaning of the petitions pouring in every day by thousands, why all these crosses affixed to these energetic and patriotic protests—crosses formed by rude hands guided by noble hearts?

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—I will tell you, Mr. Speaker, why there are so many crosses; it is because, previous to the union of the Canadas, the Legislative Council was composed of enemies of the Lower Canadians, who refused, for a great number of years, to make even the paltriest grants for our Lower Canada schools. Thanks to this tyrannical proscription, the schools were closed by hundreds, and the children of our people were unable to obtain the benefits of education, of which they would most certainly have availed themselves. Hence it is that the petitions pouring in upon us from all quarters, to protest against the oppression about to be established, are in great part signed with crosses—crosses certainly of equal value with

⁴⁷ [Le Canadien \(Mar. 8, 1865\).](#)

⁴⁸ [“Separate Schools,” The Globe \(Mar. 6, 1865\).](#)

the magnificent signatures of certain honorable members of this House, who have attempted to turn into ridicule the signatures of these petitions. At that period, Mr. Speaker, the Canadian clergy were, as they are to-day, the leaders of the education movement, and the British oligarchy did all in its power to contract the limits of their noble work—the education of the children of the soil.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—But thanks to the constant and energetic protests of patriotic men—thanks to the struggles they maintained for many a long year—struggles which culminated at last in open rebellion against the authority of Great Britain—we gained the liberties we now enjoy. And with reference to the rebellion, I think

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the Honorable Attorney General East [George-Étienne Cartier] must remember that he himself was one of those who raised the flag of freedom at [St. Charles](#)⁴⁹, and donned the cap of liberty. At that period, Mr. Speaker, the Honorable Attorney General East [George-Étienne Cartier] did not shrink from open rebellion against the Crown, in order to secure what he considered the legitimate liberties of his fellow-citizens; to-day he does not shrink from a baronetcy, the reward of the treason he is prepared to consummate against his same fellow-citizens.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—I said a moment ago that French-Canadians had every reason to fear for the safety of their institutions under Confederation, and I will prove it by quoting a few passages from the celebrated report of Lord Durham—a report which has been used as a model by the Government in preparing their scheme of Confederation—in fact the latter is copied almost word for word from that able summary of the means to be

adopted for the utter annihilation of French nationality in this country.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—To those who may feel inclined to consider my fears unfounded, I have but one thing to say: you may rest assured that the English members will not allow themselves to be led by the few French-Canadian members of the Federal Government, and that they will strive conscientiously, and in some sort naturally, to carry out the [work initiated by Lord Durham](#), and carried on up to this day with a degree of skill and ability which, though defeated in some instances, was none the less calculated to produce the results foreseen and desired by Great Britain.

I will read to the House [an extract from the report](#) in question; for it is good to remind the representatives of Lower Canada of these facts:—

Never again will the British population tolerate the authority of a House of Assembly in which the French shall possess, or even approximate to a majority.⁵⁰

Such, Mr. Speaker, are the expressions used by Lord Durham in his despatch to the English Government; and I will show how faithfully the plan has been carried out. It was begun by a union of the two Canadas, and it is to be continued by a Confederation of all the Provinces of British North America, and consummated at last by a legislative union, under which the French race will be absorbed and annihilated for ever.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—An honorable member who addressed the House during yesterday's sitting, told us that Confederation would be the beginning of the end, and the destruction of the Lower Canadians. It would have been impossible to describe more truly the position in which we

⁴⁹ [The Battle of St. Charles \(Nov. 25, 1837\)](#) was a battle in the Lower Canadian Rebellion against the Government of Lower Canada (and the United Kingdom). The rebels were defeated. Cartier was a member of the rebels and had to flee to the United States in 1837. He returned to Montreal the following year.

⁵⁰ [Durham Report \(1839\), p. 17.](#)

shall find ourselves placed under Confederation.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—The honorable member for Vaudreuil (Mr. Harwood) said there were as many Catholics in London as there were in Rome itself, the centre of Catholicity. Well, what is the value of that assertion? Does it prove anything in favor of his argument? How many members are there in the English Parliament to represent the Catholics of Great Britain? If I am not mistaken, I think there are but two or three. Now I ask what influence the Catholic population can have in that Parliament, and what power have they to protect their institutions and their liberties. If the honorable member for Vaudreuil [Antoine Harwood] thinks he has brought forward an unanswerable argument, he is very much mistaken, for the argument turns entirely against him.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—The honorable member for Vaudreuil [Antoine Harwood] also brought forward, in favor of Confederation, an argument which bears a certain appearance of plausibleness and weight. He said that if we adopt Confederation, Lower Canada will enjoy the rich coal mines of New Brunswick. Does the honorable member fancy that the coal is to be delivered to us free of all cost and charges, and without our having to give anything in exchange for it?

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Really, Mr. Speaker, it seems to me that when only such arguments as these are available in support of a case, it would be quite as well to say nothing about it. It may be that the praises profusely bestowed by the Honorable Attorney General East [George-Étienne Cartier] on the honorable member for Vaudreuil [Antoine Harwood] are well deserved. It may be that the Honorable Attorney General [George-Étienne Cartier] thinks so; but for my part—I say it in all sincerity—I consider that the style

of eloquence displayed here by the hon. member for Vaudreuil [Antoine Harwood] was better calculated to win the applause of a parish meeting; the hollow tinsel of that style of eloquence may take with a certain class of men, but I do not hesitate to assert that it is hardly the kind of speech suited to this House. What is required here is a speech calculated to bring conviction to the minds of those who listen.

No doubt the hon. member for Vaudreuil [Antoine Harwood] turned many pretty and elegant phrases, but for all that, I cannot help thinking that the Honorable Attorney General's [George-Étienne Cartier] compliments were somewhat extravagant, and that he only spoke as he did in order to remove the impression

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of the contempt he affects to entertain for his fellow-countrymen holding seats in this House, who hold opinions different from his, and for all the French speeches delivered on this side of the House since he brought down his Confederation scheme.

After all, the Honorable Attorney General [George-Étienne Cartier] has a perfect right to pay compliments to any one he likes, and whenever he likes; and in making these remarks I do not complain of his having formed that opinion of the honorable member for Vaudreuil [Antoine Harwood]. The honorable member also told us that the Government had done everything in their power, and that they had examined the question of Confederation from the standpoint of the five parties to the contract.

I think so too, and I do not hesitate to say that if our French-Canadian Ministers present at the Conference had examined the question from a Lower Canadian point of view—since they were charged with the protection of our interests—it is highly probable that many things unfavorable to those interests, which the scheme now presents, would have been removed. But the honorable member for Vaudreuil [Antoine Harwood] must know

that the Lower Canadian Ministers at the Conference ought to have gone there to represent the interests of their fellow-countrymen, and to defend those interests if necessary, in the same way that the representatives of the other nationalities went there to represent those of their fellow-countrymen; and the event shows but too clearly how strenuously the latter worked for their own interests. The scheme of Confederation shows clearly that the English race have in this, as in every other instance, been favored, to the detriment of the French element. They obtained everything, or nearly everything, they desired.

It being six o'clock, the Speaker left the chair.

The Legislative Assembly adjourned for dinner recess.

After the recess,

Maurice Laframboise [Bagot] resumed his remarks as follows—Mr. Speaker, as a prelude to the remarks I proposed making against Confederation during the first part of this sitting, I answered some of the arguments brought forward by the honorable member for Vaudreuil [Antoine Harwood], in support of the scheme as proposed for the consideration of this House. I shall now proceed to examine certain portions of the scheme, and show the absurdity of the arguments brought forward in support of it. It has been stated by honorable gentlemen opposite that Confederation is a compromise. Well, Mr. Speaker, what is the meaning of the word “compromise”? It means an understanding arrived at by means of mutual concessions; and in the ease now before us, I find concessions made only on one side and none whatever on the other.

I find that the concessions have all been made by Lower Canada to Upper Canada: the concession of representation based upon population, the concession to the Federal

Parliament of the right to legislate on marriage and divorce. Not a single concession to Lower Canada. All the Lower Canadian members of the Administration have, in their turn, told us that Upper Canada has made concessions to Lower Canada, but not one of those honorable gentlemen have pointed out a single instance of the kind. In looking over a pamphlet which has become celebrated for many reasons which I need not enumerate—I mean [the pamphlet of the honorable member for Montmorency \[Joseph Cauchon\]](#)—I find that Upper Canada has made one concession to Lower Canada. The honorable gentleman says, with reference to the concession of representation based upon population:—

Every confederation is a compromise, and where would be the compromise if nothing were conceded by both sides? The compromise made by Lower Canada is representation based upon population in the Lower House, and the compromise on the part of Upper Canada is the concession of equality in the Upper House in exchange for representation based upon population in the Assembly. The same compromise occurs between the two Canadas and the Maritime Provinces, and it is based upon the same principle.⁵¹

Thus, Mr. Speaker, the only concession the honorable member for Montmorency [Joseph Cauchon] has succeeded in showing in favor of Lower Canada, notwithstanding the eminent talents we all admit he possesses, and his well-known zeal for the Ministerial scheme, is that which I have just mentioned, and in my opinion it is no concession at all, since Lower Canada had and still has the right to claim an equal representation in both Houses of the Legislature.

Let us now see what is the nature of the concessions made by Lower Canada to Upper Canada. In the first place, I find this, the most important of all. And which by itself is worth all the rest—I mean the concession of representation based upon population. No one has forgotten the animated discussions which occurred, both in this House and elsewhere, relative to this question. What means were not

⁵¹ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), p. 73.](#)

employed and what efforts were not made by the Conservative party in order to make political capital out of that question, and what success have not this same party,

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who now concede representation based upon population, obtained in Lower Canada by loudly proclaiming that the Liberal party, or rather the “*Rouge* party,” as they were pleased to style us, were ready to grant to the Honorable President of the Council [George Brown] representation based upon population?

Well, Mr. Speaker, the accusation made against the Liberal party, of being prepared to grant to the Honorable President of the Council [George Brown] his cherished measure, I shall leave to that hon. gentleman himself the task of answering. We heard him declare in this House that he had offered the hon. member for Hochelaga [Antoine-Aimé Dorion] to continue to work with him if he was willing; to concede the principle of representation based upon population, and that that gentleman having refused to comply with the demand, he had accepted the alliance of the Hon. Attorney General East [George-Étienne Cartier], who gave him all he asked.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—But, Mr. Speaker, there is something still more important than that. A few days ago, the Hon. President of the Council [George Brown], addressing the hon. members for Hochelaga [Antoine-Aimé Dorion] and Chateauguay [Luther Holton], said, “I had long considered that you were the best friends of Upper Canada, but I can see today that you are not, and that our real friends are the Hon. Attorney General for Lower Canada [George-Étienne Cartier] and his Lower Canada colleagues.”

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—After having granted the favorite measure of the great Clear Grit chief, the Lower Canada

delegates doubtless considered that that was not sufficient, since they also made another important concession to Upper Canada and to the Protestants of Lower Canada, by vesting in the Federal Government the power of legislating on marriage and divorce—

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—two questions upon which the French-Canadians were united by the bonds of a common faith, and on which they could not tolerate any discussion; and the Ministers, therefore, ought not to have made those concessions, which are utterly opposed to the religious doctrines they themselves profess. I say that power has been given to the Federal Government to legislate on divorce and to legalize it, and I am not mistaken in saying it, for the principle is adopted by the fact of giving to the Federal Legislature the right of legislating on this question.

This power ought to have been granted to the local legislatures, and not to the Federal Legislature, as has been done; and I shall prove it in this way: the other day, [the Hon. Solicitor General for Lower Canada \(Hon. Mr. Langevin\)](#) told us. That as regards Lower Canada, there was no necessity for granting to its legislature the power of legislating on divorce, because, said he, “the religious authorities are recognized; but it was necessary and proper to grant that power to Upper Canada.”⁵²

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Now, I ask, if Lower Canada did not require that power of legislating, why has it been given to the Federal Legislature, which will be composed in great majority of Protestants, who do not hold the same opinion that we do on these questions, when it is evident that that Legislature will probably grant bills of divorce to all persons who apply for them, without considering whether the parties are Catholics or Protestants? If divorce is condemned by the Catholic religion, I maintain that it is wrong to

⁵² [Hector Langevin, Legislative Assembly \(Feb. 21, 1865\), pp. 388-390.](#) Quote is a summary.

grant that power to a Legislature which will be composed in great part of Protestant members, ready to legislate on divorce, and to grant divorces to those who bring forward what they may consider reasonable grounds, sufficient to entitle them to obtain divorce, without considering whether the religious faith of the parties permits or does not permit divorce. If divorce be condemned by the Catholic Church—and all the world knows that it is so condemned in the most formal manner—the power of the Legislature in this matter ought to have been restricted, and not made general, as it is proposed to make it in the scheme of Confederation submitted to us.

Mr. Speaker, I have shown, I think, that Lower Canada has gained nothing, but that she has conceded everything in this compromise; true, in order to cover these guilty concessions, we are told, “But the protection of our institutions and the maintenance of our laws are fully and amply guaranteed to us by the new Constitution.”

In the first place, under the Confederation, our institutions will not be protected—as it has vainly been attempted to demonstrate they will; but, even though it were the case, does not the Constitution under which we now live afford us infinitely better guarantees for all our dearest liberties? Let us examine, for a moment, what species of guarantee we have under the present system, and what guarantees we shall have under the Federal system. The guarantee which the French-Canadians have under the present system, consists in the fact that out of 65 members, they count at least 51 of their own origin and faith, and that they

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possess in the country and in the Legislature so powerful an influence, that the existence of any and every government depends on their good-will, and that no legislation can be carried on without their consent; whereas, under the new Constitution, the General Legislature will be composed of 194 members, Lower Canada having 65, of whom 14 at least

will be English and Protestants, leaving thus 51 French-Canadian or Catholic members.

Now, even if these 51 members act together as one man, they will have to struggle against 143 members of a different origin and a different faith from themselves. Thus, Mr. Speaker, I am convinced that the guarantees we enjoy under our present Constitution—guarantees which are assured to us as long as we do not change our system of government—are infinitely superior to those offered to us by the new Constitution which it is sought to force upon the people. But we are told that the Federal Government will have the Catholic minority to deal with, and that the assistance of the latter will be absolutely necessary to carrying it on.

Well, I ask, Mr. Speaker, what can a minority composed of 51 members do against a majority of 143; and what protection can it offer to our laws, our institutions and our language? No; it is evident that all these things which we hold so dear may, under the Federal system, disappear and be annihilated at any moment; they will be constantly at the mercy of our natural enemies. In order to secure Confederation, you have granted to Upper Canada representation based on population—a principle against which the people of Lower Canada have always voted as one man, and you have also granted everything that the Upper Canadian delegates desired to obtain for themselves and their co-religionists.

It is quite natural that the English members in Lower Canada should be nearly all in favor of the scheme, since they have a sure guarantee in the veto power of the Federal Legislature. Thus the Local Legislature of Lower Canada cannot pass a single law without submitting it to the sanction of the Federal Legislature, which can, by its veto, amend, change or completely annul, if it thinks proper, any law or any measure so submitted to it. But what guarantee will the Federal Legislature offer to the French-Canadian majority of Lower Canada, and to the Catholic minority of Upper Canada? None whatever. How can the great Conservative

party which boasts so loudly of representing the interests of the Catholics of Lower Canada, which takes its stand as the natural protector of the religion and the faith of Catholics—

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—very absurdly I must admit—how can that great party, I say, have forgotten, as it evidently has forgotten, that there are Catholics in Upper Canada who expected and are entitled to its protection? How will the Catholic minority in Upper Canada be protected in the Local Legislature of Upper Canada, composed of Englishmen and Protestants? Shall I tell you how, Mr. Speaker? Well, they will be protected by two members only, the hon. members for Cornwall and Glengarry (Hon. Mr. J.S. Macdonald and Mr. Donald A. McDonald).

The great Conservative party, which styles itself the protector of Catholicism, has simply handed over the Catholic minority of Upper Canada to the tender mercies of their enemies. And to give an idea of the kind of protection they will enjoy under the new system, it is sufficient to state that a few days ago, Bishop Lynch, of Toronto, was forced to address himself publicly, through the press, to the citizens of Toronto, to protest against the insults offered in broad daylight, in the public streets of that city and elsewhere, to revered Sisters of Charity, and to ask protection for the venerable ladies of that community; and then look at the fanatical and intolerant writings, such as those I read to this Honorable House before the recess, from an article in the *Globe* of the 6th March—a paper which represents the opinions of the present Government, and which is the organ and property of the Hon. President of the Executive Council (Hon. Mr. Brown).

Can it be said that we have nothing to fear, that the religious institutions of Upper Canada will be perfectly safe under the system sought to be introduced into the country? Does not the hon. Member for Montmorency [Joseph

Cauchon] admit, in [his famous pamphlet of 1865](#)⁵³, that our religious institutions have many a time been insulted in this House? And has not the Bishop of Toronto just complained that Sisters of Charity have been insulted in the streets of the capital of Upper Canada, and that they have been turned into ridicule at masquerades and masked balls, frequented by the best society of that locality? And in order that every one may be convinced of the fact, I take the liberty of reading his letter, which is as follows:—

• (p. 848)

To The Citizens of Toronto.

The Sisters of Charity have been from time to time grossly insulted in this city. Men have rudely seized hold of them in the public streets whilst going on their errand of charity; they have been pelted with stones and snow-balls. They have been called the most opprobrious and insulting names; their costume has been contumeliously exhibited in masquerades on a skating rink. We, confiding in the honor and justice of the gentlemen of Toronto, most respectfully ask protection in the premises.

Your obedient servant,

John Joseph Lynch,
Bishop of Toronto.⁵⁴

But even though many hon. members of this House doubted the truth of the statements made in that letter, is not the danger we shall incur, as Catholics, once we are placed at the mercy of our enemies, exemplified by facts which they cannot have forgotten? I mean the numberless injuries and insults offered by an honorable member of this House to everything Catholics hold dear. Have we forgotten the infamous charges uttered by one of the friends and warm supporters of the Hon. President of the Council (Hon. Mr. Brown) on the floor of this House? Well, I ask you now—you, the great Conservative party, the natural protectors of our religion and of its admirable institutions—what have you done to secure protection for the Catholics of Upper Canada in the new Confederation? Nothing whatever!

⁵³ [Joseph Cauchon, *l'Union des Provinces de l'Amérique Britannique du Nord* \(1865\).](#)

⁵⁴ [Letter from Bishop Lynch, St. Michael's Palace \(Mar. 3, 1865\). "Another R Catholic Grievance," *The Globe* \(Mar. 10, 1865\).](#)

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—But if Lower Canada has obtained no new concession, and if her position is no better under the new system than under the present one, why are we to have Confederation? I can answer the question, and, in fact, the answer is patent to every one: our Ministers had recourse to Confederation simply because it presented a pretext for clinging to office, and enjoying the sweets of power for a law years longer. That is the reason, and the one only reason, for their alliance with a man who despises them in his heart, and who joined them only because they advance his plans and ambitious designs.

The Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] explained to us the other evening the intentions of the Government. It sounded very well, no doubt; but everyone knows that the intentions of a government are not unchangeable, that they may change them, and that they have, in fact, already done so. At the time of the formation of the present Ministry, did not the Lower Canada Ministers tell their friends in this House, and was it not repeated in every shape by their newspapers, “Don’t be uneasy, Confederation will not be carried out.”

The Hon. Commissioner of Public Works (Hon. Mr. Chapais) did not deny having stated to a priest of this district, “that he must be quiet; that there was nothing to fear; that Confederation would not be carried out; that the whole thing was done in order to entrap the great Clear Grit leader and to get rid of him for ever, and of the Lower Canada Liberal party.”

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—It seems that our Lower Canadian Ministers did not take into account the pressure of the Upper Canada members, nor that of the delegates from the Maritime Provinces, who, by combining together, obtained all the concessions they desired from the infinitesimal Lower Canadian minority representing us at the Conference of Quebec.

They were told that Confederation must be carried out under such and such conditions; and these brave patriots, in order to avoid losing their cherished ministerial places, did not hesitate to sacrifice their fellow-countrymen. They accepted all the conditions of the Protestant delegates, and now they are striving to induce the House, and particularly the Lower Canadian members of it, to ratify their shameful concessions. Unhappily for Lower Canada, I fear the House will vote for the destruction of French-Canadian nationality in this province.

There is one important point which must not be lost sight of, namely, that the great majority of the Upper Canadian members are in favor of Confederation, because everything in it is entirely to their advantage; but I cannot conceive how a majority of Lower Canadian members can be in favor of the measure. True, many of these members are repudiated by their counties, and do not represent the opinions of the majority of their constituents on this question, and it is certain that many of those who will vote for this scheme will never have an opportunity of voting for the project, if an appeal be made to the people.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—With reference to divorce, I say that if the doctrines of the Catholic religion tell us that it is wrong and criminal to grant it, and that Catholics cannot accept it, it was the duty of our Ministers at the Conference to do all in their power to restrict it. True, it was not possible to prevent it in Upper Canada and in the Maritime Provinces, but it might have been done as regards Lower Canada; and if it was deemed right to grant the power of

• (p. 849)

legislating on this question, it ought to have been given to the local governments. But divorce was granted in this way because England had established a special tribunal for this matter, and England desired that divorce should be granted in Lower Canada as well as in every other province of British North

America. Our Lower Canadian Ministers have simply yielded to the British influence which has been omnipotent in the Convention.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—They say “It is very true that the Catholic religion prohibits divorce, but vote in favor of its establishment; for if you do not, the *Rouge* party will return to power and destroy all your religious institutions, if you give them the control of the government of the country.” Well, gentlemen upholders of religion, ought you not to use every means to prevent these dreadful *Rouges* from making use of the law, which you yourselves are about to establish, which will enable them to obtain divorce whenever they please, and thus to insult the dogmas and doctrines of the Catholic Church?

[The Hon. Solicitor General East \(Hon. Mr. Langevin\) gave us, the other night, what he pretended were satisfactory explanations](#)—satisfactory to him, perhaps—on the law of divorce⁵⁵. Well, Mr. Speaker, let us examine these wonderful explanations. That hon. gentleman told us that it was simply a law authorizing the declaration that a marriage contracted in any of the confederated provinces, in accordance with the laws of the province in which it was contracted, should be deemed to be valid in Lower Canada in case the husband and wife came to reside there.

Well, I ask you, Mr. Speaker, if there was any necessity for making this provision in the new Constitution? Would not a marriage, under the present Constitution, contracted under the circumstances referred to by the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin], be as valid as it would be under the Confederation? Certainly it would! Then what do the Government mean? I am well aware that the Catholic members from Lower Canada will not admit it, and I know that they refused to believe me when I made the assertion, but I do not hesitate to repeat it here, that it is the intention of the Convention to legalize civil marriages.

The Lower Canadian section of the Ministry has not ventured to admit it, because they well knew that they would draw down upon themselves the disapprobation of the clergy of the country, and of all their fellow-countrymen. If the power conferred on the Federal Legislature in relation to this matter means anything at all, it is that and nothing else, and all the explanations given by the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] and his colleagues are utterly valueless, and cannot be accepted by the Catholic members.

Why say that divorce will be permitted? If the existing law authorizes divorce now, it was quite unnecessary to make a new law on the subject, and to make it an article of the new Constitution. The Government takes every means in its power to conceal the real intentions of the Conference on this important point of the scheme, but I am firmly convinced that their object is perfectly understood, and the future will prove whether or not I am mistaken when I assert that it is intended to make civil marriages legal in this country.

One of the reasons—and the only one which I have been able to discover—for which the present Government has granted power to the Federal Legislature to decree divorce, is that the Protestants of Lower Canada would never, but for that provision, have given their support to the Confederation measure proposed by our Ministers. I am well aware that there are certain Protestant denominations whose doctrines forbid divorce, but I do not hesitate to say that the only reason of the concession is the one I have just stated.

Besides, in [the pamphlet of the hon. member for Montmorency \[Joseph Cauchon\]](#), I find a very strong admission:—

Catholic opinion urged that a question of such social importance should be left to the local governments, but let it be understood that in leaving it as regards Lower Canada to a Protestant majority, we only maintain the

⁵⁵ [Hector-Louis Langevin, Legislative Assembly \(Feb. 21, 1865\), pp. 388-390.](#)

present condition of that important question. By so referring it to the Federal Government, we avoid many causes of contention and many violent complaints which might eventually be listened to by the Mother Country, where divorce is legalized and operates as a social institution.

Who can say that the Protestants—who are in great majority in our present Parliament, and who will constitute the two-thirds of the Confederation—would ever have consented to localize legislation on the subject of divorce?⁵⁶

The hon member for Montmorency [Joseph Cauchon] knows just as well as I do that the Protestants of Lower Canada would not have liked it, and that to obtain their support, it has been said to them, “Oh yes, let us concede that too; we have yielded representation by population, let us also give them divorce and anything else they like.”

• (p. 850)

Hector-Louis Langevin [Dorchester, Solicitor General East]—Hear! Hear!

Maurice Laframboise [Bagot]—The hon. member may exclaim “Hear, hear,” as loudly and as often as he likes, but those who heard him deliver the (I will not say eloquent, because that would not be true) [speech which he made](#) in opposition to the first reading of the [Benning Divorce Bill](#)⁵⁷, and who now behold him imposing on Catholics, who do not desire it, the consequences of a principle which we then refused to apply to Protestants who sought for it—those I say are justified in believing and in saying that the Hon. Solicitor General for Lower Canada [Hector-Louis Langevin] has either renounced his former opinions on divorce, inasmuch as he authorizes the Federal Legislature to legislate on this subject, and to grant divorces either to Protestants or Catholics, and either to Upper or Lower Canada, or he could not have been very sincere in his opposition to the Benning Bill.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—There is one certain fact, and that is that the Protestants of Lower Canada have said to the Government, “Pass a measure which shall guarantee to us the stability and protection of our educational system and of our religious institutions, and we will support your scheme of Confederation; unless you do, we will never support you, because we do not wish to place ourselves at the mercy of a Local Legislature the three-fourths of the members of which will be Catholics.” They were perfectly justifiable in acting as they did, although it is generally admitted that we Catholics have much more liberality than the Protestants—and this is to a certain extent proved by the fact that several of our Lower Canadian counties are represented by Protestants. I do not, however, Mr. Speaker, I do not wish to reproach the Protestant minority of Lower Canada for having protected its own interests.

I admit that in doing this they have only done their duty; for who can say, after all, what ten years may bring forth? Ten years hence ideas may be changed upon this question, and if it be true, as stated by the *Toronto Globe*—and the Ministry cannot say that this journal does not speak the truth, as it is the organ of the present Government—if it be true that the Catholic clergy are an encroaching body, that they are never satisfied, and that they seek to take possession of all they see—if that be true, Mr. Speaker, who will say that in a few years the Lower Canadians will not be disposed to say to the Protestant minority, “We insist that all the schools should be Catholic,” as the majority in Upper Canada has said to the Catholic minority there, many and many a time, and as it will before long say again if Confederation takes place.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—I need not say that I do not believe that the Catholics of

⁵⁶ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), p. 94.](#)

⁵⁷ [Hector Langevin, *Legislative Assembly* \(Jun. 9, 1864\), p. 187.](#) For the legislation see an [Act for the Relief of James Benning \(Province of Canada, 1864\)](#).

this section will ever push intolerance to that extent; but on the other hand, I cannot but approve of the determination of the Protestant minority to protect themselves from all eventualities of this nature; and for the same reason, I say that we also ought to take every precaution, and that we ought not to suffer our dearest interests to be at the mercy of a Protestant majority in the Federal Legislature.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—We are not justified in asking for any concessions which we are not ourselves prepared to yield.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Before the House rose at six o'clock, I slated, Mr. Speaker, that the plan of Confederation was, so to speak, traced word for word upon the [famous report of Lord Durham](#). With the permission of the House, I will take the liberty of reading a few extracts from [that report](#), in which the author, after having asserted a number of falsehoods in relation to our race, which I will not trouble the House with reading, declares that we ought to be merged into the English nationality. Observe how similar the ideas of the noble lord are to those which are expressed in the plan of Confederation. I cite for the second time the following paragraph:—

Never again will the British population tolerate the authority of a House of Assembly in which the French shall possess, or even approximate to, a majority.⁵⁸

Here, Mr. Speaker, we have a sentiment which shows that England has followed, step by step, the advice of Lord Durham. The hon. member for South Leeds [David Jones] said the other night that he hoped that we should soon attain to a legislative union. Well, a legislative union was also one of Lord Durham's dreams I proceed to read another extract from [his report](#):—

It will be acknowledged by everyone who has observed

the progress of Anglo-Saxon colonization in America that sooner or later the English race was sure to predominate, even numerically, in Lower Canada, as they predominate already by their superior knowledge, energy, enterprise and wealth. The error, therefore, to which the present contest must be attributed, is the vain endeavor to preserve a French-Canadian nationality

• (p. 851)

in the midst of Anglo-American colonies and states.⁵⁹

[A little further](#), Mr. Speaker, I read as follows:—

These general principles apply, however, only to those changes in the system of government which are required in order to rectify disorders common to all the North American colonies, but they do not, in any degree, go to remove those evils in the present state of Lower Canada, which require the most immediate remedy. The total feud to origin, which in the cause of the most extensive mischief, would be aggravated at the present moment by any change which should give the majesty more power than they have hitherto possessed a plan, by which it is proposed to insure the tranquil government to Lower Canada, must include in itself the means of putting an end to the agitation of national disputes in the Legislature by settling, at once and for ever, the national character of the province.

I entertain no doubts as to the national character which must be given to Lower Canada—it must be that of the British Empire—that of the majority of the population of British America—that of the great race which must, in no long period of time, be predominant over the whole North American continent.

Without effecting the change so rapidly or so roughly as to shock the feelings and trample on the welfare of the existing generation, it must henceforth be the first and steady purpose of the British Government to establish an English population, with English laws and language, in the province, and to trust its government to none but a decidedly English Legislature.⁶⁰

[And further on](#) find what follows:—

It may be said that this is a hard measure to a conquered people, that the French were originally the whole, and still are the bulk, of the population of Lower Canada, that the English are new comers, who have no light to demand the extinction of the nationality of a people, among whom commercial enterprise has drawn them. It may be said that if the French are not so civilized, so energetic, or so

⁵⁸ [Durham Report \(1839\), p. 17.](#)

⁵⁹ [ibid., p. 22.](#)

⁶⁰ [ibid., p. 92.](#)

money-making a race as that by which they are surrounded, they are an amiable, virtuous and a contented people, possessing all the essentials of material comfort, and not to be despised or ill-used because they seek to enjoy what they have without emulating the spirit of accumulation which influences their neighbors.

Their nationality is, after all, an inheritance, and they must not be too severely punished because they have dreamed of maintaining, on the distant banks of the St. Lawrence, and transmitting to their posterity the language, the manners and the institutions of that great nation that, for two centuries, gave the tone of thought to the European continent. If the disputes of the two races are irreconcilable, it may be urged that justice demands that the minority should be compelled to acquiesce in the supremacy of the ancient and most numerous occupants of the province, and not pretend to force their own institutions and customs on the majority.

But before deciding which of the two races is now to be placed in the ascendant, it is but prudent to enquire which of them must ultimately prevail; for it is not wise to establish to-day that which must, after a hard struggle, be reversed tomorrow. The pretensions of the French-Canadians to the exclusive possession of Lower Canada would debar the yet larger English population of Upper Canada and the townships from access to the great natural channel of that trade which they alone have created and now carry on.

The possession of the mouth of the St. Lawrence concerns not only those who happen to have made their settlements along the narrow line which borders it, but all who now dwell, or will hereafter dwell in the great basin of that river. For we must not look to the present alone. The question is, by what race is it likely that the wilderness which now covers the rich and ample regions surrounding the comparatively small and contracted districts in which the French-Canadians are located, is eventually to be converted into a settled and flourishing country?

If this is to be done in the British dominions as in the rest of North America, by some speedier process than the ordinary growth of population, it must be by immigration from the English Isles or from the United States—the countries which supply the only settlers that have entered, or will enter, the Canadas in any large numbers. This immigration can neither be debarred from a passage through Lower Canada, nor even be prevented from settling in that province.

The whole interior of the British dominions must, ere long, be filled with an English population, every year rapidly increasing its numerical superiority over the French. Is it just that the prosperity of this great majority, and of this vast tract of country, should be forever, or even for a while, impeded by the artificial bar which the backward laws and civilization of a part, and a part only, of Lower Canada, would place between them and the ocean? Is it to be supposed that such an English population will ever submit to such a sacrifice of its interests?

The French-Canadians, on the other hand, are but the remains of an ancient colonization, and are and ever must be isolated in the midst of an Anglo-Saxon world.

And is this French-Canadian nationality one which, for the good merely of that people, we ought to strive to perpetuate, even if it were possible? I know of no national distinctions marking and continuing a more hopeless inferiority. The language, the laws, the character of the North American continent are English, and every race but the English (I apply this to all who speak the English language) appears there in a condition of inferiority. It is to elevate them from that inferiority. It is to elevate them from that inferiority that I desire to give to the Canadians our English character.

There can hardly be conceived a nationality

- (p. 852)

more destitute of all that can invigorate and elevate a people than that which is exhibited by the descendants of the French in Lower Canada, owing to their retaining their peculiar language and manners. They are a people with no history and no literature. The literature of England is written in a language which is not theirs, and the only literature which their language renders familiar to them is that of a nation from which they have been separated by eighty years of a foreign rule, and still more by those changes which the revolution and its consequences have wrought in the whole political, moral and social state of France.⁶¹

Well, Mr. Speaker, Sir Edmund Head, when he called us an inferior race⁶², without our French-Canadian Ministers protesting in any way against this gross and foolish insult—drew his inspiration from the report from which I have just cited an extract, and which,

⁶¹ [Durham Report \(1839\), pp. 92-95.](#)

⁶² Perrault is referring to Governor General Edmund Head although the veracity of this claim is disputed. John A. Macdonald said that it was a “lying story of the Globe...” which “destroyed Sir Edmund’s popularity and lessened his comfort and usefulness.” Macdonald says that the story persisted amongst French-Canadians. He also said that he and Cartier were present for what he really said. “What Sir Edmund Head did say on the occasion referred to was that the French Canadians, as a race, were not inferior to the people of Upper Canada.” [John A. Macdonald to John Rose \(Jun. 29, 1883\) in Joseph Pope, Correspondence of Sir John Macdonald \(1921\), p. 301.](#)

from its first to its last page, breathes the most bitter hatred of all that bears the French name or stamp. A little further [on Lord Durham continues](#) as follows:—

In these circumstances I should be indeed surprised if the more reflecting part of the French-Canadians entertained at present any hope of continuing to preserve their nationality.⁶³

Probably, Mr. Speaker, Lord Durham was desirous of alluding to the members of the present Administration who to-day evince a disposition to sacrifice their nationality for the honors and titles which Lord Durham counselled the Imperial Government to bestow on those of our reflecting French-Canadians who would not refuse to take the gilded bait which Great Britain might dangle before their eyes. I continue [my citations](#):—

Lower Canada must be governed now, as it must be hereafter, by an English population; and thus the policy which the necessities of the moment force upon us, is in accordance with that suggested by a comprehensive view of the future and permanent improvement of the province.⁶⁴

A little further on [Lord Durham proceeds](#) as follows:—

It is proposed either to place the legislative authority in a governor, with a council formed of the heads of the British party, or to contrive some scheme of representation by which a minority, with the forms of representation, is to deprive a majority of all voice in the management of its own affairs.⁶⁵

The plan of Confederation now submitted for our adoption is exactly that dreamt of by Lord Durham. Our Ministers have copied it, so to speak, word for word. Lord Durham indicates all its essential points; and if I cite his report, it is with the view of proving that the real author of the Confederation, which it is sought to impose upon us, is, in fact, Lord Durham himself.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—I quote again from [his report](#):—

The only power that can be effectual at once in coercing the present disaffection and hereafter obliterating the nationality of the French-Canadians, is that of the numerical majority of loyal and English population; and the only stable government will be one more popular than any that has hitherto existed in the North American colonies.

The influence of perfectly equal and popular institutions in effacing distinctions of race without disorder or oppression, and with little more than the ordinary animosities of party in a free country, is memorably exemplified in the history of the State of Louisiana, the laws and population of which were French at the time of its cession to the American union. And the eminent success of the policy adopted with regard to that state points out to us the means by which a similar result can be effected in Lower Canada.⁶⁶

Lord Durham was perfectly correct in suggesting the adoption of this policy. He did not wish to put his foot on our necks, but he advised that we should be made to disappear little by little under English influence, and when we should be weak enough to be no longer dangerous, then that we should have the coup de grace. As in Louisiana, our nationality was to disappear under the influence of foreign elements.

John Scoble [Elgin West]—Will the hon. gentleman permit me to observe to him, that it is only justice to the memory of that great statesman to say, that he wrote his report having only in view a legislative union, and that circumstances have changed since that day? Now we are only discussing a Confederation, and consequently Lord Durham's views do not apply to it.

Maurice Laframboise [Bagot]—I think that the plan conceived by Lord Durham was that of a legislative union and a Confederation of all the British North American Provinces. We are about to begin with Confederation, but we

⁶³ [Durham Report \(1839\), p. 95.](#)

⁶⁴ [ibid., p. 95.](#)

⁶⁵ [ibid., p. 95.](#)

⁶⁶ [ibid., p. 96.](#)

shall finish with a legislative union. Confederation, as has been well observed by that eminent statesman, is the first step to a legislative union. “Act with prudence,”⁶⁷ he says in [his famous report to the British Government](#); “we must not crush the French race too suddenly

- (p. 853)

in these colonies; they might resist and give trouble, but make use of diplomacy, lavish honors and titles on their leading men, and perhaps you will succeed.”⁶⁸

I am convinced that we shall have a legislative union in a very few years if the plan of Confederation is adopted, and I am not the only one who says so, for the other night the hon. member for South Leeds [David Jones] stated in this House that in a short time we should have a legislative union and all its consequences⁶⁹. Well, Mr. Speaker, if we are threatened in this way, the hon. member for South Leeds [David Jones] ought not to be surprised that as a Lower Canadian I have something to say against the opinions expressed by Lord Durham in his report. I can perfectly understand that he could not possibly have the feelings of a Lower Canadian, and that he could not consequently feel as I can feel, the affront and the wrong which that statesman inflicted on my fellow-countrymen.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—But neither, on the other hand, does he feel as I do that the plan of Confederation will bring the French-Canadian race to the social condition conceived and predicted by the noble lord

whose report I have just cited. That hon. member, as an Englishman and a Protestant, is in favor of a legislative union, in preference to any other system of government. He would behold with pleasure but one race—and that the British race—inhabiting these colonies of Great Britain. I do not blame him for these sentiments, which are perfectly justifiable when held by an Englishman; but, on the other hand, I am thoroughly convinced that he will not deem it a strange thing that a French-Canadian should entertain entirely different views on these points.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Thus, Mr. Speaker, that great statesman, Lord Durham, the rest dangerous enemy of French nationality, makes use of the following language in [his famous report](#):—

If you are desirous of gaining over the political leaders of the Lower Canadians, act as follows:—Begin by giving them offices, titles and honors of very kind; flatter their vanity, give them a vast field in which to satisfy their ambition.⁷⁰

Lord Durham came into this country after [the rebellion](#)⁷¹, and perceived that his predecessors in the government had been guilty of political errors which had alienated the French-Canadians from Great Britain, and he thought that he ought to leave behind him, to serve as a guide to his successors, that famous report in which he has collected together all the means that diplomacy could furnish him with, to crush out a nationality which he saw with regret living happily and contentedly on the soil of its birth, and from which it drew its sustenance. Lord Durham,

⁶⁷ [Durham Report \(1839\)](#). These appear to be a translation and the editors can't attribute a page to the passage.

⁶⁸ *ibid.*

⁶⁹ David Jones' comments occurred earlier in today's proceedings, p. 818 – not the “other night” as the member suggests. It is possible that sitting went past midnight into the next day, and the member is being exceedingly technical. We also know that members were able to edit their speeches afterwards, and this might simply be an error.

⁷⁰ [Durham Report \(1839\)](#). *Supra* footnote 67.

⁷¹ [Violent insurrections broke out in 1837-1838](#) in both Lower Canada and Upper Canada that later led to Lord Durham's proposed substantive constitutional reforms in 1839 and the development of the constitutional convention full responsible government in 1848. The conflicts in Lower Canada killed more than 300 people, and in Upper Canada, over 500 armed rebels claimed parts of Toronto. While their goals weren't fully aligned, they both were symptomatic expressions of deeper failures of the constitution.

like the hon. member for South Leeds [David Jones] would have preferred a legislative union of all the British Provinces to the union of the two Canadas; but the British Government considered it more prudent to begin with this partial union, knowing well that later it would easily find the means of accomplishing a legislative union. England reasoned in this way: if we give the English race time to develop itself, we can easily, at some future period, impose a legislative union on the French-Canadians. Today the Canadian Government, accepting the views of Lord Durham, come down and ask us to take this first step towards annihilation by accepting Confederation, which they present to us in the most brilliant and tempting guise.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—For want of argument, they say such things as these to excuse the culpable step which they are ready to take—"What is the use of resisting? We must have sooner or later the Confederation now proposed to you, and ultimately a legislative union?" Well, Mr. Speaker, I think, for my part, that we might easily escape this last danger to our nationality, if all the Catholics and French-Canadians in this House were to league themselves together to defeat the measure before us, which denies to the latter that legitimate influence which they ought to have in the Federal Government. Why not concede to us the guarantees and concessions which we have given to our fellow-countrymen of other origins? The Lower Canadian Ministers, who have not insisted upon obtaining for us that protection, have rendered themselves highly culpable towards their fellow-countrymen.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Under the Federal union, Lower Canada can never have more than sixty-five members in the Federal Legislature, notwithstanding the explanations to the contrary made on this head by the Hon. Solicitor General East [Hector-Louis Langevin]. All who have discussed the question in this House could not do otherwise

than admit it. Well, notwithstanding this injustice, and notwithstanding any increase that our population may attain under the Federal *régime*, our representation will always remain at the same figure, and we shall pay our share of the public debt in the ratio of the number of our population.

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Well, Mr. Speaker, is there not injustice in this s provision? We have been told that we shall have the management of our public lands. I admit that this would be of great benefit to us, if we were in a position to assure those who might settle in our midst that they would have a voice in the councils of the nation. But no, Mr. Speaker; immigration to this country will always be impossible under the Confederation preparing for us, and it will be diverted towards the territories of Upper Canada, where the settlers can be represented in the Provincial Legislature, where the climate is more favorable and the soil more fertile. But from another point of view, can we consider advantageous to Lower Canada the possession and administration of its public domain under the circumstances in which we shall be placed by Confederation? Assuredly not, and for this reason: each province is to assume its public lands, with the debts due upon the lands.

On the public lands situated in Upper Canada, and which she is to assume, there is a debt of six millions of dollars due to the province, whilst on those in Lower Canada there is only a debt of one million, consequently Upper Canada will obtain from Lower Canada a claim for five millions of dollars in excess of that which she yields to Lower Canada. Here we have one of the few great advantages which have been pointed out to us since the beginning of the discussion; and I ask you, Mr. Speaker, whether it is advantageous to Lower Canada?

On the contrary, while highly advantageous to Upper Canada, it is grossly unjust to Lower Canada. Is it not evident that the Confederation is entirely for the benefit of

Upper Canada? And is not a sufficient proof of it to be found in the fact that we find in this House but two or three members from that section of the province who are opposed to the scheme? If all the members from Upper Canada, to what party sever they may belong, unite to-day to support the scheme of the Government, it is because they perfectly understand that everything has been conceded to them, and that they have obtained all that they wished for—all the concessions that they sought for, and for which they labored and struggled so energetically and so long.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—That is perfectly well understood. But if influences hostile to Lower Canada, which worked against us during in the preparation in England of the law respecting the change in the constitution of the Legislative Council, had not caused [the removal](#) from the [Union Act](#) of the clause requiring the assent of two-thirds of the members of the Legislature to effect a change in the basis of our representation⁷²—if those influences had not worked to remove that safeguard of our interests, Upper Canada would never have been so persistent in striving to obtain representation based on population. She would have seen the impossibility of obtaining it, and the in utility of asking for it, and would, in consequence, have abandoned it. But from the moment when that clause was removed from the Union Act, it was competent to the Legislature to enact a change in the Constitution by a mere majority; and it may consequently be said that through that influence which worked against us, Upper Canada now obtains representation based on population.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—The members from Upper Canada will observe

that I do not maintain that the principle of representation based upon population is in itself an unjust principle; but I maintain that as they refused us the application of it when the population of Lower Canada was in a majority, it is unjust of them to demand it now because they are in a majority, and I cannot see by what right they wish to obtain it now. I say that if the application of that principle was unjust twenty years ago, it is also unjust to-day; and that if it is just to-day, it was equally just twenty years ago.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—A member considered it very extraordinary that the *Rouge* party—let us call it by that name, since it is the one by which the Liberal party is designated in this country, and we have no reason to take exception to it—since the *Rouge* party in Canada have washed away from that name all the stains with which the *Rouge* party in France had covered it, and that here the banner of that party is spotless—

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—a member, I say, considered it extraordinary, and ridiculed the idea that the *Rouge* party should have constituted themselves the protectors and defenders of the religion, the nationality and the institutions of Lower Canada, during the discussion of the scheme of Confederation. But when we see at the head of the movement, hostile to that Confederation, a man like Mr. Cherrier of Montreal, who will certainly very favorably bear comparison with all the members of the Conservative party of Lower Canada in respect of devotion, honor, national feeling and ability—when we see, I repeat, a man

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like [Mr. Cherrier at the head of the movement](#)

⁷² The member is referring to an amendment made to Clause 26 of the [Union Act, 1840 \(U.K.\)](#). It was expunged by [The Union Act Amendment Act, 1854 \(U.K.\)](#). It seems that the Imperial Parliament believed the “two-thirds” provision was no longer a necessary “check”, and that the proposed Act as a whole would encourage steady legislation, remove elements of future disturbance, and have the effect of rendering the Legislative Council a more conservative body. See *The 1854 Imperial Debates Amending the Union Act, 1840 (U.K.)*.

[hostile to Confederation](#)⁷³, I say that it is wrong to cast ridicule on that movement, and to make a pretence of believing that the members of the Liberal party, or of the *Rouge* party, have no religious, national or patriotic feelings. I say that the Conservative party were greatly in the wrong in endeavoring to ridicule Mr. Cherrier, because he is a man who is too well known as a man of probity and of religious sentiments — and the same cannot be said of several of those who have attacked him; and I am convinced that that gentleman sincerely believes that the nationality, the institutions and the religion of Lower Canada are in danger.

Some Hon. Members — Hear, hear.

Maurice Laframboise [Bagot] — Besides, admitting, as the Ministerial party pretend, that the *Rouge* party were not authorized to speak for the clergy and to defend our religious and national rights, it does not follow that all that the members on this side of the House stated on this subject is not strictly true; and if it had been possible to reply to it, it would have been better to meet it by arguments of a serious character than by personal attacks, the latter means being only employed as a blind. And those who exclaim so loudly to-day against the Liberal party, and who pretend to see in that party nothing but disloyalty and treason, did not always hold the monarchical and loyal ideas which they profess today; they were not always such ardent supporters of monarchical government as they are now.

Some Hon. Members — Hear, hear.

Maurice Laframboise [Bagot] — Thus, all the world knows right well that the Hon. Attorney General for Lower Canada (Hon. Mr. Cartier) was at the head of the party which stirred up [the troubles of 1837-38](#)⁷⁴.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska] — No, no! He was at the tail of it!

Some Hon. Members — *Laughter.*

Maurice Laframboise [Bagot] — I do not know whether he was at the head or at the tail of it; but at any rate, he was in it. He was at St. Denis a few minutes before the battle.

Some Hon. Members — *Laughter.*

Maurice Laframboise [Bagot] — I do not know whether he remained there; but I know that it is reported that he was deputed by the rebel camp to go and fetch provisions, although they could not then have been in any great need of provisions, for the moment at least.

Some Hon. Members — *Laughter.*

Maurice Laframboise [Bagot] — At any rate, he was in the rebel camp. But he has now corrected all his democratic errors; he has renounced all ideas of that nature, and has substituted monarchical ideas for them; he is now in favor of a great monarchical power on this continent, and would be prepared to accept the position of Royal Prince if it should be offered to him.

Some Hon. Members — Hear, hear, *and laughter.*

Maurice Laframboise [Bagot] — The Hon. Solicitor General for Lower Canada (Hon. Mr. Langevin) explained to us why he had so assumed monarchical ideas, when he told us that he would receive his reward.

Some Hon. Members — Hear, hear.

Maurice Laframboise [Bagot] — After having assumed monarchical ideas, he is ready to assume their livery.

Some Hon. Members — Hear.

Maurice Laframboise [Bagot] — But why should he be rewarded, as the Hon. Solicitor General [Hector-Louis Langevin] has said he will be? He will be so, that gentleman says, because the Hon. Attorney General [George-Étienne Cartier] brought about the passing of a measure for the abolition of the seigniorial

⁷³ Côme-Séraphin Cherrier was an eminent Lower-Canadian lawyer, with family ties to Louis-Joseph Papineau and Denis-Benjamin Viger connecting him to the *Patriotes*. He was a renowned trial lawyer, elected in 1834 to the Legislative Assembly, twice invited into government by Sir Charles Bagot and Denis-Benjamin Viger (and declined), and appointed (and declined) appointments to the judiciary, most notably as Sir Louis-Hippolyte LaFontaine's successor. In 1865, Cherrier delivered an influential anti-confederation speech titled [Discours sur la Confédération](#).

⁷⁴ *Supra* footnote 71.

tenure—because the *censitaires*⁷⁵ and the seignior? Brought their title-deeds to him, and he returned them a measure which was satisfactory both to the seigniors and to the *censitaires*. Now, I am really surprised that the Hon. Solicitor General [Hector-Louis Langevin], who, in the position which he occupies, ought to be acquainted with the history of the laws of this country, is not aware that it was the Honorable Mr. Justice Drummond who prepared and brought about the passing of the law for the [abolition of the seigniorial tenure](#)⁷⁶, and not the Hon. Attorney General for Lower Canada [George-Étienne Cartier] at all.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—That is, therefore, no reason why he should deserve a reward. The Hon. Solicitor General [Hector-Louis Langevin] also said that the Hon. Attorney General [George-Étienne Cartier] was entitled to the gratitude of his country, because he had brought about the passing of the law for judiciary decentralisation, and had thereby conduced to the interests of suitors, advocates, judges, and everyone in general.

The Honorable Solicitor General [Hector-Louis Langevin] is free to admire the laws of his chief, the Hon. Attorney General [George-Étienne Cartier]; but I may say, that if ever an Attorney General made crude, incomprehensible and impracticable laws, it was undoubtedly the present Hon. Attorney General for Lower Canada [George-Étienne Cartier]. He has never been able to make a single law which it has not been absolutely necessary to amend and touch up every session, and the worst in this respect is his judicature law.

“But,” says the Hon. Solicitor General [Hector-Louis Langevin], “he has passed a registration law.” Well, his registration law contains similar defects, and proves his complete inability to prepare a passable law.

And to so great a degree is this the case, that it has been impossible to put it in practice, and it has been necessary to amend it during five consecutive sessions, without that course having very greatly improved it.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Those two laws, then, do not entitle him to

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a reward. The Hon. Solicitor General [Hector-Louis Langevin] also says that the Hon. Attorney General [George-Étienne Cartier] deserves a reward for having introduced the French law of Lower Canada into the townships. But here again he awards him praise and reward which are not his due, for it was Hon. Judge Loranger who made that law, and had it passed and enacted by the House. For this law, then, also he is not deserving of reward.

Some Hon. Members—Hear.

Maurice Laframboise [Bagot]—These are the three reasons for which the Hon. Solicitor General [Hector-Louis Langevin] says that the Hon. Attorney General [George-Étienne Cartier] is entitled to a reward; but I consider that he hardly deserves any, as it was not he who brought about the passing of the first and the last of those laws, and the other two are so ill-made that he deserves anything but a reward bird having conferred them upon the country.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Yet I must say that he deserves a reward, but from whom, and why? Ah! He deserves a reward from England for having done exactly what Lord Durham advised the doing of in relation to the Canadians, in his famous report on the means to be taken to cause us to disappear; he deserves a reward for having caused the setting aside of the French laws and the substitution for them of English laws; he deserves a reward for having done the will of

⁷⁵ *Censitaires* were the tenants of a *seigneurie*.

⁷⁶ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\)](#).

England in every respect; and, lastly, he deserves a reward for having devised the present scheme of Confederation, and caused it to be accepted by a majority of this House.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—While on this subject, and to show how he has deserved and received rewards, it will be well to read a passage from [Lord Durham's report](#), in which he points out the means to be adopted to corrupt the leaders and to get the mastery to the Lower Canadian people. The following is the passage to which I allude:—

While I believe that the establishment of a comprehensive system of government, and of an effectual union between the different provinces, would produce this important effect on the general feelings of its inhabitants, I am inclined to attach very great importance to the influence which it would have in giving greater scope and satisfaction to the legitimate ambition of the most active and prominent persons to be found in them. As long as personal ambition is inherent in human nature, and as long as the morality of every free and civilized community encourages its aspirations, it is one great business of a wise government to provide for its legitimate development.

If, as is commonly asserted, the disorders of these colonies have, in great measure, been fomented by the influence of designing and ambitious individuals, this evil will be best remedied by allowing such a scope for the desires of such men as shall direct their ambition into the legitimate chance of furthering, and not of thwarting their government. By creating high prizes in a general and responsible government, we shall immediately afford the means of pacifying the turbulent ambitions, and of employing in worthy and noble occupations the talents which are now only exerted to foment disorder.⁷⁷

Lord Durham well knew what he was about when he recommended the bestowal of places and honors on the ambitious individuals who made a disturbance, and the Hon. Attorney General for Lower Canada [George-Étienne Cartier] made a great disturbance and stir in [1836 and 1837](#)⁷⁸; he was present at the meeting of the five counties, when he donned the cap of liberty.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—Lord

Durham says, "Give places to the principal men, and you will see how they will sacrifice their countrymen and submit to England." And indeed it is that course which has met with the greatest success; and it has been seen that all those who impeded the movement in Lower Canada against the union, and all those who exclaimed, "Hold your tongues; the union has saved us!" have been rewarded. Some have been knighted; on others, honors, places and power have been conferred; and the Hon. Attorney General for Lower Canada [George-Étienne Cartier] will receive his reward, as they did, and will be made a baronet, if he can succeed in carrying his measure of Confederation—a measure which England so ardently desires.

Some Hon. Members—Hear, hear.

Maurice Laframboise [Bagot]—For my part, I do not envy him his reward; but I cannot witness with satisfaction the efforts he makes to obtain it by means of a measure of Confederation which I believe to be fatal to the interests of Lower Canada. I am determined, therefore, to do everything in my power to prevent the realization of his hopes.

Some Hon. Members—*Cheers.*

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Before I proceed to examine the question which engages our attention, Mr. Speaker, I wish to premise that in any expression of my sentiments, I speak on behalf of no political party, but for myself only. In discussing a proposition which so intimately affects the destiny of Canada, and all that we value most, I would rise above personal and party considerations, in order that I may look at it from a vantage point removed from party influences. Why, Mr. Speaker, are we engaged this evening in discussing a Confederation of the Provinces of British North America? Because we had, last year, a Ministerial crisis, from which arose a proposal for the union of the two political parties who divided public opinion.

⁷⁷ [Durham Report \(1839\), p. 100.](#)

⁷⁸ *Supra* footnote 71.

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The Macdonald-Taché Ministry⁷⁹, who represented the Conservative party in the country, [had just been defeated in the Legislative Assembly](#)⁸⁰; they were obliged to resign. It will be recollected that the Government were beaten on a question of mal-administration of the public business. I allude to the advance of \$100,000 made to the Grand Trunk Railway without authority of Parliament, for which act several members of the Cabinet were responsible. Could you inform me, Mr. Speaker, what has become of [the \\$100,000 question](#)⁸¹? Alas! It disappeared in the Ministerial crisis, and left us the extraordinary Coalition which now governs us, composed of men who for ten years treated each other as men devoid of political principle!

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The Conservative party clung so tenaciously to power, that they were not appalled by the position to which they had brought the country. Any union or coalition between two political parties, of opposite principles, proves an abandonment of principle by one or the other. All coalitions are vicious in their very foundation: they have always been held as proofs of political profligacy, in England as everywhere else; and they are the more dangerous that they are generally strong. To the present Coalition we are indebted for the scheme of the Confederation of the British Provinces in a tangible form. Had that Coalition never been formed, we should never have heard of the Quebec Conference, nor of the resolutions adopted at that meeting in October last, and

now submitted to our consideration. Now, who authorised the holding of that Conference?

What right had that body to arrogate to itself the power of proposing a radical change in our political condition? How was Canada represented there? Three-fourths of the Canadian delegates were men under the ban of parliamentary condemnation. How the voting was carried on at that Convention? Was it not by provinces? Have not the four little provinces below had twice as many votes on each question as the two large provinces of Canada? These questions all occur naturally. If to each of them a categorical answer were rendered, we should be able to throw some light on the way in which the interests of the country have been neglected, overridden, and sacrificed. If we only think that to the last question no other answer could be rendered than an affirmative, there is no room for wonder that the Lower Provinces had all the advantage in the arrangements concluded at the Conference.

Notwithstanding that the compromise was in their favor, the great number of the provinces concerned now repudiate its provisions, according to information which reaches us every day. They seem to be afraid of us; and notwithstanding the offers of money made to them, they will have nothing to do with a union. Our reputation for extravagance must be very bad to frighten them to that degree; and, no doubt, when they saw us spend in the course of a month or two, for receptions, in traveling and in feasting, sums equalling in amount the whole of revenue of Prince Edward Island, they must have gone back with a sorry idea of our way of managing

⁷⁹ Led by Étienne Pascal Taché and John A. Macdonald (1864-Present).

⁸⁰ The administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight – an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton's *The Road to Confederation* \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\)](#), pp. 387-390. Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\)](#), pp. 205-206.

⁸¹ *ibid.*

public business.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I do not mean to repeat what has been said during the debate; but before proceeding, I may be allowed to draw a contrast between our manner of acting and that of our neighbors in the United States when constitutional changes are in question. In the United States—that country which people take so much pains to represent as the hotbed of all political, social, moral and physical horrors—they do not play with the written constitutions of the several states, any more than with that of the American union.

There, whenever a constitution is to be amended, generally, it requires a vote of two-thirds of each of the two Houses. If it is the Constitution of the United States which is to be amended, the measure must also be sanctioned by a majority in each of the legislatures of the several states. If the amendment relates to a local constitution, besides a two-thirds vote of the two Houses, the amendment must be ratified by a convention of delegates from the different parties in the state, selected specially for the occasion.

The United States are now occupied with the consideration of an amendment of their Constitution, the object of which is the abolition of slavery. The amendment has been adopted by the Congress and by the Senate of the American union, and must be ratified by a majority of the local legislatures, before it forms a part of the Constitution.

It will even be necessary to take into the account the states which are now in rebellion. We see at once the guarantees they are provided with, that no radical change shall be adopted without the consent of the people, who are allowed sufficient time to weigh all the considerations which may operate in favor of any projected change. This is the method of proceeding among our sagacious neighbors in matters of importance; and, as a thing of course, they have established a political status which leaves far behind it all that human

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wisdom had previously devised to secure the peace and prosperity of the nations of the New World.

But in our dear Canada, with all the English precedents of which so much account is made, we do not require such precautions. It is quite enough that men should have been found guilty of misapplication of the public money, that they shall have abused each other as political robbers for ten years, to bring about a coalition of the combatants, to make them hug each other till all feeling of personal dignity is lost, and all regard for principle is forgotten. It is enough, I say, that we have a scandalous union—a state of political profligacy—like that perpetrated in 1864, to believe in our right to do what we please.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—With a majority of thirty or forty votes, we hesitate at nothing. The Constitution, which hampers the curveting and prancings of our leading chiefs too much, and rather curbs their personal ambition—which circumscribes in short the range of their speculative operations, is found to be inconvenient. It is assailed with relentless blows; it is to be thrown down without asking the leave of those most concerned; and in its place is to be set up a new order of things under which there is to be no more regard for political principles than for the rights and wants of the people.

A simple parliamentary majority of one will be sufficient with us to overthrow the entire political order of things, and we have no appeal from so important a decision, save an appeal to an authority three thousand miles off, which may add something to the scheme to make it less acceptable to us than it already is.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The people may hereafter condemn their representatives, but the mischief will be done! This is all the

consolation we shall have. Is not the contrast between our stupid method of dainty things, and the prudent rational proceeding of our neighbors, a very striking one? And truly they are our superiors in all political respects.

Now, let me justify my opposition to the projected change. I am opposed to the scheme of Confederation, because [the first resolution](#)⁸² is nonsense and repugnant to truth; it is not a Federal union which is offered to us, but a Legislative union in disguise. Federalism is completely eliminated from this scheme, which centimes everything in the General Government. Federalism means the union of certain states, which retain their full sovereignty in everything that immediately concerns them, but submitting to the General Government questions of peace, of war, of foreign relations, foreign trade, customs and postal service.

Is that what is proposed to us? Not at all. In the scheme we are now examining, all is strength and power, in the Federal Government; all is weakness, insignificance, annihilation in the Local Government! I am opposed to the scheme of Confederation, because, far from removing the difficulties complained of between Upper Canada and Lower Canada, it must, if adopted, simply multiply them tenfold. There will be a constant conflict of authorities, particularly as to questions submitted to the double action of the local and general legislatures.

I am opposed to the scheme of Confederation, because the Constitution in which it is to be embodied will be faulty in its very basis. We are told that the representation is to be based upon population in one House, and that the principle of equality is to prevail in the other; and to-day that principle is violated as regards Newfoundland, as it will be, no doubt, to-morrow in favor of British Columbia and Vancouver Island, should those

colonies think proper to enter into our proposed Confederation.

What is to prevent the smaller provinces forming a league together, and thus getting the upper hand of the larger but less numerous provinces, on purely local questions? That is one of the great defects of the Ministerial scheme, in my opinion. But, moreover, the autonomy of Lower Canada is menaced and placed at the mercy of a parliament of one hundred and ninety-four members, of whom forty-seven, or at most forty-eight only, will represent the views of the majority of its people.

I am opposed to the scheme of Confederation, because it takes away from the people of this country political rights which they have won by many years of struggles; among others that of electing its representatives in the Legislative Council, as it does its representatives in the Assembly. [Since 1856, we have enjoyed an elective Council](#)⁸³. For more than half a century that reform had been asked for. Our claims were urged in the press, in public meetings, in petitions to Parliament and to the home Government, and in the form of direct motions in the House.

The Legislative Council, as constituted previous to the Act of 1856, had become highly unpopular; it had also fallen into a state of utter insignificance. By infusing into it the popular element by means of periodical elections, it was galvanised into life and became quite another body in the estimation of the people. The electoral system completely restored its prestige, entitled it to

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the respect of the people, and gave it an importance it did not previously possess.

Since the Council has been made elective, not a single complaint has appeared against its new constitution, in the press, or in the form of public meetings, petitions or motions in the

⁸² [Quebec Resolution 1](#), which reads in full, "The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces." *Supra* footnote 15.

⁸³ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

House. Has it produced any evil effects in the administration of the affairs of the country? Has the Government suffered from it? Has the Mother Country found any bad results from it? Has the country been the worse for it? And in what respect? Answer, you who desire to deprive the people of the right to elect that House, though they have not asked you to do so, and though you yourselves hold your seats by their will? The elective Legislative Council represents better the character, the wants and the aspirations of our Canadian society, than the Council appointed for life ever did.

With regard to the talent of the country, it has represented it as well as it was represented under the old system. With regard to its moderation and its conservative spirit, experience has shown that it possessed these two qualities to a degree surpassing the expectation of all parties. I do not hesitate, therefore, to say that the change was a change for the better in every respect; that it satisfied and tranquillized public opinion, and that it secured to the country a more direct control over public affairs. Lower Canada has tested both systems of nomination, that by the Crown and that by the people, and it does not ask to return to the former. We had a life-nominated Council for half a century in Canada.

Every one knows that the acts of that very Council drove the people of Lower Canada into [rebellion in 1837](#)⁸⁴! One of the great arguments advanced in support of the proposed scheme is that the electoral divisions are very extensive, and that the rich alone, by means of their wealth, can attain a seat in that House. It costs so much now-a-days, it is said, to carry an election! If that argument were of any value as regards the Legislative Council, it should have equal weight as regards the House of Assembly.

To be consistent, you should have asked also for the appointment of the members of the Assembly, in place of having them elected by the people! But that is not the true reason. And

besides, let those who do not wish to spend money remain at home, if the people refuse to elect them without being paid. Let corruption cease; adopt vote by ballot, which will destroy corruption, and there will be no need of inventing imaginary grievances in order to restrict the liberties of the people. This Tory scheme will throw us back fifty years. It is nothing else than a plot!

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to this scheme of Confederation, because we are offered local parliaments which will be simply nonentities, with a mere semblance of power on questions of minor importance. When we shall have seen the Local Parliament in operation with its restricted powers (restricted except as regards expenditure, extravagance, and the power of taxing real property), it will soon be found, as it is in fact destined to become, a mere taxing machine. Nothing more, nothing less!

The expenditure of Lower Canada for justice, education, asylums, hospitals, courts, prisons, interest on the debt, &c, &c, added to the expense of a Local Government and Parliament, will exceed \$2,000,000. The revenue will fall far short of that amount. Direct taxation would be a necessary consequence of the establishment of the new system, without any compensation for the fresh burthen which the people must bear. I have said enough to show the difference between the American federal system and that proposed for our adoption.

In the American union each state is sovereign over all that immediately concerns it. Here, everything would be submitted to the General Parliament. Lower Canada is opposed to free trade in money, and desires to limit the rate of interest; and yet this she could not do, inasmuch as that very ordinary question would be under the control of the General Parliament. Whether the principle be a sound one or not, it is admitted that nine-tenths of our people desire that the rate of interest

⁸⁴ *Supra* footnote 71.

should be fixed.

Each state of the American union regulates questions of this kind as it chooses, without the intervention of neighboring states, or of the Washington Government. Thus, the rate of interest varies in a great many of the states, and in others it is not fixed. In Vermont the rate is six per cent; in New York, seven per cent; in Ohio, and ten per cent; in Illinois, thirty per cent; and in the other states, trade in money is free. These are facts which prove that the real Federal system resembles in no sense that which we are asked to adopt.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I might give a host of facts of this kind in support of my position; but I shall confine myself to one. It is well known that the people of Lower Canada are almost unanimous in repudiating the principle of divorce. Nevertheless, under Confederation the Parliament of Lower Canada is not to have the right of regulating

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that question according to its wishes; but the Federal Parliament, sitting at Ottawa, will be empowered to force upon us principles utterly opposed to our own, and even to establish a Court of Divorce at Quebec. Under the Federal system, nothing so unjust, nothing so revolting to the feelings of the people could occur. In the American union there are some states in which divorce is permitted, and others in which it is not—another proof that sovereignty may be vested in each state, without detriment to the union.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because the courts of justice of Lower Canada will be under the control of the General Government. We should have courts of justice in Lower Canada, but the judges who would sit in them would be appointed by the Government of the Confederation. It would be

the same in the other provinces; but Lower Canada, with her laws, which are peculiar to her, ought especially to resist the interference of the General Government in the administration of justice.

It will be said that the Conference endeavored to cause their intentions to be suspected, and it has already been urged that this arrangement is a stroke of the lawyers, who would prefer to see the nomination of the judges vested in the General Government, because they would receive higher salaries, rather than see them appointed by the local governments, who would be obliged to have recourse to direct taxation in order to pay their salaries. But setting aside this idea, I assert that the appointment of the judges in each province by the General Government⁸⁵ appears to me an uncalled-for interference, an anomaly which cannot be too strongly opposed.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because the local governors would only be tools in the hands of the General Government, who would interfere in the local matters by the continual pressure they would bring to bear on them whenever they desired to change the opinions of the local parliaments, elected by the people in each province, on any question which they might have to discuss. Why have the local governments, with the insignificant powers which it is proposed to confer upon them—why, I say, have they not been allowed to elect their respective governors? Would there be any more harm in this than results from the elections of mayors in our large towns?

There was once a time when even the wardens were appointed by the Government. Has the election of mayors and wardens been productive of evil or discontent throughout the country? I am opposed to the scheme of Confederation, because by means of the right of veto vested in the Governor by the [51st](#)

⁸⁵ [Quebec Resolution 33](#). *Supra* footnote 15.

[resolution](#)⁸⁶, local legislation will be nothing but a farce.

They may try to make us believe that this power would be but rarely exercised, and that it differs in nowise from that exercised by the present Governor when he reserves bills for the Royal assent; but all the country knows that it would not be so. From the moment that you bring the exercise of the right of veto more nearly within the reach of interested parties, you increase the number of opportunities for the exercise of the right—you open the door to intrigues.

As, for instance, a party will oppose the passing of a law, and not succeeding in his opposition in Parliament, he will approach the Ministers and the Governor General, intriguing to obtain as a favor that the law may be disallowed. Take an example. I suppose your Confederation to be established; that a bill is passed for the protection of settlers, such as we have seen pass the House six times in ten years without becoming law, on account of the opposition to it in the Legislative Council by the councillors from Upper Canada; what would happen?

The few interested parties who were opposed to the measure would rush to the Governor General to induce him to disallow the law. By an appeal to the right of property, to the respect due to acquired rights, and to other sophistries, they would override the will of the people on a measure which is just in itself, and which is sought for and approved of by all legal men of Lower Canada in the present House. The people of Lower Canada will be prevented from obtaining a law similar to those now existing in thirteen different states of the American union, and which would in no way affect the principles of the existing law in Lower Canada.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond &

Arthabaska]—This is one instance out of a thousand, and will serve to illustrate the effect of this right of veto. I am opposed to the scheme of Confederation, because I cannot see why, on the one hand, it has been agreed to give all the public lands to the Government of each province, and on the other hand that the Government should purchase the lauds in the Island of Newfoundland. The General Government gives up the fertile lands of Upper and Lower Canada, but it purchases the barren lands of Newfoundland at the enormous price of \$150,000 per annum, a sum representing a capital of \$2,500,000. Is not this a grand

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speculation for the country?

The Government at Ottawa will not possess a single inch of land in Canada, New Brunswick or Nova Scotia, but they will have a Land Department for the management of their superb possessions in Newfoundland? Is it imagined that if the public lands of that island had been of any value, they would have been given up to the General Government for any amount? No, the fact is that these lands are utterly useless for cultivation, that the whole island does not produce hay enough for the town of St. Johns, and that every year large quantities of it are imported. I know a farmer in Three Rivers who has sent cargoes of hay to Newfoundland, and who is now only waiting for the navigation to open to send more—and these are the lands which it is proposed to buy for a fabulous price, in order to induce that province to come into the Confederation.

Some Hon. Members—Hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—But there is also another matter for consideration with respect to this arrangement regarding the public lands. I am of opinion that it is more advantageous to the progress of colonization of our wild lands that

⁸⁶ [Quebec Resolution 51](#), which reads in full, “Any Bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of Bills passed by the Legislatures of the said Provinces hitherto; and, in like manner, any Bill passed by a Local Legislature shall be subject to disallowance by the Governor General within one year after the passing thereof.” *Supra* footnote 15.

they should remain in the hands of the present Government, rather than come into the possession of a local government, which might, perhaps, be obliged to maintain itself by direct taxation; for in that case the very uttermost farthing due on these lands will have to be collected. In a country like Lower Canada, with its rigorous climate, colonization must be aided and encouraged if reasonable progress is demanded. In that view the Government have made free grants, and have remitted many claims for interest on the public lands.

Had they not done so, the population in certain sections would have been forced to leave the country. Remissions and free grants will disappear with the appearance of direct taxation. I am opposed to the scheme of Confederation, because it is most unjustly proposed to enrich the Lower Provinces with annuities and donations, to persuade and induce them to enter into a union which will be injurious to all the contracting parties. I am opposed to the scheme of Confederation, because the division of the public debts of the several provinces has been made in an unjust way, and because no portion of these debts ought to have been imposed on the local governments, which, in the event of the union, ought to have begun anew without being burthened with debt.

I am opposed to the Confederation, because I foresee difficulties without number in relation to the concurrent powers on several points conferred on the general and local governments. Collisions on these points will always be settled in favor of the stronger party, to the advantage of the General Government, and to the detriment of the often just claims of the different provinces.

I am opposed to Confederation, because the premium offered to New Brunswick is of a most extraordinary character. It has been agreed to pay her \$63,000 per annum for ten years. The sum to pay this will have to be borrowed every year. Interest will have to be paid upon it, so that at the expiration of ten years the Confederation will have paid to New

Brunswick:

| | |
|---------------------|--------------|
| Capital | \$630,000.00 |
| Interest on capital | 105,000.00 |
| | — |
| | \$735,000.00 |

And what will it have received in exchange? Nothing whatever! For the sum agreed to be paid to Newfoundland there is at least a semblance of direct compensation in the cession which it makes of its barren lands. But in the case of New Brunswick, there is nothing to be got from her for these \$735,000, on which interest will have to be paid long after the ten years have expired.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—And that is not all; we are to pay interest to New Brunswick, at the rate of five per cent., on \$1,250,000, for the difference between her debt and that of Canada in proportion to their respective populations.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because it has been agreed to construct the Halifax Railway without a notion of what it will cost, and at a time when we have already as much to pay as our resources can bear, without plunging into ruinous and unproductive enterprises of this kind. There is no exaggeration in the statement that at least \$20,000,000 will be required for the execution of that enterprise. Of what use will it be? Doubly useless in a military and in a commercial point of view. We are not in a position to undertake it for the mere pleasure of having a road which will place us in direct communication with the sea over English territory. What would the Intercolonial Railway be worth in a commercial point of view? In summer we have the St. Lawrence, which affords means of communication much more economical in their nature than any railway.

In winter, without taking into account the difficulties caused by the vast quantity of

snow which falls between Quebec and Halifax, is it supposed that there will be many travellers who will adopt that route, six hundred miles in length, to reach the seaboard at

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Halifax, when they may reach Portland by a railway not more than one-third as long as the proposed road? Does any suppose that a person having flour to export will send it to Halifax, when he can despatch it by Portland? There is no sentiment in trade; it takes the road which it finds to be the shortest and the most profitable, and all your Confederation will not change this immutable law of trade in all countries.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—

But, it is said, this road will be of great use in time of war as a military route. Have those who talk in this way ever thought of the trifling distance that separates that road from American territory in certain places? Have they ever thought how easy it would be, in a single night, to destroy enough of it to make it unserviceable for months together? Have they ever thought how many soldiers would be required to protect it and keep it in operation? The experience of the present American war teaches us that to keep a railway in operation, nearly as many soldiers are required as there are lineal feet to protect.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because it is proposed to ensure, to guarantee the fulfilment of all engagements which shall have been entered into with the Imperial Government by all the provinces up to the time of union on the subject of the defence of the country, without the nature and extent of those engagements being known. There is perhaps no question in all the resolutions of the Conference of higher importance than this. Yet it is wished to make us ratify all these engagements with, our eyes

shut.

What do we know about the engagements which the Governments of Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island may have entered into on the subject of their respective defences? What do we know even of the engagements entered into by our own Government with the English Government in relation to the same question? Nothing; we can know nothing of them.

We are told that the correspondence on the subject of the defences cannot be submitted to Parliament under existing circumstances. Why then should we blindly vote on questions of such grave importance? I am opposed to Confederation, because it is wished to make us enter into a financial arrangement which it is frightful to consider, and one which is most diametrically opposed to the interests of Canada. Let us see what is proposed in this respect. The Confederation would have us to pay—

| | |
|---|---------------|
| For land in the Island of Newfoundland | \$2,500,000 |
| Indemnity to New Brunswick | 735,840 |
| For the Halifax Railway | 20,000,000 |
| Differences in the debt of the provinces: | |
| Nova Scotia | 3,000,000 |
| Newfoundland | 2,300,000 |
| New Brunswick | 1,250,000 |
| Prince Edward Island | 1,840,000 |
| For the fortifications in the six provinces | 25,000,000 |
| For the North-West road | 5,000,000 |
| For military expenditure | 5,000,000 |
| | — |
| | \$66,625,840 |
| Add the public debt of | \$73,000,000 |
| Other unliquidated liabilities of Canada | 5,000,000 |
| Debt of Nova Scotia | 8,000,000 |
| Debt of New Brunswick | 7,000,000 |
| Debt of Prince Edward Island | 244,673 |
| Debt of Newfoundland | 946,000 |
| | — |
| | 94,190,673 |
| | — |
| | \$160,816,513 |

Here we have a pretty balance-sheet, not one item of which is exaggerated, and which is offered to us by Confederation. All this is exclusive of the enormous expense of the general and local governments. Some of the sums just mentioned will not be payable at once, but nearly all of them will be so before five years have elapsed; sums as considerable will be payable at once, it may be said, if we enter in the account the expenses of the Confederation and its unforeseen enterprises. At the last census, all the provinces only contained 3,294,056 souls. Supposing them to contain 3,500,000 at the time of the union, the debt, with the foregoing liabilities, would amount to \$45 for each man, woman and child, and of that debt we should have to pay the interest.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to Confederation, because I cannot see the use or the necessity of it in a commercial point of view. Countries yielding different products may gain considerably by uniting. What do the Lower Colonies produce? Do they not live in a climate similar to ours? Do they not produce similar grain to that grown in Canada? What trade could there be between two farmers who produced nothing but oats? Neither one nor the other would want for them. They might stand and stare at each other with their oats before them, without ever being able to trade together; they would require a third person—a purchaser. In such a position are we with regard to the adjacent

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colonies. Should we go for ice to the Lower Colonies? I think there is enough of it in Canada, especially at Quebec, and will be so long as sufficient spirit of enterprise is not displayed to export it to hot climates. They talk to us of fish—but those we have in our own waters—and of coal as a very great affair.

Thomas Wallbridge [Hastings North]—The Lower Provinces have reserved the right of

placing an export duty on their coal.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—My honorable friend reminds me that we shall not be able to obtain coal from the provinces which will form part of the Confederation, without paying them a tax. Is not that admirable? We are to constitute a single people, a single country, but there will be taxes to pay for trading with each other in certain articles.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I should understand the commercial advantages which we should gain if the English Provinces were situated in different climates, yielding every kind of produce, which should be freely exchanged. That which built up the commercial prosperity of the United States is their geographical position—their immense territory, in which is to be found every climate imaginable, from the north producing ice, to the south producing the most delicious fruits. An inhabitant of Maine may load a vessel with ice, proceed to New Orleans and barter his cargo of ice for rice, sugar, tobacco, &c, with which he may return home without paying a single farthing of customs duties. It is this free and continual exchange of their various products from Maine to California which has placed the United States in the first rank of commercial nations in so short a time.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Let us not, therefore, be lulled with fancies of the great commercial advantages we shall derive from a Confederation of the provinces. We have wood, they produce it; we produce potash, and so do they. All that they would require would be a little flour, and that Upper Canada can supply to them now without paying any tax for doing so.

Again, our trade with them cannot be very considerable, because there are natural obstacles in the way to prevent its being so. Situated in the same degree as ourselves in respect of climate, they produce what we

produce, and what we want they want—a foreign market wherein to dispose of their surplus products. Besides, the commercial advantages may all be obtained by a mere commercial union, apart from a political union.

England concluded [a commercial treaty with the United States](#)⁸⁷, by means of which we trade freely with them in all products of the soil and of the fisheries. What objection could there be to the establishment of a system of free trade between the colonies, which are all subject to the same authority? They would then enjoy all the advantages that could result, without entering into a political union, the depths of which we are not able to fathom.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to Confederation, because instead of giving us strength to defend ourselves, it will prove to be a source of incalculable weakness. How can it be believed that by adding 700 miles to our long frontier, we shall strengthen ourselves against the enemy, when the territory to be added does not yet contain inhabitants enough to defend it? Is it supposed that if we had a war with the Americans, they would not attack the English Provinces at all points?

They would attack Newfoundland, Prince Edward Island, Nova Scotia and New Brunswick, as well as the two Canadas. A country without depth, like that which it is proposed to form here, has not its like under the sun. It would be vulnerable at all points along its frontier of 1,600 to 1,800 miles. In geographical form it would resemble an eel. Its length would be everything, its breadth nothing. Nothing would be easier than to cut it into little pieces, and none of the parts so sliced off could send help to the others. The more of such country as the provinces which it is wished to unite to us that we have, the weaker shall we be, and the greater will be our difficulties in relation to military defend.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because I consider that it is the result of a conspiracy against popular rights in Canada, and that the hope is to impel the people into a course fatal to their real interests, by causing to shine before their eyes all sorts of wonders which would be accomplished in the end to the prosperity of the country, if that country would only accept the new form of Government which it is proposed to force upon it.

Some Hon. Members—Hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am opposed to the scheme of Confederation, because it is proposed to perpetuate, on a still greater scale, a state of things which is not suitable to the populations of America when they attain to years to discretion—a state of things which evidently was not intended for a country in which there are no castes, no privileged classes and no hereditary aristocracy—in which all are equal, socially and politically, by force of circumstances.

I am opposed to the scheme of Confederation, because I am desirous that we should be as untrammelled as possible in

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the selection of the future form of Government for Canada, when we shall emerge from the colonial condition. I am free to admit that I do not participate in the illusions of certain persons in respect to the magnificent destinies of the empire to be founded by us in North America, and that I am far from believing that it would be to our advantage.

I am opposed to the scheme of Confederation, because I deny that this House has power to change the political constitution of the country, as it is now proposed to do, without appealing to the people and obtaining their views on a matter of such importance. These are the principal reasons which induce me to oppose the scheme brought down by the

⁸⁷ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

Government. But these are not all; I have yet many other considerations to urge.

The gate of the future destinies of the country was opened when this scheme was laid before us, and I too am desirous of penetrating within its portals. I have said that the new organization which it is wished to establish here decks not suit either our resources or our wants. It would appear that we cannot attain in Canada a reasonable limit as regards the administration of public affairs. Our system is not found to be extravagant enough, and it is wished to substitute for it one still more costly. Our neighbors have established an economical political system, which is much more advantageous to them than ours would be to any country.

We pay here much more than is paid in the United States, although that people is infinitely richer than we are. If we prepare a list of the salaries paid to the governors of the states in the union, with a view of comparing it with the list of salaries which we pay here to our principal public employees, we shall be surprised at the difference which will be found to exist to our disadvantage. Here is a table of the salaries of the governors, together with the population of each state:—

| | States | Population | Salaries |
|-----|---------------|------------|---------------------|
| 1. | Maine | 628,276 | \$1500 |
| 2. | New Hampshire | 226,073 | 1000 |
| 3. | Vermont | 315,098 | 1000 |
| 4. | Massachusetts | 1,231,066 | 3500 |
| 5. | Rhode Island | 174,620 | 1000 |
| 6. | Connecticut | 460,147 | 1100 |
| 7. | New York | 3,880,735 | 4000 |
| 8. | New Jersey | 672,035 | 3000 |
| 9. | Pennsylvania | 2,906,115 | 4000 |
| 10. | Delaware | 112,216 | 1333 ^{1/3} |
| 11. | Maryland | 687,049 | 3600 |
| 12. | West Virginia | 393,234 | 2000 |
| 13. | East Virginia | 1,261,397 | 3000 |
| 14. | Kentucky | 1,155,684 | 2500 |
| 15. | Ohio | 2,339,502 | 1800 |
| 16. | Michigan | 749,113 | 1000 |
| 17. | Indiana | 1,350,428 | 3000 |
| 18. | Illinois | 1,711,951 | 1500 |
| 19. | Missouri | 1,182,012 | 3000 |
| 20. | Iowa | 674,942 | 2000 |

| | | | |
|-----|------------|---------|------|
| 21. | Wisconsin | 775,881 | 2000 |
| 22. | Minnesota | 173,855 | 1500 |
| 23. | Kansas | 107,206 | 2000 |
| 24. | California | 379,994 | 7000 |
| 25. | Oregon | 52,465 | 1500 |

There are also ten other states which were in rebellion at the beginning of the year 1864, the date of the table which I have given. It will be seen that Vermont pays only \$1,000 a year to an elective governor. That is less than we pay here to the mayors of our great cities. The State of New York, which is by itself more rich and populous than the whole of Canada, only pays \$4,000 a year to her Governor. I will not compare this salary with that of our Governor, amounting to \$32,000; but by comparing it with that of our judges of the second-class, it will be found that the latter receive higher salaries than the Governor of the State of New York.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The State of Ohio, richer and more populous than Canada, only pays \$1,800 to her Governor. If the salaries are comparatively small in the United States, it is because it was understood there that good administration of public affairs might be obtained by the practice of a wise economy, without that display of luxury which is ruining us here.

Another comparison, on a smaller scale, might be made between the State of New York and Canada, in respect of another matter. It is this:—The State of New York possesses magnificent canals, which cost her an enormous price; but the revenue produced by them has paid their cost, whilst here our canals, which also cost us very dear, do not even pay the interest of the debt which was contracted for their construction, and that is a point of difference by no means of small magnitude.

The State of New York contracted a further debt for the enlargement of her canals after the revenue produced by them had paid off that which had been contracted for their

construction; and the revenue which they yield is sufficient not only to pay the interest of that debt, but also to create a sinking fund which will allow of its liquidation in five years from the present day.

Last year the State of

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New York received from her canals the sum of \$5,118,501.35; the expenses of management amounted to \$111,503.78, and those of repairs to \$659,378.74, forming a total of \$770,882.52, which left a net revenue of \$4,347,618 83, after paying all expenses of management and costs of maintenance.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Do you know what was done with that surplus? It was applied as follows:—

| | | | |
|--|------------|----------|-------------|
| Sinking | Fund under | 1 Art. 1 | \$1,700,000 |
| " | " | 2 Art. 7 | 350,000 |
| " | " | 3 Art. 2 | 1,116,242 |
| To the Treasury towards paying the expenses of the state | | | 200,000 |
| | | | — |
| | | | \$3,366,242 |

Leaving a balance of \$981,376.17 after having met all engagements in relation to the Sinking Fund, and paid a sum of \$200,000 towards the cost of the government of the state. Here, when a school or sinking fund is created, it is expended, or borrowing has to be had recourse to in order to meet it. Let us then compare the management of our canals with that of the canals of New York. Here the tolls on certain of our canals are abolished with the view of favoring trade, instead of a reasonable revenue being levied from those great works!

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The total debt of the State of New York on the 30th September, 1863, was as

follows:—

| | |
|-------------------|-----------------|
| Consolidated debt | \$6,505,654.37 |
| Canal debt | 23,268,310.25 |
| | — |
| Total recorded | \$29,773,964.62 |

In the course of the same year, \$3,116,242 was paid into the sinking fund, and there remained still five and a half millions in hand produced by the canals, so that in less than ten years the canal debt and the special debt of the state will be entirely paid off. Shall we be able to say as much of our own debt in ten years time?

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I repeat then, that the financial system of our neighbours is greatly superior to ours, and that they pay reasonable salaries to their public officers, while such payments here are on an extravagant scale. If I speak of all this, it is because I am opposed to the scheme, and because it is wished to establish a monarchy, a new kingdom on this continent, and because a desire is manifested to have a court, a nobility, a viceroy, tinsel, and so on I am alarmed at the position in which it is wished to place us, for from extravagance it is proposed, with all these absurd and ridiculous schemes, to pass to folly.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The commercial crisis through which we passed [in 1846, when England repealed the import duty on foreign grain brought to her markets](#)⁸⁸, will be remembered. Before that period our grain and other produce were protected on the English markets in being admitted free of duty, while that from the Black Sea and the United States was subject to a duty which was high enough to afford great protection in favor of ours.

This new policy in relation to the colonies was productive of disastrous consequences to Canadian trade. The exportation of grain to

⁸⁸ [The repeal of the Corn Laws in 1846](#), including the lifting of [the Canada Corn Act 1843 \(U.K.\)](#), an act which gave Canada preferential rates to the British market, paved the way for British free trade.

England was completely put a stop to. There was no longer an outlet for that produce. To get to the United States markets twenty per cent, had to be paid. Well, the long and terrible crisis which followed the abolition of this protection of our produce, and which raged during the years 1847,'48,'49, may be remembered.

Beginning in 1847 there was a disastrous commercial crisis in Canada. Failures followed each other with rapidity, and difficulty was everywhere felt. Matters had not greatly improved in 1848. It was evident that a fresh outlet for the agricultural produce of Canada must be found in order to ensure to her satisfactory relief.

Discontent manifested itself, and agitation became apparent. Arguments and negotiations were had with the political men of England, but without any satisfactory result being attained. It was then thought that a solution of the commercial difficulties of the country was to be found in political changes. Hence followed [the annexation movement of 1849](#)⁸⁹.

The abstention of a political change of this character would at once open to Canada all the markets of the United States, and would, without any doubt, have ensured the material prosperity of the country. The annexation movement met with considerable sympathy in the Northern States of the American union, but in the South it excited alarm. Fear was entertained of the influence which would have been conferred upon the North, by the accession of territory of south considerable extent as the two Canadas, at first, and subsequently of all the English Provinces.

The Government of the United States was in the hands of political men from the South. To avert the danger which threatened their influence, that Government showed themselves favorable to a commercial agreement with the

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English Government. Both were interested in a commercial connection which left us nothing to envy in the lot of our neighbors. In the Canadian Parliament the question of commercial reciprocity with the United States was taken up. The Imperial Government approved of the steps taken by the Canadian Government, which tended to place their agriculturists on a footing of equality with the Americans on their markets.

On the 16th March, 1855, the [Reciprocity treaty](#)⁹⁰ entered into by the United States and England, came into force, after having been ratified by the Canadian Parliament. Lengthy debates took place in the American Congress upon the question, but southern influence carried the measure through. The [Reciprocity treaty](#) was to continue for ten years, from the 16th March, 1855, without its being possible to repeal it; but if one or the other of the contracting parties should think fit, after the expiration of the ten years, they might demand the abrogation of the treaty, by giving the other party one year's notice.

The question of the repeal of that treaty has, therefore, for two or three years, been agitated in the American Congress with some warmth, by those who found their interests to suffer by it. The opponents of the [Reciprocity treaty](#) succeeded in Congress for two reasons: first, on account of a feeling of indignation raised up against Canada, by a part of our press, which displayed hostility to the Northern States; and second, because the rebellious Southern States were not represented in the American Government. On the 16th March next, the President is to give that notice, and on the 16th March, 1866, the markets of the United States will be closed to us.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—We have seen that at the time the American Government, which was then in the hands of politicians from the Southern States, was not favorable to the annexation of

⁸⁹ See, for example, the [Montreal Annexation Manifesto, Published in The Montreal Gazette \(Oct. 11, 1849\)](#).

⁹⁰ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

Canada to the United States, because those statesmen dreaded the influence which two new Free states in the union would bring to bear in relation to slavery. The ten years of the treaty consequently terminate on the 16th March in the present year, and thanks to the behavior of a very large portion of the Canadian press in relation to the Government of the United States, since the beginning of the war which now desolates the American Republic, the notice of the final abrogation of that treaty within a year is to be given to us.

It will have existed for eleven years, and its abrogation will certainly be a great misfortune to our country. It may be said that the treaty is as advantageous to the United States as it is to ourselves, and that its abrogation will do as much harm to them as to us; but the ill they will undergo in consequence will not remedy our evil, and will not prevent the United States markets from being closed to us, and our being subsequently compelled to pay a considerable duty for the privilege of carrying our produce thither, such as our oats, our horses, our horned cattle, our sheep, our wool, our butter, &c. The 16th March, 1865, will be a day of mourning for Canada, but the 16th March, 1866, will be a day of much deeper mourning, for it will mark the commencement of a commercial crisis such as we have never perhaps undergone, and the disastrous results of which to the future of the country are beyond calculation.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—In order to understand the whole importance of this treaty to the prosperity of the country, it is necessary to know what passes in the country parts, as I myself am in a position to know through my constant relations with those parts. All the oats produced in the country from Trois Pistoles to the upper extremity of the province are exported to the United States, where they find a ready market, because they are wanted there. This year persons went as far as Three

Rivers for them by way of the Athabasca Railway. This branch of trade is now very considerable; but the very moment we have to pay an export duty of 25 per cent, upon our produce on entering the United States, we shall have a commercial crisis which will derange all business operations throughout the land.

When the [Reciprocity treaty](#)⁹¹ is declared at an end, our oats will be worth no more than 1s. or 1s. 3d. as in former times, instead of 1s. 8d. or 2s. as at present; and it is clear to all that the farmer can derive no profit from growing them at that price. Formerly, before the treaty was made, the farmer could make something by selling his oats at that price, because food was cheaper and taxes less than they now are. The latter were no more than 2 ½ per cent, and 5 per cent, whereas they are now 20 per cent, and will be increased rather than diminished, under Confederation, as certain members of this House have alleged.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am thoroughly acquainted with all that passes in the country parts; and when I think of the consequences of the repeal

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of the [Reciprocity treaty](#), I say again, I am alarmed. What is going on at this present moment? We all know that for several years past there have been bad harvests; that of last year was not good, not in Lower Canada only, but also in Upper Canada; and since New Year's day, half the country people in Lower Canada have been buying the flour necessary for their subsistence. All they spend in the purchase of flour, from this time till the harvest is gathered in, is capital which ought to be applied to the payment of their numerous debts. It is capital withdrawn from the working and improvement of their lands. Trade already feels the effects of it. The imports are more limited; a good deal of last year's stock of goods in the cities remains

⁹¹ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

unsold. The public revenue will be considerably affected by it, and the surplus of 1864 will in 1865 become a deficit. It is not necessary to be a prophet to augur so much.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I say, then, that we are on the brink of a commercial crisis, and it is not such a scheme as that before us that will enable us to avoid it, when we need rather to practise the strictest economy in our public expenditure. There is a great movement in progress from Lower Canada to the United States, notwithstanding the war; that is to say, people are obliged to leave Canada for the United States in order to earn money to pay debts which they have been compelled to contract for the necessaries of life. In many country places people are shutting up their houses and setting off to the States; if any proof of this assertion is necessary, visit Acton—Acton which has become a small city since the discovery of the copper mines now worked there. Well, Mr. Speaker, half the houses in Acton are now shut up, although as lately as last year the village presented every appearance of the highest prosperity. This year the inhabitants are driven to leave home and country to support their families.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I say that a movement of self-banishment like that which is now going on in the winter season, is alarming; for when half the country people are obliged to buy their flour as they now are, it proves that they must continue to buy it until next autumn, after the harvest is gathered in; and as many of them have not the means of waiting till then, they must leave the country to try to supply the wants of their families, by applying for work to our neighbors.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—This movement is in progress among the rural population as well as among the mechanics, in the new townships as well as in the old. After the commencement of the

war, a considerable number of Canadians, who had returned home to escape from its evils, brought with them a small capital; but seeing the situation of affairs in this country, and having spent what they had, they are going back to the United States, preferring rather to take their chance of the conscription for the army than to eke out a miserable existence here.

I repeat, then, Mr. Speaker, that a great many houses are shut up in the new settlements. I can specify them by the numbers of the range and lot in the counties which I represent. An unseen but very extensive influence is at work in all the country south of the St. Lawrence, above Nicolet and as far as the frontier. I shall explain it to you. In all that part of the country, a great many young men go to the United States to look for employment. These children of the people find there a wider field for their enterprising minds; in fact, they are forced to leave Canada in order to earn money. When one they are established in the United States, they correspond with their relatives whom they have left behind them. In all their letters they describe the treatment they receive, and boast of their position, the footing they are on in their social relations with the Americans, the good wages which they receive, and the state of prosperity at which they soon arrive.

Not only do they correspond, they visit Canada to see their families from time to time. On these occasions, Mr. Speaker, their communications are made with greater freedom; they relate all that they have seen, and heard, and all they have learned. Be sure of this, Mr. Speaker, these communications, these intimacies between Canadians established in the States and their home friends, have greater effect to produce favorable feelings towards the Americans in our country than all the newspapers in the world. It is a portion of the heart of the country removed into a strange land by the force of circumstances.

The accounts they hear from their friends prove to them that the Americans are not such horrible monsters as they are said to be in

certain quarters, and that their political institutions are far superior to ours; that every man is on a footing of equality with his neighbor, and that he possesses political rights of which he cannot be deprived. This influence of which I am speaking is very great, and certainly it is

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not to be counteracted, nor the feeling of sympathy for the people and the institutions of the United States to be repressed in the minds of those who confess it, by such changes as those now proposed to be made.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I say that the people of Lower Canada are alarmed at the scheme of Confederation, and the unknown changes which are on foot. I do not say that this feeling prevails in the district of Quebec, for in that locality everybody seems to be fast asleep; but it exists, beyond doubt, and very warmly, in that of Montreal, and even as far as Three Rivers, on both sides of the river. Nothing tends more to alienate the people from their government, and render them disaffected to England, than the attempts now made to impose on them a new Constitution without consulting them; for we must recollect that we are no longer in the same social state as in 1812; we no longer think in the same manner, and people would be greatly in error who should believe that the same feelings prevail which then prevailed.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I will not say that the people are disloyal; far be it from me to express such an idea!—They are as loyal as those who accuse them of disloyalty, but they are inclined to form free opinions on the acts of their government and their own interests, and there is a great difference between being loyal to Great Britain and fighting for a system of government and a principle imposed on us and accepted regretfully. I maintain, then, that the people are affrighted at the expense

proposed to be made to organize what is called the defences of the country, and naturally ask each other whether it is right to call upon them to bear a share of the burthen of such defences, in the event of a war between our neighbors and England, a war in which they could neither say anything to avoid it, nor in its progress take any other part than that of shedding their blood and paying their money.

They ask, moreover, whether it would not be better to remain in our present condition—whether it would not be better, even, to be smaller than to seek greatness—to try to compete with our neighbors in order that we may be the sooner crushed. They say, moreover, that a struggle between us and the United States would be a struggle between a dwarf and a giant; for no man in his senses will say that we could stand out against them.

It is pretended that in case of a war with them, we should have assistance from England. That is very well; but to anybody who recollects the Crimean war, it will be very evident, that when England shall have sent us 30,000 soldiers, she will have given to the extreme limits of her power, and that she must resort to Spain, and France, and Germany and the whole continent of Europe to find soldiers. When we have 1,600 miles of frontier to defend, where should we be with our 30,000 English troops? It would not be nineteen men to a mile.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—No, we are not to imagine that a war with the United States now would be like that of 1812, and that a company of 60 men would put the American army to flight, as in the palmy days of Chateauguay!

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—At this time, the army and navy of the United States are the strongest in the world, and the resources of the country inexhaustible. In four years they have built 600 vessels of war; and the number of their soldiers is told by hundreds of thousands. Now, peace will be made between the North

and South, although it may happen not to please our politicians, who are friends to slavery, and have always despised and depreciated the Government of the United States; for the South cannot hold out long now that it has lost all the towns and cities through which it could receive assistance from abroad.

The American Constitution will come out triumphant from the trial which it is now undergoing. It will come out purified and refined, and stronger than ever in the affections of the people who live under it. It was not against the form of Republican Government that the rebellion was undertaken in the United States, seeing that the Rebel States adopted exactly the same system when they declared their independence. They too have a President, a Senate, Representatives, a Government and a Legislature for every state, just the same as under the American Republic.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—When peace is made between the North and South, should we be able to resist the combined forces of both sections of the United States of America? Should we be able to make a stand against their ships of war, which would overspread the ocean and the lakes—their guns which throw balls of several hundred pounds' weight a distance of eight or ten miles—from one end of a parish to the other? The State of New York, with its four millions of soul, on turn out more soldiers than all the colonies of England together; and there are still thirty-four rich and populous states

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besides, to help in case of war.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—No, we are not to imagine that a war at this time would be a war of 1812, and the people know it perfectly well. If a Confederation like this which is now proposed is imposed upon the people without

consulting them, and even against their will—if they are forced to bear a burthen much heavier than they now bear—and if the treaty of reciprocity is not continued—if a commercial crisis should ensue, and if war should break out between England and the United States, you must not suppose that the people will fight as they fought in 1812, when you have driven them to discontent, and rendered their position harder than it now is.

You may toll off the population into regiments, and they will not rebel, because they are loyal and submissive, but their hearts will not be in the cause, and they will assuredly not fight with the same spirit as they would show if they were defending a constitution and a state of things of their own choosing. They will not fight with the same courage as the southern rebels have shown, for they were fighting to defend institutions—bad ones it is true, but which they were attached to, and which they were desirous of preserving.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—In the event of a war with the United States, and being under a Confederation, the people would be called upon to defend a state of things which they dislike—a Constitution imposed upon them, to which they would not be attached—a Constitution in which they would have no interest. The war might result from a difficulty originating in China! They would be compelled to fight against a people whom they look upon not as enemies, but as friends, with whom they keep up daily relations; and, I repeat it, it would not be possible for them to fight as they did in the last war.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—But I return to the [Reciprocity treaty](#)⁹², and I say that we shall feel its great value once it has been repealed. It is like a bridge over a river between two parishes; so long as the bridge stands, everyone takes

⁹² [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

advantage of it without a thought of its utility, but let the bridge be carried away or destroyed, and everyone feels what an advantage it was, and the people realize the loss they have suffered, when they are once more compelled to resort to the old system of flats and boats every time they require to cross the river.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—And if the [Reciprocity treaty](#)⁹³ be repealed, it will be due to the conduct of several members of the Ministry, and to the papers that support them, and which they support in return; it will be due to the conduct of Tory politicians and journalists in Canada, who, since the beginning of the war, have constantly done everything in their power to irritate our neighbors and to embroil us with them, by displaying misplaced sympathy.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—For my part, Mr. Speaker, I know that the people of Canada do not ask for annexation to the United States, for they are in the enjoyment of peace and contentment as things now stand. The people do not desire any change; but if you wish to establish a new order of things, if you desire to create a new nationality, I fancy we have the right to say what we consider suited to us; and if you desire to establish a new kingdom on this continent, we surely are entitled to examine what it is to be, and the basis upon which it is to be erected. I say it would be a misfortune for us if we attempted to establish a system founded upon a political principle contrary to that of the United States—on the monarchical principle.

If we must inaugurate a policy, let it not be a policy calculated to give umbrage, a policy of distrust and provocation. Let it rather be a policy of conciliation and peace. Let it not be a policy of armies, of useless walls and fortifications—a policy of ruin and desolation! What would be the use of all these

fortifications, all these walls, if they load us with an unbearable burthen of taxation, restrict our commerce, paralyse our industry, shut us up within our own narrow limits, with our vast products cut off from a profitable market?

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Do you fancy that the people would then care much whether the flag floating over them bore a cross or a stripe? The people are satisfied to remain as they are; they do not wish for anything better now; but if you desire to change their political relations, they have the right to examine your scheme in all its phases. They have the right to ask themselves whether what you offer them is not a permanent state of war for themselves and their children.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—The Constitution of the United States is certainly far superior to that proposed to us, and far better suited to our habits and the state of society amongst us. This scheme of Confederation, this scheme of an independent monarchy, can lead but to extravagance, ruin and anarchy! You may decry as much as you choose the democratic system, and laud the

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monarchical system—the people will ever estimate them both at their proper value, and will ever know that which will suit them best. And when the farmers of Upper Canada are compelled to sell their wheat, after sending it to Montreal, ten cents a bushel lower than they now sell it at home, in consequence of the repeal of the [Reciprocity treaty](#), there will be a general demand throughout the whole of Upper Canada, as well as of Lower Canada, for a change other than Confederation. And as to this point, here is what was said by a gentleman who, but a few months ago, held a seat on the Ministerial benches—[I refer to the Hon. Mr. Buchanan. He said:](#)—

⁹³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

The continuation of the [Reciprocity treaty with the United States](#) is favorable, not only to the farmers of Canada, and to all other clauses through them, but also to the English Government; for, without the existence of that treaty, the Canadians are in a position to be greatly benefited, in an industrial and commercial sense, by the annexation of Canada to the United States, unless other industrial or intercolonial arrangements should take place.

Annexation is far preferable, in an industrial point of view, to our “free trade in raw products,” which is unaccompanied by protection for home industry.⁹⁴

“Those who speak the truth to the people in times of crises like the present, are really the most loyal men,”⁹⁵ [adds Hon. Mr. Buchanan](#); and he is right; therefore, it is that I take it upon myself to speak thus frankly and to tell the truth to the people.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—“But,” it will be said, “annexation is national suicide, and the people will never consent to it! Look at Louisiana, which has lost itself in the American union!” The people of Lower Canada will reply, that Louisiana contained but 30,000 whites when it was sold to the United States for \$14,000,000, and that Lower Canada counts more than 1,000,000 of inhabitants; that there is, therefore, no comparison between the position of Louisiana at that time and that we now occupy. Besides, those 30,000 whites in Louisiana were not all French; for thirty years previous to 1800, Louisiana had belonged to the Spaniards. No one can deny that. It was in 1803 that it was ceded by France to the United States, and yet its French population has not been absorbed and has not disappeared.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Since it was ceded to the United States, Louisiana has always governed itself as it liked, and in its own way. It is true that the official use of the French language has been abolished in its Legislature, but why and

by whom? It was abolished by the people of the country themselves, to mark their dissatisfaction at having been sold by France. But notwithstanding that fact, and the great influx of foreign population, the original population have remained French, their laws are published in French, the judges speak French, pleading is carried on before the tribunals in French, numerous journals are published in French; in a word, the country has remained as thoroughly French as it was under the domination of France.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—To those who tell our people that annexation would annihilate them as a people, and destroy their nationality and their religion, they will reply that there is no danger of their being transported like the inhabitants of Acadia, and that Lower Canada would be as independent as any of the other states of the union; that they would, therefore, manage their own affairs, and protect their interests as they thought proper, without fear of intervention on the part of the General Government or of the other states; for they would possess, like all the other states, full and entire sovereignty in all matters specially relating to their own interests. They would be obliged to submit to the Federal Government only as regards matters of general interest, such as pasta matters, the tariff, foreign relations, defence against enemies, &c, &c.

With regard to local matters, they would be perfectly sovereign in their own country, and they could make all the laws they thought proper, provided such laws were not hostile to the other states. Thus, as regards the question of divorce, they might legislate so that divorce could not be effected within their limits. At present some of the states have divorce laws, while others have not; divorce is not permitted everywhere.

Some Hon. Members—Hear, hear.

⁹⁴ Buchanan's speech took place on Dec. 17, 1863 in Toronto and is republished in [Isaac Buchanan & Henry James Morgan, *The Relations of the Industry of Canada, with the Mother Country and the United States* \(1864\), pp. 9-22.](#)

⁹⁵ [ibid., p. 19.](#) Quote is not verbatim.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—In the same way as regards the militia; the people will tell you that they might do like Vermont, which has formed part of the American union since its foundation, and which never adopted a militia law until January, 1864, because the political organization of the United States never rendered it necessary for the American people to maintain armies in each state in time of peace, and each state is perfectly free as regards the organization of its militia, provided it furnishes the number of soldiers assigned to its population, in time of war.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—They do not ruin themselves in time of peace to organize the militia. A

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great obstacle to the political progress of our country arises from the vast number of persons who arrive amongst us each year from the British Islands; they are here, bodily, it is true, but their minds wander over the sea between the two hemispheres, and they act as though they were in England, in Scotland, or in Ireland, without considering our position, our social and political relations; and they think they need only cry out “Loyalty, loyalty!” to make the people rush to arms; but I repeat again, that if it be attempted to force the people into a change such as is now proposed, the people of the rural districts will become hostile to those who force it upon them, and they will not fight in defence of such a Constitution, as they would fight in defence of a principle they approved of, and of a political position with which they were satisfied.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I have but one word more to say on this subject, and it is this: it is all very well to say that the debt of the United States is enormous; that will not frighten the people, for, notwithstanding the war between the North and the South, if we consider the wealth

and resources of the United States, that debt will not be by any means so formidable a matter to deal with as we have been told. In January last, the receipts of the United States Treasury amounted to \$31,000,000—one million a day; and notwithstanding that fact, despite the heavy taxes paid, and paid willingly, by the American people, commercial prosperity is far greater in that country than it is here, as those who now visit the country cannot fail to notice.

On the first of December last, the close of the fiscal year, the debt of the United States was \$1 740,690,480. With a population of 32,000,000 this debt does not, therefore, exceed \$56 per head. I have already shown that under Confederation, our debt would be \$40 per head in Canada. Comparing our resources with those of the American union, we were much more deeply indebted than they were at the period of the last annual report of the Treasury. It is easier for them to collect two dollars than for us to collect one.

But with their immense resources, their boundless commerce, their ever-increasing manufactures, if the war were to end tomorrow, the United States would pay off their debt in a few years, if the government continued to levy the same amount of taxes that they now do. A revenue of a million a day, \$365,000,000 per annum, \$3,650,000,000 in ten years!—double the amount of the national debt at the beginning of the year, notwithstanding the terrible four years’ war! If the Government were to reduce the present imposts by one-half, the debt would be paid off in ten years; whereas in ten years from now our own debt, which is proportionally considerable, will have doubled itself, or, it may be, increased in a much greater ratio, if we are to judge by present appearances.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I repeat, I do not ask for the annexation of Canada to the United States, nor do the people desire it; but I assert that changes such as those proposed in our social and political condition, are the surest means of

bringing it about, because they are of a nature to create serious discontent, and a constant conflict between us and our neighbors; and the people, far from being satisfied with that, will be but ill-inclined to defend such a state of things.

I beg, in conclusion, to call the attention of hon. members to the fact, that while it is proposed to change our Constitution, the Government refuse to give us any details or explanations as to the proposed changes; and I assert that it is our duty not to vote for these changes blindly. With reference to what I have said, I have not said it without well weighing the bearing of my words; I am ready to abide the consequences that may follow. I am in a position to speak frankly, and I have done so; for I am not here to represent my own personal interests, nor the interests of any individual. I have spoken the language of facts, I have spoken as the people would speak throughout all the rural districts on the south side of the St. Lawrence, if they were frankly told how matters stand, and if the consequences of the violent changes sought to be effected in our political condition were explained to them.

Some Hon. Members—*Cheers.*

Paul Denis [Beauharnois]—Mr. Speaker, for a few days past we have heard very extraordinary speeches from the honorable members of the Opposition, occupying seats on the other side of the House. Those honorable gentlemen have taken the interests of the country in hand, and undertaken to set them right by such speeches as we have just heard from the honorable member for Drummond and Athabasca (Mr. J.B. E. Dorion).

Luther Holton [Chateauguay]—Don't crush him.

Paul Denis [Beauharnois]—I do not wish to crush any one; but I must say conscientiously what I think of the extraordinary speech which he has just delivered. The honorable members of the Opposition have, since the commencement

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of this debate, held one course—they have constantly appealed to the prejudices of a class who, for the protection of their interests, uniformly depend on those who represent them here, and who, in order to make sure of their allegiance and perpetuate it, work secretly and in the dark to obtain the signatures of unsuspecting parties to petitions which they send round the country, and use afterwards to ensnare the confidence of members of this House.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Fortunately, they have hitherto had but little success in their undertakings, and have made but small progress in their attempts to injure us. These gentlemen make a loud outcry against the resolutions introduced by the Government; but if they are as bad as they say they are, why do they not themselves prepare some remedy for the troubles and difficulties of the country, instead of limiting their exertions to cries and reproaches? But no. It is always the same thing with them. "Great cry, and little wool."

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—The Opposition have always had but one object in view, and that was, not the good of the country, but the attainment of power. This has been the aim of all their actions, and when they did actually, by an accident, acquire power, their conduct was far worse than that of which they accused their predecessors in office. Their intention is to frighten the people, as they did on the militia question, by enlisting prejudices of all kinds against the measure now under discussion—trying every petty subterfuge and shabby artifice to bring back the honorable member for Hochelaga (Hon. Mr. A.A. Dorion) to power. But it will not work—their little game will have no luck.

To be sure, we cannot deny the honorable member for Drummond and Athabasca [Jean-Baptiste-Éric Dorion], for his part, the credit of knowing how to work upon the people, or rather how to agitate them, while they, good souls, trust blindly to the integrity of the men who represent them here. It was in this spirit

of truth that he stated in his strictures on the [Militia Bill](#)⁹⁶ introduced by the Cartier-Macdonald Government⁹⁷ that it was a measure which would entail a tax of \$20 a head on every habitant, and it is in the same spirit that he now tells them Confederation will entail one of \$40 a head.

One assertion is as true as the other—neither of them is worth much. How can the honorable member venture on such assertions, since he knows nothing of the details of the measure—that is, the measures of detail which are to come after? He can only talk on supposition, and his hypothesis is false and unfounded. He declares, for instance, that the intention of the Government, in moving for Confederation, is to introduce monarchy into America, and to create princes, viceroys, and an aristocracy, and make the Honorable Attorney General for Lower Canada (Hon. Mr. Cartier) Governor of Lower Canada.

Such ideas could never enter any head but those of men who are incapable of self-government, and who are good for nothing but to become demagogues. In good truth, they mean nothing but to agitate—to make trouble and sow discontent throughout the land, with relation to the great question which has for months been the subject of discussion. For this end, they get up little petitions, to be signed in the concessions, saying to the women,—“If you would not lose your husband, sign. He is sure to be drafted for the Confederation. Sign, if you would not have your children deprived of their religion!”

Some Hon. Members—Hear, *and laughter*.

Paul Denis [Beauharnois]—It is by such means that they gain their little advantages. I have just been informed that these men, who have always cried out that the clergy ought not to interfere in politics, are doing all they can to enlist the clergy and swell the cry against Confederation, by proclaiming that the Church is in danger. But the clergy know them too well, and will let them shout. When I hear

these hon. gentlemen of the Opposition pretend that the clergy are on their side, because two priests have written against Confederation in the newspapers, I cannot help laughing. They are now, forsooth, the saviours of religion and of the clergy, loving and respecting them above all things. They spoke another language when they insulted religion and the clergy in their journals; when they declared, in their *Institut Canadien*, that park sets ought to be forbidden to talk politics, and not to be allowed to vote at elections.

Let them recollect the famous parody on excommunication, published in the *Pays*, which never existed save in the narrow and diabolical mind which rules the *Siècle*. But now all this is to be forgotten; now they say,—“Give up your leaders—the traitors who intend to sell the country, betray your religion, and drag your nationality through the mire—and come, follow us!”

You smile, because you know that all these protestations which you are making in favor of religion, of the clergy, and our nationality, are a fine piece of acting. The people know this, and will not believe you; they will remain true to their leaders and to those tried friends who have always served them well and faithfully.

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Those who are now in power have on their side the people and the ecclesiastical authorities, whom you would use as a stalking horse in your campaign against Confederation. All your efforts, all your tricks, will not succeed in shaking the confidence of the people in their representatives.

You talk of public meetings, of the people’s opinion, petitions, &c, but why did you not call these meetings when the members were at home in their counties, when they might have met you face to face? You waited, like cowards, till they had come here to attend their duties in this House, and set hireling

⁹⁶ [Bill: An Act Respecting the Militia \(Province of Canada, 1862\)](#).

⁹⁷ Led by George-Étienne Cartier & John A. Macdonald (1858-1862).

agents to work to get up those meetings, expecting an easy victory. We know perfectly well, for we have proofs, that agents well paid by a political committee at Montreal, were sent to all the parishes to get up meetings against Confederation, at which they made use of the most contradictory arguments, varied as occasion required, to suit their object, which was to induce the people to declare against the scheme, and sign petitions accordingly.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—These petitions bear the names of children, and, in fact, of sucklings, [as was proved the other day](#) by the honorable member for Boucherville [Charles de Boucherville]⁹⁸.

Some Hon. Members—Hear, hear, *and laughter*.

Paul Denis [Beauharnois]—And if that much is certain, we are justified in thinking that those agents must have done something still worse, with which we are not acquainted, for the purpose of prejudicing the people against the Government scheme. Now, I say that in view of all this—in view of all this underhand trickery and hypocrisy of the Opposition—all French-Canadians should unite together in support of a just, frank and straightforward measure, such as that now submitted to this House. Was it not stated, long before the meeting of Parliament, that the measure should receive a calm and fair consideration? And yet since the beginning of the discussion we have had nothing but appeals to prejudice made by the adversaries of the measure, in place of discussing it on its merits, as they ought to have done.

The honorable member for Richelieu (Mr. Perrault) has distinguished himself in the way of appealing to national and religious prejudices, and in order to attain his object he cited facts long past—drawn, in fact, from ancient history. We all know the facts he mentioned; but why cite them as he did in such a body as this? It is neither politic nor

right. Our duty as members of this House is to make laws for the well-being and prosperity of the country and of all classes of the population, and not to excite the hatred and prejudices of one section of the community against another section.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Then, again, what was the gist of the speech just made by the honorable member for Drummond and Arthabaska (Mr. J.B.E. Dorion)—who certainly, I must admit, possesses oratorical ability, as well as other gifts? It was just simply a comparison between our Government and that of the United States, and of course he gave the preference to the latter. The honorable member is never weary of looking to Washington with one eye.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Why does not the honorable member tell us frankly at once that he desires the annexation of Canada to the United States? For, if we are to believe his statements, the American Government is an extraordinary government, a model government, a government unequalled in the world! But no; instead of giving us the benefit of his real thoughts, he stops short at insinuations, and comparisons of the expenditure attending the two forms of government, in order to leave an impression on the minds of the people.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Another hon. member of this House, who is not in the habit of appealing to the religious or national prejudices of the people—the hon. member for Bagot (Hon. Mr. Laframboise)—has thought proper, this evening, to join in the outcry of the Opposition on this subject. He cited an event which has just occurred at Toronto, and which everybody regrets, and used it as an argument against the scheme of Confederation submitted to us by the Government. Why drag that fact into the discussion of a great question,

⁹⁸ Denis means Charles de Boucherville, who represented Chambly. [Charles de Boucherville, Legislative Assembly \(Mar. 8, 1865\), p. 770.](#)

and at a solemn moment like this? I do think that it was hardly becoming in an honorable ex-minister of the Crown [to say to this House](#),—"Two sisters of charity have been insulted in the streets of Toronto; ergo, sisters of charity will not be tolerated under Confederation; the clergy will be persecuted, and religion annihilated."⁹⁹ But this style of argument is resorted to somewhat too tardily. These protestations of devotedness to religion and to the clergy come too late to be believed by the people of Lower Canada, or to make any impression, on them.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—The hon. member for Richelieu [Joseph Perrault] also indulged in insinuations against, the Honorable President of the Council (Hon. Mr. Brown), and stated that he was still as great a fanatic as ever against our religion and our clergy. Certainly, the Honorable President of the Council [George Brown] was wrong in speaking as he formerly did,

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when he was in the ranks of the Opposition; but how much more culpable was it not in the *Rouges* to support him at that very time? The members of the Opposition reproach us to-day with supporting the Hon. President of the Council [George Brown], and blame us for things we have not done. We blamed the Hon. President of the Council [George Brown] for attacking our clergy and insulting what we respect most. We opposed him with all our strength, but at that very time the Opposition supported him, and approved of everything he said. The people know that perfectly well; they know and appreciate thoroughly the difference between our motives and yours, in opposing the hon. member for South Oxford [George Brown], and you cannot deceive them. The people will say to you,—"Give us a proof of what you can do; and if you are better than these you attack, we will accept your leadership."

What crime are we charged with to-day by the Opposition? After numberless fierce struggles, and two general elections, it had become impossible for any party to govern the country. The people were weary of the whole thing, and wished for a change. It was then that a coalition took place between the two parties who formed the majority in either section of the province. The Opposition should not condemn that alliance; on the contrary, they ought to continue to give their support to the honorable member for South Oxford (Hon. Mr. Brown), since he has formed an alliance with the Hon. Attorney General for Lower Canada [George-Étienne Cartier], in order to find some means of carrying on the Government, and of removing the difficulties by which we are surrounded.

It has been stated that the delegates to the Quebec Conference were not empowered to prepare a scheme such as that now before us: but can it be said that the Government had not the right to do so? The Ministry have prepared a scheme which they now submit to us, and the question is not as to whether they were or were not empowered to prepare it, but whether the scheme is a good one, whether it is deserving of the approval of the people, and for the best interests of the province.

This it is for us to say, and it is all we have to say; but it is not right to accuse hon. Ministers, who have endeavored to discharge their duty and to relieve the country from its difficulties—it is not right to reproach them, after they have labored day and night at their task, and to tell them they had no right to do what they have done. We had a right to expect a serious discussion of the Government scheme; but no, we have had nothing of the kind; we have had nothing but personal attacks, appeals to prejudice, and underhand attempts out of doors against the scheme.

We have had a crop of suppositions and insinuations against this man and that man. It is "supposed" that the Honorable Attorney General for Lower Canada [George-Étienne

⁹⁹ [Maurice Laframboise, Legislative Assembly \(Mar. 9, 1865\), pp. 847-848](#). Quote is a summary. See also footnote 53.

Cartier] desires to become a governor; another is accused of desiring to be made a judge of a Federal court, and every hon. member of this House favorable to the Government scheme is accused of aiming at making money, obtaining a place or honors, by betraying and selling the cause of the people. This is certainly most unjust, and every one of these suppositions is utterly unwarranted. Those who indulge in them have not a shadow of proof to bring forward in support of their assertions, and they would, therefore, be much better employed in a calm and deliberate discussion of the measure itself.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Other hon. members, with a view of opposing the Government scheme and depreciating it in the opinion of the people, have made use of the name of an honored citizen, now living in the retirement of private life. The honorable member for Bagot (Hon. Mr. Laframboise) told us that Mr. C.S. Cherrier, of Montreal, was strongly opposed to the scheme of Confederation, and that his opinion should have great weight, because he is a “devout” man. Now, I should like to know, Mr. Speaker, what connection there can possibly exist between religious devotion and a discussion such as this? I was really sorry to hear such language fall from the honorable member for Bagot [Maurice Laframboise], for he is not in the habit of making use of arguments of that kind. It is utterly astounding to see the party who wanted to shut up the priests in their vestries, and deny them the right to hold any political opinions, using Mr. Cherrier’s devotion as a weapon wherewith to combat Confederation.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—But what is the origin to the great agitation promoted by the hon. member for Hochelaga (Hon. Mr. Dorion), since the alliance of the Conservative party with the Hon. President of the Council [George Brown]? Has he forgotten that he himself carried out implicitly the behests of that hon. gentleman all the time they worked

together? And if not, how can he possibly make it a crime in others to work with him? Was he not aware that his own Government—the Government of the hon. member for Cornwall (Hon. J.S. Macdonald)—existed only at his will that the

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Hon. President of the Council [George Brown] chastised that Government for its most trifling backslidings; and that whenever he threatened, the Government quickly mended its ways?

To-day you speak of the vast expenditure of the province; but you formed part of a Ministry which promised wonders to the country, and what did it do after all? The facts are there; and surely it ill-becomes you to speak of extravagant expenditure. Hon. gentlemen exclaim—“\$40 per head!” They do not, it is true, tell us that the high price of molasses is due to Cartier and J.A. Macdonald—

Some Hon. Members—*Laughter.*

Paul Denis [Beauharnois]—but they everywhere assert that these gentlemen want to ruin the people, increase the taxes, and plunge the country into an ocean of debt. And yet honorable gentlemen opposite have themselves been in power, and notwithstanding all their previous denunciations of taxation and extravagant expenditure, they were forced to admit the necessity of customs duties, and to work out responsible government; they found it necessary to retract all they had said in former speeches, when they themselves held the reins of power. But they did not remain in office long enough to get rid of the old leaven completely, and now that they are out of power once more, we find them taking up their former cries.

We have the honorable members for Chateauguay [Luther Holton] and Hochelaga [Antoine-Aimé Dorion], who once had a Confederation scheme of their own, opposing the scheme of the Government, simply because it did not originate with themselves,

and opposing the adoption of any measure for the defence of the country. These honorable gentlemen stated, through their organ *Le Pays*, that if England desires to retain Canada, she should pay for its defences. This is not said so openly now, but the great wealth of the United States; the immense number of their guns, ships of war and armies, are used as arguments to show the uselessness of any attempt on our part to defend ourselves in case of attack, and also to lead the people to the conclusion that it is better for the country not to expend anything for defence.

When the Cartier-Macdonald Government¹⁰⁰ was defeated¹⁰¹ on a question of loyalty towards the Imperial Government, the whole Opposition voted against the principle of organizing the militia for our defence. The leaders of the Opposition [then voted](#) unflinchingly against a [Militia law](#)¹⁰²; but three or four days after, when they had succeeded in taking the place of those whom they had defeated, they themselves voted, without scruple or hesitation, \$600,000 for [the organization of the militia](#)¹⁰³. They appointed instructors throughout the whole country, for they had learned that as British subjects they had duties towards the Imperial Government.

To-day they are acting as they then acted, and they desire once more to play a double game. They do not want Confederation, but they admit that there is need of a remedy for our sectional difficulties, of the existence of which there can be no question. Yet they refuse to say what remedy they propose for our difficulties. They keep it all to themselves, shut up in their own minds, as they did with the celebrated budget of the honorable

member for Chateauguay [Luther Holton], which was to be the cure for all our financial difficulties, but which never saw the light. Eighteen months of incubation did not suffice to bring forth the bantling.

Some Hon. Members—Hear, hear, and *laughter*.

Paul Denis [Beauharnois]—If the Government should not succeed in inducing all the provinces to accept the scheme, they, at all events, will have kept their word and kept the faith which is due to a treaty solemnly contracted between the Provinces of British North America. The hon. member for Chateauguay (Hon. Mr. Holton) has told us that he had received a telegraphic despatch, by which he had positive information that the people of the Lower Provinces had rejected Confederation, and that they had pronounced against it in New Brunswick¹⁰⁴. But what does all that amount to?

Ought we on that account also to reject the scheme of the Government? Are we not bound to this scheme by the word of our Ministers? No, we hold to this great scheme of Confederation, and we want no little schemes such as are proposed by the honorable gentlemen on the other side of the House—schemes by which they would appoint little judges and divide Canada into little districts. The Opposition, it is true, have, created a certain amount of distrust in this scheme among the people, by harping on direct taxation, and declaring that Canada will be obliged to tax herself in order to purchase and defend the territory of the Lower Provinces. They hope by these means to gain the confidence of the people, and to return to

¹⁰⁰ Led by George-Étienne Cartier & John A. Macdonald (1858-1862). The government ended on May 24, 1862.

¹⁰¹ The Cartier-Macdonald Ministry resigned after the [Militia Bill \(1862\)](#) was defeated on May 20, 1862. The vote in the Assembly was taken to be a vote of confidence in the Ministry. A large number of members voted against it believing the bill's expenditures and its conscription provisions were disproportionately ill-suited for the circumstances and colony (preferring a more fiscally restrained and volunteer principle instead). There was of course a sense that the vote against the Ministry was also motivated by personal feeling.

¹⁰² [Bill: An Act Respecting the Militia \(Province of Canada, 1862\)](#). The bill was defeated was defeated on May 20, 1862, 61-54. [Journals \(1862\), pp. 228-229](#). The government resigned on May 21, 1862.

¹⁰³ The new administration (Macdonald-Sicotte) would introduce what would become [An Act Respecting the Militia \(Province of Canada, 1863\)](#).

¹⁰⁴ *Supra* footnote 2.

power; but even if they succeeded, they would be obliged to do later what they have already done, what they now condemn, and what the men now in power are desirous of doing in the interest of the people; they would be obliged to organize the defences of the country, as the Government propose to do, and as the Imperial Government desire.

At the present moment we have to choose one of two alternatives—either we must annex

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ourselves to the United States, or we must respect the wishes of England and accept Confederation with the Maritime Provinces. If we do not desire either Confederation or annexation, we must remain as we are and continue to struggle with Upper Canada; and in the meantime the people will remain behind their plough, business will be at a stand-still, and the debt will be increased by millions.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—For several days past, Mr. Speaker, we have listened to pompous speeches made by honorable members of the Opposition, appealing incessantly to the religious and national prejudices of the population of Lower Canada, with the view of defeating the Government scheme. These honorable gentlemen draw pictures which are really heartrending.

They tell the Protestants that under Confederation they will lose all their rights in Lower Canada in respect of the education of their children; and, on the other hand, they tell the Catholics that their religion is in danger, because the Federal Government will have the right of veto in respect of all the measures of the Local Government. But this right of veto must of necessity exist somewhere, in order that the minority may be protected from any injustice which the majority might attempt to do them. We cannot hope to have the majority in the Federal Parliament, when we French Lower Canadians and Catholics have never

had it under the existing union. And yet we cannot but congratulate ourselves upon the relations which have always existed between us and our fellow-countrymen of other origins and religions. The [Benning Divorce Bill](#)¹⁰⁵ affords a proof that we are in a minority in the present Legislature, for the Protestants all voted in favor of that measure, and the Catholics against it, and the bill was passed.

The Catholics, then, are wrong when they exclaim that we ought to unite and carry out our own religious views and secure the triumph of French-Canadian nationality; doing so will only have the effect of exciting the Protestants and the British-Canadians to do the same thing, and then we should fall into a state of anarchy. One night last week, about midnight, an honorable member of this House, an ex-Minister, the honorable member for Cornwall (Honorable J.S. Macdonald) forgot his position so far as to seek to excite religious jealousies and hatreds¹⁰⁶; but I am happy to see that he has not succeeded in his attempt, and that Catholics and Protestants have treated his fanatical appeals with contempt, and have made no response. After having heard this, can any one believe in the reality of all these anticipations of danger paraded in the newspapers, in the House, and throughout the country? No, it is impossible to believe in it, and not to perceive that it is all hypocrisy, with the view of exciting the prejudices of the people.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—It has been also said that the use of our language was in danger, and that the French laws would disappear when Confederation was accomplished. But is it not a well-known fact that we owe the protection of our French laws to the Hon. Attorney General for Lower Canada (Hon. Mr. Cartier), and is not the *Code*

¹⁰⁵ [Act for the Relief of James Benning \(Province of Canada, 1864\).](#)

¹⁰⁶ John Sandfield Macdonald, Legislative Assembly (Mar. 1865). Unconfirmed reference.

*Civil*¹⁰⁷, which he has just laid before us, a sufficient answer to all that can be asserted on this head?

The French laws will be maintained and respected in Lower Canada, and this we owe to the Hon. Attorney General (Hon. Mr. Cartier). We shall have a statute to assimilate the law of evidence in commercial matters in Lower Canada; but the French laws will not be abolished. If there is a man in the whole country who possesses real legal judgment, and who is perfectly acquainted with the laws and statutes of Lower Canada, it is certainly the Hon. Attorney General for Lower Canada [George-Étienne Cartier], Mr. George Etienne Cartier. No one will deny this, and there is not a man who can compete with him in this respect.

Why come here and tell us that our language is about to disappear, and that its use is to be abolished in the Federal Legislature? Is it because lies must be told in order to oppose the scheme of the Government, and real reasons for opposition cannot be found? A drowning man catches at a straw, and that is what the Opposition are doing to-day. But they ought to be just, and to admit that we shall have our code, which will guarantee to us the maintenance of our laws in Lower Canada, just as the Imperial Act will guarantee to us the use of our language. Why, too, should personal recrimination be indulged in in this discussion? "Cartier," they say, "does this because he wants to be Governor."

Félix Geoffrion [Verchères]—Hear, hear.

Paul Denis [Beauharnois]—The honorable member for Verchères [Félix Geoffrion], who cries "Hear, hear," is a man of too much talent and good sense to approve of such language, and especially to make use of such arguments. He ought to leave that to the honorable member for Richelieu (Mr. Perrault), who openly tells us in this House that the majority is venal and servile. Such language as this ought not to be made

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use of here, out of respect for ourselves and for the French-Canadians in this House. It is a great mistake on the part of a beardless youth, with no more experience than the honorable member for Richelieu [Joseph Perrault], particularly when he is addressing men of the experience and capacity of the Honorable Attorney General for Lower Canada [George-Étienne Cartier].

All parties agree in saying that the Hon. Attorney General East [George-Étienne Cartier] is capable, honest, and of the highest integrity; but all do not approve of his policy, and that is perfectly legitimate. But that is no reason for attacking his private character, and putting in his mouth opinions which he has never uttered. They say he is honest and upright, and yet we read in the newspapers that he is willing to sell his country, his religion and his nationality for a tide or an appointment as Governor. This is very unfair.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—The members of the Opposition demand an appeal to the people upon the question of Confederation. But if it were granted, you would see, Mr. Speaker, to what lengths they would go. These demands for an appeal to the people are only made with the view of serving the purposes of a clique, who would say to those who desired to discuss frankly the question before the country—"Hold your tongues and vote against the Government!"

This is what they have already attempted to do by means of meetings which they have caused to be held in different counties; but I must say that in mine they did not succeed in their designs. They sent three agents there, under different pretexts, who tried by every possible means to induce the people to pronounce against the Ministerial scheme; but they did not succeed; and yet I am the humblest member of this honorable House.

But as I happened just at that time to be

¹⁰⁷ For the debates on the Civil Code, see the summer session of the [Province of Canada \(Aug.-Sep., 1865\)](#). There was also a [single debate in the Assembly on Jan. 31, 1865](#).

attending to the duties of my profession at the court of the district of Beauharnais, I observed that these agents had been sent by the Montreal committee, and I was enabled to defeat their little plans and their little games. They tried to make little speeches, and hold little meetings, but as I was on the spot they gained nothing by it. But all this serves to indicate the means that have been employed by the partisans of the Opposition to excite the people against the measure of Confederation. I do not want to be too hard upon them, because they naturally were desirous of obtaining a triumph for their party, and they employed these means as they might have employed others, although they do not care a rush for the holy cause of nationality or religion.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—I remember very well what used to be said and what used to be done in the *Institut Canadien* of Montreal, and I observe with satisfaction that the present conduct of the honorable members of the other side of the House who belonged to that *Institut* is a direct protest against what they did in the *Institut*, in which we have had *Suisses* coming and preaching religious toleration. Then it used to be said—"We must advance with the times," and they used to read the *Pucelle*.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Now, the Government does not propose to establish the annual parliaments, that the hon. member for Hochelaga [Antoine-Aimé Dorion] used to cry out for, but they are engaged in settling the difficulties of the country. They call upon every man of talent to aid them in this task, or to invent a better remedy for these difficulties, and to submit it to the country.

But if those who oppose the Government measure are contented with mere opposition, without proposing any better measure in its stead, what will the people say to them if they present themselves to their constituents, to ask them to pronounce between them and the Government? They will say—"What have you

done; what have you to offer to compare with what the Ministers have done and offered to us?" They will ask them for their measure, but they will keep it hidden away with that famous budget of the honorable member for Chateauguay [Luther Holton], which has not yet been hatched after eighteen months' incubation.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—We know perfectly well that the Government measure is not perfect, and that it has defects, as all plans made by men must have. For my part I admit it most willingly; but it must be remembered that it is a compromise, and this the gentlemen of the Opposition take good care not to allow for or to state. In public they say that the French-Canadians are going to be overwhelmed by the English element in the Confederation, and that they will lose their language.

But do they not know that in Upper Canada the French language has been preserved as pure and unalloyed as in Lower Canada, wherever there is the smallest nucleus of French inhabitants? The members on the other side propose giving us lessons in the art of preserving our language and our nationality—they, annexationists at heart and in their actions, who are always looking to Washington. I do not say that it is a crime to be an annexationist, but at least let them frankly admit what they are. Thus the honorable member for Chateauguay (Hon. Mr. Holton) is more of a Yankee than any one. He told us

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to-day he did not like great undertakings, but it seems to me that certain great undertakings in which he has had a hand, have not had the effect of emptying his purse.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—Why should the country be prevented from advancing in the way of progress; why prevent the construction of means of communication, which will have the effect of keeping our French-Canadians in the country? You seem to forget your words

and deeds of yesterday. When he occupied a seat on the Treasury benches, the honorable member for Chateaugay [Luther Holton] was constantly rising to tell us that we were a factious Opposition, a dreadful Opposition, because we did not allow the Government to do just what they liked. But he does not think his own opposition today factious, he who has risen fifty-five times in the course of this debate, and who cuts up every question like fresh butter. He says today that the Government wishes to choke off discussion and to prevent the members of the Opposition from speaking, and yet he has spoken fifty-five times!

The hon. member for Lotbinière (Mr. Joly) told us, the other day, that the people are in a condition of torpor, and that they must be awakened. If they are in a condition of torpor anywhere, they are certainly not so in Lower Canada; but if they were, they would undoubtedly be awakened by all the fine speeches delivered by honorable members on the other side of the House, and on observing the great resistance which they offer to divorce and their fervent energy in maintaining family ties unbroken. Those gentlemen loudly proclaim to us that we ought not to vote for divorce; but it is quite unnecessary for them to tell us so—all Catholics are perfectly well aware that it is their duty to vote against divorce.

We know that the laws of Parliament cannot prevail over those of the Church. And we are not voting for divorce in voting for the scheme of Confederation; and the declamations of hon. members on the other side of the House, on this subject, cannot carry conviction into the minds of any one. Nobody asks us to enact a law to allow civil magistrates to celebrate marriages, and all that is said by the Opposition in relation to this question only amounts to a tempest in a tea-pot.

At any rate we may congratulate ourselves upon the conversion of hon. members, and now they need only tell the truth for the

future, and their past sins will be forgiven them. However, although they constitute themselves the protectors of our religion and nationality, it is evident that the people do not yet very firmly believe in their conversion, and that they have not yet attained the confidence of the country; for otherwise the plan of the Government is sufficiently new and sufficiently little understood to allow of their having a chance of returning to power.

Some Hon. Members—Hear.

Paul Denis [Beauharnois]—The people, in view of all their fine declarations, will probably think that they are going to ally themselves with our friends; but if they do not do so, it will then be perceived that they are not sincere, and then so much the worse for them. In the meantime the people will consider the scheme which is submitted to us, and will judge it upon its merits, without allowing themselves to be led away by appeals to prejudices and insinuations made by honorable members on the other side of the House.

I shall, at a later period, speak upon the question itself, but I will not follow the example of the honorable member for Richelieu [Joseph Perrault], who gave us [a long speech with the help of Garneau's *History of Canada*](#), which he read out nearly from one end to the other¹⁰⁸. Nor will I utter threats either, and no one of us will say, "If matters do not go on in this way, or in that, you will see." In a country like ours, we do not say "you will see!" To do so is to try to create useless excitement among the people, and all honest men should reprove such conduct. Besides, who is the man who has influence enough to raise the people at the present moment? Certainly not our worthy fellow-citizen, Mr. Cherrier, for he is too peaceable, too devout, and too good a Catholic to tell the Canadian people to rise and fight against the scheme of the Government by force of arms.

No, he will rather tell them to respect authority, and claim their rights if they

¹⁰⁸ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), pp. 600-617](#). For Garneau see *Histoire du Canada* (1845).

consider themselves injured, because he is aware that it is better to respect one's father than to fight against him. As to Hon. Mr. Papineau, that distinguished man has undergone mortification enough in his public life, and feels enough regret for his friends and fellow-countrymen who perished at [St. Denis](#)¹⁰⁹ and elsewhere, to prevent his wishing to recommence playing that game. The honorable member for Bagot [Maurice Laframboise] reproached the Hon. Attorney General for Lower Canada [George-Étienne Cartier] with having been present at St. Denis, and with having returned from thence. Would he have preferred to have seen him lying amid the dead and mingling his ashes with those of the victims who perished there?

Maurice Laframboise [Bagot]—Oh! There was no danger.

Paul Denis [Beauharnois]—You reproach him with

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having done this when he was young, and yet you say that you would do the same if you were powerful enough to undertake it. That is no argument, and that is not what we ought to do. We ought to say to England that it is our wish to remain under the shadow of her noble flag; that we stand in fear of our neighbors, and are desirous of knowing what she can do to help us. It is in this way that our Ministers should approach the Imperial Government, and if the negotiations do not terminate in a satisfactory manner, then it will be time to separate and to seek another state of existence.

The debate has taken too personal a turn, and we have listened to accusations and insinuations against this person and that person; but as the Opposition has nothing better to suggest to us than what is proposed to us by the present Government, they cannot hope that members on this side of the House will support them with the sole object of defeating the Administration.

Gentlemen on the Opposition benches call for the details, but their leaders may be called upon to say what they suggest to bring the country forth from the difficulties in which it is plunged. What they desire is the status quo. But let them propose something practical to us; let them say what they want and what they can do. Instead of this we hear from them nothing but recriminations and perpetual fault finding. They ask why the Government does not now state how the local governments are to be organised; but the reply to this question made by the Hon. Attorney General for Lower Canada [George-Étienne Cartier], was very just, when he told them that the Government wished first to know whether we were favorable to Confederation, and that then they would bring forward the details. This is perfectly fair, and we must not mix up the cards.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—I do not wish to speak at greater length at present; but I must allude, however, to the continual assertion of the honorable member for Hochelaga (Hon. Mr. Dorion) with respect to the enormous national debt which Confederation will entail. Why does he not take account of the reasons which induce the Lower Provinces to refuse Confederation? Is it because those reasons are fatal to his arguments? In fact the Lower Provinces declare that our Ministers wished to obtain too much for Canada, that the burthens to be laid upon them are too heavy, and that an alliance with us would ruin them; whilst honorable members on the other side of the House declare that they will none of this alliance, because we grant too much to the Lower Provinces.

Those provinces say that Confederation will not be advantageous to them, because they will be compelled to pay for the canals, the railways and other improvements in Canada, and because they would derive no advantage from an alliance with us. Besides, those

¹⁰⁹ [The Battle of Saint-Denis \(1837\)](#) was a *Patriote* victory over the British in Lower Canada. George-Étienne Cartier took an active part in the battle.

provinces are now in the hands of agents of the United States, whose great object is to prevent the success of Confederation, because it would be fatal to their trade with the provinces. That is why they labored, and labored successfully, to prevent the election of the partisans of Confederation in New Brunswick, just as they would do all in their power to prevent our elections here, if an appeal to the people should be had on the question, for they would work in the interest of the United States.

Some Hon. Members—*Opposition laughter.*

Paul Denis [Beauharnois]—I see the honorable member for Diamond and Athabasca [Jean-Baptiste-Éric Dorion] laughing—

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I am laughing at the silly stuff you have been talking to us for the last hour.

Paul Denis [Beauharnois]—If there is a man in this House who has talked silly stuff and holds narrow ideas, that man is undoubtedly the honorable member for Drummond and Athabasca [Jean-Baptiste-Éric Dorion]—he who has never done anything but stir up and foment the prejudices of race—he who writes little letters to get petitions against Confederation signed in his county by all the women and children in it. Although I have not, like the honorable member, at my command a little newspaper like the *Défricheur*, which never cleared (*défriché*) anything except when the honorable member for Hochelaga [Antoine-Aimé Dorion] was Attorney General for Lower Canada [George-Étienne Cartier], and then the honorable member knew very well how to make clearings among Government jobs and advertisements—I am quite able to reply to the honorable member.

It is truly laughable to hear a man like him talk of the “silly stuff” of others, when we think of his newspaper articles in which [he said](#):—“Pay! wretched people—molasses and tea are dear”¹¹⁰—and what he said about the

Seigniorial bill and the Municipal bill—two measures which have called forth the admiration of the whole world—and about the [Reciprocity treaty](#)¹¹¹, which was, by his showing, to do all sorts of harm to the country, but which has done all sorts of

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good. Ah! It is the same school all over. The instant a man holds a different opinion from those gentlemen, he is good for nothing, and all that he says is silly stuff. Truly, these are the foolish virgins who have no oil in their lamps.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—You are charming!

Paul Denis [Beauharnois]—The honorable member told us, a short time since, that we were passing from extravagance to folly; with one stroke of the pen he sweeps away all the apices of the country, and declares that they are merely heaps of fools and simpletons; but I forgive him, for I believe that he is not *compos mentis*¹¹². As to those who set themselves up here as the defenders of religion, we shall, before believing them, wait for an expression of opinion on the part of those to whom is intrusted the duty of speaking on the subject; and as to the protection of our nationality, we shall hearken to the men to whom the people have delegated the duty of watching over and protecting it, and we shall not follow the leading of men like those who are opposed to the plan of Confederation.

Some Hon. Members—*Ministerial cheers, and ironical Opposition laughter.*

Jean-Baptiste Pouliot [Témiscouata] said—Mr. Speaker, it was my intention, before recording my vote on the resolutions which are now before the House, to make some remarks respecting them at much greater length than I shall now do; for now we find that this new being, which was to be brought forth in order to save the country, has already perished while still in embryo, from the violent blow which it has received in New

¹¹⁰ [I.B.E. Dorion, Tenure Seignuriale \(1855\), p. 1 & p. 22.](#) “*Paie pauvre peuple, paie!*” is verbatim while rest is a summary.

¹¹¹ [Canadian-American Reciprocity Treaty of 1854.](#) *Supra* footnote 8.

¹¹² i.e. “having control of one’s own mind.”

Brunswick¹¹³; and if we still turn our attention to it, our doing so is certainly only in order to relieve the womb of its mother, whom it greatly inconveniences, and who would ultimately have been destroyed by it. There is, therefore, nothing left for us to do, Mr. Speaker, but to join in the *libera*¹¹⁴ and to chant *requiescat in pace*¹¹⁵—

Some Hon. Members—*Laughter.*

Jean-Baptiste Pouliot [Témiscouata]—and that, I think, this whole of Lower Canada will sing with a great deal of pleasure, giving, at the same time, thanks to that Providence which, we love to think, watches with special care over our beloved Canada, for having preserved us from being plunged into the abyss, on the verge of which we were standing, and to charge the honorable gentlemen who sit on the other side of this House to go to England and deliver its funeral oration.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—Yet, though such is the case, Mr. Speaker, the exceptional position in which the county which I have the honor to represent here, and the position which an effort has been made to describe me as occupying in this House, by the assertion that I do not represent the opinions of my constituents in relation to this great question, compel me, before voting, to hold up to view the special situation of my county and to show that in voting as I propose to do, I shall be doing no more than carrying out and executing the wishes of the electors whom I represent. I should wish that several of the members who are going to vote on the opposite side may be able to show as good grounds in support of their votes.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—It is true that a meeting, called by myself in my double capacity as warden of the county and member representing it, was held in my

county, and that at that meeting there was some disturbance which prevented an expression of opinion in relation to Confederation; but, Mr. Speaker, it is well to know that that meeting was held only two days before the balloting for the militia, and that in consequence great agitation had been got up among the young men, who are not even electors, in order to divert the attention of the meeting from the subject, to discuss which it had been called together; and it is acknowledged, Mr. Speaker, that it is always easy to find a certain number of people, in any county whatever, who will be ever ready to create a disturbance if only they are provided with what is needful, and such is what took place on the occasion in question. Since then, however, several of the principal parishes have pronounced upon Confederation, as will be seen by the following resolutions, which I shall take the liberty of reading to the House:—

At a special meeting of the municipal council of the parish of St. Arsine, in the county of Témiscouata, duly called by special and public notice, and held in the said parish of St. Arsine, in the public hall, on Monday, the thirteenth day of the month of February, in the year of our Lord one thousand eight hundred and sixty-five, in conformity with the provisions of the Municipal Act of Lower Canada of 1860, and at which meeting were present: J. Prime Roy, Esquire, Mayor, and Messieurs François Dubé, J. Bte. Pelletier, Hector Roy, Germain Terriault, Joseph Roy and Clovis, Berubé, members of the said Council and constituting a quorum; the said J. Prime Roy, Esquire, presiding as Mayor; and at which meeting was also present a large number of the principal inhabitants and electors of the said parish, Councillor François Dubé moved, seconded by Councillor Hector Roy:—

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That it be resolved that this Council being of opinion that the Scheme of Confederation of the British North American Provinces now before the Legislature, would be disadvantageous to Lower Canada, considers it their duty to request J. Bte. Pouliot, Esquire, member for the county, to do all in his power to prevent the adoption of the scheme in question, or at least to obtain the postponement of that adoption until after an appeal to the people shall have been had, in such way as the Legislature shall think

¹¹³ *Supra* footnote 2.

¹¹⁴ *Libera me.* i.e. "deliver me," which is sung for the dead.

¹¹⁵ i.e. "rest in peace."

most expedient.—Unanimously adopted.

Mr. Clovis Roy moved, seconded by Mr. Jos. Roy:—

That a copy of the foregoing resolution be at once transmitted to the said J. Bte. Pouliot, Esquire.—Unanimously adopted,

(Signed) J. Prime Roy, Mayor.
" Elie Mailloux, S.T.¹¹⁶

I have also other resolutions, identical in character, adopted in several other parishes in the county, but I shall abstain from reading them.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—Now, Mr. Speaker, in order to explain clearly to honorable members the peculiar position in which the county which I have the honor to represent is placed, I have to inform them that whatever line is adopted for the Intercolonial Railway, if it should be built—and I hope that it will be built without Confederation—it must, in any case, pass through the whole of the county—an extent of more than fifty miles—and subsequently be carried through a great extent of virgin forest, to which the inhabitants of my county are the most nearly situated.

The advantages reaped by the localities, Mr. Speaker, in which works of such magnitude are being carried out, both as regards their construction and their subsequent maintenance, and the other advantages accruing to settlements from the building of a railway, are well known. All this has been perfectly well understood by the inhabitants of my county; that is to say, that in respect of material interests.

Confederation might be beneficial to us—an opinion which I also hold myself; but they have also, however, understood that as it is with individuals, so it is with nations—that the richest are not always the happiest. And believing that the French-Canadian nationality would be endangered if

Confederation should be carried out, they did not hesitate for an instant to pronounce against the scheme, and charged me, as their representative, to oppose it here in their name; so that in acting as I am doing, Mr. Speaker, I am merely carrying out their wishes.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—I must say, Mr. Speaker, that I greatly regret that several of the gentlemen with whom I have worked and with whom I still work, should have so strongly based their objections to Confederation on the construction of the Intercolonial Railway. To listen to those gentlemen, one would really believe that Canada ends here at Quebec, or that the part which is situated below is not worth occupation. I invite those gentlemen to examine with a little more attention the map of the province as far as its lower extremity—the Bay of Chaleurs and Gaspé, and they will perceive that it contains a tolerably vast territory and good land adapted for colonization—a fact of which they may also convince themselves by glancing at the colonization reports.

They will perceive, I say, that if the Intercolonial Railway were made by the line called Major Robinson's line, but not by New Brunswick, as recommended by the resolutions submitted to us, we should, before many years had elapsed, see an immense population settled on that territory, which is capable of containing more than 100,000 souls; and several of the gentlemen who oppose the construction of that road, and who reside in counties in which there is no room for the surplus population, might induce that surplus population to go and settle on the territory in question, and would have no reason to regret having done so.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—And, Mr. Speaker, besides the advantages which that road would bring to the trade of Canada

¹¹⁶ The meeting seems to have taken place on Feb. 13, 1865 as reported by Jules Boucher, "[Déjà, à Saint-Arsène, en 1865...](#)" *Le Devoir* (Mar. 18, 1980). However, the original quote remains an unconfirmed reference.

in general, it would, if made to communicate with the Gulf of St. Lawrence by way of Ristigouche, have the immediate effect of imparting an impulse to the working of our fisheries, which are capable of giving employment to several thousand more persons than are now engaged in them. The effect of this would be to keep our young men at home, and even to bring them back from the United States, where many of them now are.

I, therefore, invite the gentlemen who are opposed to the railway in question to join with us in hurrying the construction of it, for it will be one of the best means of restoring equality of population between the two provinces, and of stifling the cry which is so deafening to us Lower Canadians—the cry for representation by population. I willingly admit, Mr. Speaker, that public opinion below Quebec appeared at first to be favorable to Confederation, or at least that there was a disposition to submit to it, because

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the public, had been made to believe that government was no longer possible, and that Confederation was the only means of settling our difficulties; but I believe that that opinion has greatly changed since the Ministerial explanations have been made public; for everyone expected, and it was everywhere asserted, that amendments would be made, and that we should be informed as to the nature of the local governments, and as to the debt of Lower Canada.

Some Hon. Members—Hear, hear.

Jean-Baptiste Pouliot [Témiscouata]—With these few remarks, Mr. Speaker, I shall conclude by saying that I shall vote against the resolutions in order to carry out and to comply with the wishes of my constituents.

Some Hon. Members—*Cheers.*

John J. Ross [Champlain]—I propose, Mr. Speaker, that the speech of the honorable member should be printed in pamphlet form,

apart from the official debates, and that several thousand copies should be struck off to be distributed freely throughout the country.

Some Hon. Members—Hear, hear, and laughter.

James Biggar [Northumberland East]—As the resolutions on the Confederation of the Provinces are looked to with a very great deal of interest by the country, I think it necessary to make a few remarks in explanation of the vote which I intend to give. But before doing so, I think it necessary for me to state, as briefly as possible, the position that I hold toward the present Government, as also the two governments that have preceded them.

In my canvass in 1861, I most distinctly and unhesitatingly stated to my constituents that I had no confidence in the Cartier-Macdonald Government¹¹⁷, who were then in power, as I considered that they had managed the finances of the country very badly, and had, by their extravagance, brought us to the eve of bankruptcy; and that if I were elected to the House as their representative, I should feel it my duty to vote want of confidence in that Government, if such a vote was proposed. In [1862 the Militia Bill](#)¹¹⁸ was introduced by that Administration.

Believing that some legislation was necessary in that direction, and admitting the principle of the bill, I voted with the Government on it. Some of my political friends, with whom I was then acting, found fault with me for the course I then took and the vote I then gave; but I am happy to say that they have since been induced to take the same view of the matter that I did at that time, and they would now be willing to go a little farther in the same direction than I would perhaps feel it prudent to go with our great public debt. It is gratifying to me, however, to find that the course I took out that occasion has been approved of now by them.

That Government was defeated on that vote; and when the new Government was formed,

¹¹⁷ Led by George-Étienne Cartier & John A. Macdonald (1858-1862).

¹¹⁸ [Bill: An Act Respecting the Militia \(Province of Canada, 1862\).](#)

known as the Macdonald-Sicotte Administration¹¹⁹, I was not satisfied with their policy. I had promised my constituents that I would support representation by population, and vote against separate schools; and as that Government proposed to make representation by population a close question, and to bring in a Separate School Bill, I felt that I should have to vote against them when representation by population would be moved as an amendment to the Address.

I accordingly voted for the amendment; and when [Mr. Scott's Separate School Bill](#)¹²⁰ was introduced, I felt it my duty to vote against it, in accordance with the pledges I had made to my constituents. That Government was defeated, and a new Government was formed, in which I advised you, Mr. Speaker, and my friend the late Hon. Postmaster General [Oliver Mowat], to take office.

I stated to you, Mr. Speaker, and to the Hon. Mr. Mowat, that I would not advise you, as my friends, to take office, unless I would feel it to be my duty to support you; and that if the question of representation by population was again moved as an amendment to the Speech from the Throne, I would vote against the amendment, and that I would go before my constituents, as a general election was approaching, and state what I had done, and if they did not sustain me in what I had done, I was quite willing to remain at home.

I believe that Government did right in resigning when they found they could not carry on the business of the country in a satisfactory manner; and when the Taché-Macdonald Administration was formed¹²¹, I decided to give them a test-vote, but I was willing that they should proceed without any opposition from me, if they could control a majority of the House; but when the reconstruction took place, I felt that I could not be a party to a government of that kind—that

the demoralizing influence of a coalition such as that Government contained would counteract all the good they could ever do, and that the alliance was an unhappy one.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I was not willing, after having [voted a want of confidence in them on the 14th of June last](#)¹²², for having misappropriated one hundred thousand dollars of the funds of the province, to come down to the House eight days after and say

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that I would support them, now that they had promised to give the Hon. George Brown, on behalf of himself and two other members of the Liberal party, the selection of three seats in the Cabinet, when they had done no act to merit my confidence, but simply state that they would grant constitutional changes, which they might or might never do.

I was not prepared, however, to give them any factious opposition, but was willing to support any good measures that they might bring forward. That Government met delegates from the Maritime Provinces, at a Conference in this city, and agreed upon the resolutions that are now submitted to this House. In them I find principles which do not harmonize with my pledges to the people, and without an appeal to the people I cannot support the measure now before the House.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I will not here say anything of the merits of the resolutions, but simply state that they embrace principles which I cannot support on account of the promises that I have made to my constituents. The people of my county have been led by the *Globe* to believe that the Intercolonial Railway would be a very dangerous affair for the country, and that it would not be useful either as a military or

¹¹⁹ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863). The administration was formed on May 24, 1862.

¹²⁰ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\)](#).

¹²¹ Led by Étienne Pascal Taché and John A. Macdonald (1864-Present).

¹²² *Supra* footnote 80.

commercial undertaking. Looking at it from a military point of view, it is well known that part of the proposed line would run within twenty-six miles of the American frontier, and that communication could be cut off at any moment by an American army; and that as a commercial undertaking it could never compete with the water route during the season of navigation; and in the winter it would be comparatively useless on account of the depth of snow. They have been told that it would never pay for the grease that would go on the axles.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—When I went before them and stated that I would support the Macdonald-Dorion Government¹²³, they said that Government should be looked upon with suspicion, as they had granted ten thousand dollars for the survey of the Intercolonial Railway; but I told them that the best guarantee that they could have that that work would not be proceeded with, was that the Hon. Mr. Dorion was in the Cabinet, and that he had previously resigned his seat as Provincial Secretary in the Macdonald-Sicotte Administration¹²⁴, rather than agree to the construction of that railway.

Another question that I found a little embarrassing was that of separate schools. The present Hon. Solicitor General for Canada West [James Cockburn] came into my riding and very ingeniously told the people that I was responsible for [the Separate School Bill](#)¹²⁵ having been forced upon them, inasmuch as I had supported the general policy of the Government that had carried the bill, although I had voted with the hon. gentleman against the bill in all its stages from the beginning to the end. They were satisfied, however, when I told them that I was prepared to vote to rescind the amendments to the Separate

School Bill as introduced by Mr. Scott. Now, as these resolutions propose to perpetuate separate schools in Upper Canada for all time to come, I feel that they would conflict with the pledges that I have made to the people, and that I cannot support them.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I was a little surprised to find the Honorable President of the Council [George Brown] get up and say that he did not fear any of the evil results that might proceed from the present Separate School Bill. Was that the language of the hon. gentleman in 1862? Was that the way the subject had been treated in the columns of the *Globe* when the bill was being discussed in 1862 and 1863?

Every member of this House will remember how the thirteen members, even spoken of in the *Globe* in 1862, for having had the courage to vote against the second reading of [Mr. Scott's Separate School Bill](#)¹²⁶—when 95 members of the House were willing to vote for the second reading—and in 1863 when the bill was being passed into law by the Macdonald-Sicotte Government¹²⁷—how the members were warned to be true to their pledges, no matter what might become of the Government.

Even Dr. Ryerson, the Superintendent of Education for Upper Canada, who had devoted twenty years of the best of his life in perfecting a system of education, was denounced in the columns of the *Globe* as a deserter of the best interests of education in Upper Canada, for having consented to the amendments as proposed in Mr. Scott's Separate School Bill. I cannot help referring to [another remark made by the Hon. President of the Council \[George Brown\]](#). He said—"Let any one vote against these resolutions and

¹²³ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

¹²⁴ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

¹²⁵ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\).](#)

¹²⁶ [Bill: An act to amend "An act respecting separate schools" in Upper Canada, in so far as the same relates to Roman Catholic Separate Schools \(Province of Canada, 1862\).](#)

¹²⁷ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863).

dare to go before the people."¹²⁸ Is he not prepared to allow others the same freedom of thought which he enjoys himself?

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I can only say that I for one will not be coerced into anything of that kind.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I am not responsible to the Hon. President of the Council [George Brown] for my votes. I am responsible to the people that sent me here, and to a higher power, and I

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am not going to be coerced into giving a vote which I cannot approve.

Some Hon. Members—Hear, hear.

James Biggar [Northumberland East]—I cannot say whether I will ever be called upon again to represent the county that I now have the honor to represent; whether I do or do not, it is a matter of no consequence to me; but I do say that I will not, under any circumstances, be coerced by the honorable gentleman. He should not forget, however, that his influence in Northumberland is not what he might have anticipated, and that when he thought proper to come down from Toronto, in April last, to oppose the Hon. Solicitor General [James Cockburn], when he was contesting the West Riding with a very respectable farmer, that notwithstanding the very powerful speeches of the Hon. President of the Council [George Brown], the Hon. Solicitor General [James Cockburn] was returned for that riding by a very large majority. I suppose that, had the Hon. President of the Council [George Brown] anticipated that he was, within two months, to have had a seat in the same Cabinet with the Hon. Solicitor General [James Cockburn], he would have acted differently.

I myself had a very strong invitation to go up to the West Riding to oppose the Hon. Solicitor General [James Cockburn], but I was willing to act upon the principle of returning

good for evil. I was quite willing to allow the electors of West Northumberland to choose for themselves whom they would elect for their representative in Parliament; and in regard to the Hon. Solicitor General [James Cockburn], I must say that, as far as I can learn, he has discharged the duties of his office with satisfaction to the Government and the people that he represents, and with credit to himself. It is not my intention to give the Government any factious opposition. I will cheerfully support any good measures for the benefit of the country which they may bring forward for our adoption; but I wish the Government to understand, as I do not wish to occupy any doubtful position in this House, I am no supporter of theirs, and if a vote of want of confidence is at any time proposed, I am prepared to vote against them.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—I think it right to say a few words on this question before the vote is taken; but at this late hour, I will not detain the House very long. The subject has been discussed from various points of view. In the early part of the debate, one gentleman, the hon. member for Hochelaga (Hon. Mr. Dorion), objected to the scheme mainly on the ground that it approximated too closely to a legislative union, and that it would interfere with the privileges which the parties to the union exercise in their respective localities; and if I remember rightly, he said that the plan of the Government would have the effect of interfering with the language and religion of Lower Canadians. It occurred to me at the time he was making his speech, that he was taking untenable ground, and I felt grateful then, and I do so now, that that hon. gentleman is not in a position to exercise more power, at this crisis, than an ordinary member of the Legislature. I admire the ability of that honorable gentleman, and I consider it unfortunate that at this important juncture he did not rise above narrow and limited sectional views, and take more statesmanlike ground.

¹²⁸ [George Brown, Legislative Assembly \(Feb. 8, 1865\), p. 84.](#) Quote is loose summary.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—Then the hon. member for North Ontario (Mr. M.C. Cameron) objected to Confederation from a different point of view, but he arrived at his conclusions from arguments of an entirely different character. Strange to say, he did not regard this with satisfaction, while a legislative union would meet with his approval. He professed to believe that the Maritime Provinces would combine with Lower Canada, and form a Union detrimental to the interests of Upper Canada, placing the people there in a worse position than that which they at present occupy with an equality of representation. As he made that remark, I asked him what difference it could make then, whether we had a Federal or a Legislative union, which he professes to admire, as it would have charge of all the important general interests. His answer convinced me that there was nothing to support his argument. It seemed to me that he took too much for granted in assuming that there would be a union between Lower Canada and the Maritime Provinces as against Upper Canada. It is hardly to be conceived that gentlemen called together for the performance of certain high purposes would attempt to do an injury to one part of the country over another.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—If such a sectional alliance was possible, it would be much more likely that the union would be formed with Upper Canada, inasmuch as that part of the proposed Confederacy has a much larger aggregate business than any or either of the other separate sections. But I will not dwell upon this, as it appears to me to carry with it its own refutation. This principal reason for opposing this scheme is, I think, founded on the fact that the hon. gentlemen now united together in

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the Government do not possess his confidence. He referred to their antecedents, and spoke of their being opposed to each other

before, and said that it was impossible for them to unite now for any good object.

I think, sir, it will scarcely be denied that in looking back upon the antecedents of our public men, there is hardly one of any note who has not, during some portion of his life, found himself in such a position as to render it necessary for him to abandon views which he had previously maintained, and that no government has been successful which has not been founded upon mutual concessions. It is necessary that public men on both sides should unite in great emergencies in order to promote the general welfare. We know very well that those who are open to conviction very frequently change their course, and it is no disgrace to any one that under the influence of increased knowledge he has shaped his conduct in accordance with the degree of light which has surrounded him. The honorable gentleman knows very well that we must judge the actions of individuals not merely by their motives—for these we cannot often penetrate—but by the character and results of their actions. And so we must look upon the scheme now before us as it really is.

We must examine it for ourselves, and unless we see clear evidence to the contrary, we ought to give its promoters credit for honesty and sincerity. I have no sympathy with those who willingly attribute the actions of public men to the influence of unworthy motives, when they may fairly claim to originate in the higher qualities of the mind and heart. It is the duty, I think, of all right-minded men to give this Government the credit of acting from high-minded motives. But supposing, for the sake of argument, that these honorable gentlemen had united for dividing among themselves offices of profit and emolument. It is fortunate that the germs of evil seldom attain to their complete development. Professions of patriotism do not always betoken the absence of selfishness. He has read history to little purpose who has not discovered that political dishonesty has frequently been not only harmless, but has been practically the minister of public good.

[The hon. member for North Ontario \(Mr. M.C. Cameron\)](#) stated the other day, that under Confederation Upper Canada would contribute an unequally large proportion of the amount necessary to sustain the machinery of the Confederacy¹²⁹. He had a large array of figures before him; but as I took no notes of these figures, I am not prepared to dispute their correctness. But he forgot this, which is a matter of great importance to be considered, that under Confederation there will be a uniformity in the tariffs of the several provinces, and if the tariff of Canada is reduced so as to bring it into conformity with those of the Maritime Provinces, the disproportion will disappear.

An hon. gentleman who afterwards addressed the House, and who, I regret, is absent from the House by reason of indisposition—the hon. member for Brome (Mr. Dunkin)—I understood to say that nations and constitutions and governments owed their origin to that creative power to which all are indebted for existence and the means of perpetuating it. The idea is well expressed in [the words of a celebrated writer](#):—“There is a Divinity that shapes our ends, rough hew them as we may.”¹³⁰ He (Mr. Dunkin) then went on to question the honesty of the purpose of those gentlemen, Hon. Messrs. Ross, Galt and Cartier, who signed [the despatch of 1858](#)¹³¹, which resulted in the Conference of last September. [He described](#) all the intermediate stages as “accidents,” and then found fault with every item of the confederal arrangement.¹³²

The hon. gentleman, on his own principles, should not criticise too severely the action of the Government. They might be only instruments in the hands of the Supreme Architect. The reasonable method would be to examine the arrangements or agreements of the Conference, and if the scheme is found to

be based upon just and equitable principles, it must recommend itself to favorable consideration, and the inevitable conclusion is that it ought to be adopted. I confess I admire the arrangement, which has no doubt been arrived at after much care and deliberation.

The commercial and financial parts of the scheme seem to me to be as just as, under the circumstances, they possibly could be. It is a very ordinary accomplishment to be able to find fault. It is much easier to destroy than to build up. We know that those so disposed might take up the best schemes ever devised by human ingenuity, and draw improper conclusions therefrom. In fact there is no form of government in the world but what, if badly administered, would be productive of evil. On the other hand, a scheme somewhat defective in itself, if placed in the hands of good and patriotic men, might be made to

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conduce to the advantage of the country—[“That which is best administered is best.”](#)¹³³

Mr. Speaker, no scheme can be entirely perfect. Indeed, it is scarcely desirable it should be so. There should be room for the exercise of political virtue, and scope for the exercise of that executive responsibility which attaches to our system of government. There is a great deal of discretion left to our public men, and they are expected to use their powers for the general weal and welfare. I am disposed to place confidence in the Government, and believe that they will, so far as their ability goes, work out this scheme to a desirable result, and in this I hope and trust they will succeed.

The hon. member for Lennox and Addington (Mr. Cartwright), in his speech to-day, which, like all his other speeches, was of the most admirable kind, made some profound observations. He had thought

¹²⁹ [Matthew Cameron, Legislative Assembly \(Feb. 24, 1865\), pp. 448-464.](#)

¹³⁰ [William Shakespeare, Hamlet, Act V, Scene II.](#)

¹³¹ [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & 25, 1858\).](#)

¹³² [Christopher Dunkin, Legislative Assembly \(Feb. 27, 1865\), p. 486.](#)

¹³³ [Alexander Pope, An Essay on Man \(1740\), Epistle III.](#)

deeply upon the subject of which he was treating. He remarked that the Government were merely giving effect to a foregone conclusion. He, no doubt, recognized that the public sentiment and public opinion had attained a certain state—had arrived at such a point, that the Government were compelled to go with the stream, and endeavor to consummate that which the people had already brought into such a condition of forwardness.

And I thought, sir, that this was the proper and philosophical view to take of the matter. It is true, to my mind at all events—and I think that those who have made themselves acquainted with political history, and the political history of England in particular, must come to the conclusion that those governments act most wisely who take advantage of existing circumstances, and adapt legislation to the real wants and exigencies of the country.

The question is not at all times what is best in the abstract, but what is most useful and advantageous to the people. My idea of a statesman is that he should be influenced to a large extent by motives of expediency. Abstract propositions can seldom be reduced to practice. It is foolish for gentlemen placed in the position of the Government to go against the popular stream, and they best manifest their prudence, their ability, and their adaptation to the discharge of their important duties, who make use of passing events for directing the vessel of state into a secure harbour.

[The honorable member for Missisquoi \(Mr. O'Halloran\) said the other night](#) that there was too much legislation¹³⁴—that the country was governed to death, and I admit that to a certain extent there is some propriety in his remarks; but they did not apply to the present subject. I presume we are not here for the purpose of discussing the past acts of the Government, but for the purpose of considering the scheme now before us, and it will be an evidence of

our good sense and wisdom—it will show, too, our seriousness—if we give it our calm and impartial consideration without reference to extraneous matters.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—I think, sir, we are now pasting out of the season of political childhood, and that we are being called upon, in the course of events, to enter upon the duties and responsibilities incidental to the period of youth. We are required to practise and inure ourselves to the discharge of important duties, which require discretion and self reliance. And as it is in nature, so it is in communities—there are various stages of progress through which we must pass before we can arrive at the position of manhood.

There are only two kinds of animals that attain to eminence—things that fly and things that creep. Things which fly are never secure—they are frequently brought down; whilst things which creep proceed firmly and cautiously, if slowly, and by degrees arrive at the topmost point. And so people who pass at a bound from a state of political childhood to a state of political manhood, violate the order and arrangement observed in nature.

We have seen instances where people have disregarded the various stages of political existence; but in so doing they have deprived themselves of the advantages of that experience which is necessary to a vigorous manhood, and which previous training alone can secure. I trust we shall not make this mistake, but that we shall observe the order and gradations of nature, and pass through the various political stages of being, from childhood upwards, in such a way that we may learn to discharge the duties of our position in a spirit of self-reliance; that we shall have been taught how to make the best of our circumstances, and prove that the training we have received during our pupilage has been such as to fit us for a vigorous and prosperous future.

Some Hon. Members—Hear.

¹³⁴ [James O'Halloran, Legislative Assembly \(Mar. 8, 1865\), p. 797.](#)

George Jackson [Grey]—I think that this view of the subject is one of some importance—so much so, that it has been said the logical conclusion of it would be our independence.

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Well, I do not think there is anything disloyal, that there is anything improper, in supposing that the time may come when this British North American territory shall be the abode of a great and independent people. I do not wish to live to see it. But I know very well that when the time comes, there will be no interference on the part of Great Britain with that which seems to be a condition of the inevitable order of things; that the country with which we are now connected and allied—and it is not only apolitical alliance, but a social alliance, an attachment of affection and esteem—would not at all feel jealous if in the course of events the people inhabiting British North America should be prosperous enough and numerous enough to aspire to independence.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—Mr. Speaker, the circumstances which have brought about the contemplated measure—and I trust it will be a successful one—are such as have forced themselves on the consideration of the Government. I have already alluded to one of these, circumstances, and that is the fact that we are passing from the stage of childhood to a higher and more responsible position—that the Government of this country has for some time been in a state of transition, and that this is the only relief which the circumstances present to us, the only way in which an amelioration can be found.

During a number of years, and especially since I have taken an active part in politics—in the course of my various election contests—I have invariably stated, that while I looked upon representation by population as a remedy for the political inequalities which existed as between the two sections of the

province, a Federal union of the British North American Provinces seemed to me to be the only proper and legitimate conclusion to be ultimately arrived at. Therefore, in advocating this scheme and in giving my vote for it, as I shall do when the matter is brought to that stage which will enable a vote to be taken, I am only doing that which I have for a number of years looked forward to, and which I believe the exigencies of the country necessitate.

Some Hon. Members—Hear.

George Jackson [Grey]—There are other circumstances besides that to which I have alluded, which render me favorable to the adoption of the resolutions now before the House. The war in the United States, and the, at one time, apparently imminent disintegration of that republic, strongly directed our attention to the necessity and desirability of uniting with our neighbors for defensive purposes. I do not say that the desire for a union of the provinces grew out of the war in the United States, nor am I going to give any opinion in reference to that war. We all regret its existence, and will all be grateful when it is brought to a close, and the blessings of peace shall again visit our continent. I hope that the commercial relations as between us and the United States will be continued; that we shall have the freest intercourse with that people, and that the passport system being removed, the time is not far distant when our relations with them shall be as friendly and as cordial as they have heretofore been.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—The threatened repeal of the [Reciprocity treaty](#)¹³⁵ is another thing that has led to the strong feeling that has been aroused in favor of this scheme. We hope by this union to obtain a large number of customers for our products, intercourse with whom will not be subject to those interruptions that characterise trade with foreign nations. We shall have a large territory under our own government, trade with which and through which will secure to us mutual

¹³⁵ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

advantages.

Having made these remarks, I would pass on to observe that the expressed desire on the part of the leading men, both of the Government and of the Opposition, in all the provinces, for a close connection, is another strong reason why we should at once take the necessary steps for enabling the union to be carried out. It is a most remarkable and most favorable circumstance that the best men, the ablest men, the wisest men and the most patriotic men in all the provinces—men whose integrity and abilities have raised them to the highest places in the regards of the people, and whose wisdom in the management of public affairs has sustained them for a long period in those high and honorable positions—met together and agreed upon a scheme of union without any dissension.

This agreement in forming a basis of a Constitution, and a foundation to what may become a great nation, I look upon as a most favorable omen indeed. I look upon this union of sentiment as another strong reason for our taking the necessary steps to carry out the union so happily inaugurated, as also a strong evidence of the propriety and wisdom which characterised the course of the hon. gentlemen who composed the respective delegations. The gentlemen representing the Lower Provinces gave

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evidence of ability of a very high order, and I am sure the country will regret that any of the gentlemen who so well adorned the Conference, and who occupied such honorable positions in the government of their provinces, should have lost those positions through attachment to the scheme, for I had learned to look up to those men with a great deal of interest and hope for the future.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—They are men of such a superior order, that they would grace any legislature in which they might be called upon to take part, and I trust they may be soon again placed in the positions of power and

trust from which they have been so unhappily ejected.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—There are other reasons to which I might refer, that are pressing the subject upon our attention. I will first, however, briefly refer to one important point connected with the subject, about which a good deal has been said by those who have spoken against the resolutions, and it is a matter that will be made the utmost of among the electors of Upper Canada. I mean the question of referring the scheme to a vote of the people, at a general election or some other, way, to ascertain what their views are upon it before taking final action in this House. Previous to the opening of the present session, I took occasion to visit several townships in the county I have the honor to represent. I laid the whole matter as fully before them as I could well do, and I did not meet with a single individual who did not recognize it as the duty of the present House of Parliament to carry the measure into effect as speedily as possible, so far as it was in the power of our Legislature and Government to do.

At various meetings resolutions were voluntarily proposed by individuals in the audience, instructing me to support the measure, and further stating that they would consider it a calamity if a general election were resorted to for the mere purpose of obtaining the consent of the people on the subject, nine-tenths of whose press endorse it. So satisfied were my constituents of the fairness of the scheme on the whole, and of the importance of having it go into operation with the least delay possible, that I feel that I shall be sustained in the vote I am about to give, by the sentiment of those whom I represent in this House. For these reasons, then, I am prepared to vote for the proposed union of all the British American Provinces, as provided for in the resolutions now before the House.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—Mr. Speaker, I trust the House will not regard me as desirous of assuming the office of a censor, if I express

my belief that many of the speeches that have been made upon this question have contained a vast quantity of matter quite irrelevant to the question under discussion. There may be parts of the arrangement proposed that are unsatisfactory to many hon. gentlemen, but it is utterly impossible to devise a scheme that will be acceptable to everybody, or that will not be open to the criticism of seeming to bear harder on one section of the country than on another.

But it should not be judged in that manner, but by its general fairness and by its being calculated to promote the welfare of the entire country embraced and to be embraced in the Confederacy. It would be absurd to suppose that a scheme could be devised for the purpose that would please and satisfy every section. The scheme under consideration should not be treated and criticised in this narrow, contracted view. Some portions of the country may have to make concessions and sacrifices for the public good, but these should be cheerfully borne, if not of too aggravating a nature.

If Upper Canada is blessed with more wealth than any of the other provinces, it ought not to be forgotten that its accountability and its responsibility are greater—that they are in proportion to its riches—and while the people of that important section of the Confederacy may be called upon to concede some things that they have valued—very highly for the general welfare, yet it is not for a moment to be supposed—and no one who dispassionately examines the whole subject can come to that conclusion—that Upper Canada will not receive very important advantages in return, in other respects. There must be conciliation and compromise between the several conflicting interests found in so large and so varied a territory, and we never can have a union without meeting and accommodating ourselves to this difficulty.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—The question of our defences is another important consideration in connection with the subject;

but I am not going to discuss that, because I am not a military man. I cannot, however, see how any hon. gentleman can deliberately stand up and express as his candid conviction, that the proposed union will not in any manner increase our defensive power. To me, such statements seem most extraordinary. But this portion of the question has already

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been quite fully discussed; and not being, as I before remarked, a military man, I do not think anything I could say upon it would add much to the enlightenment of the House at this late stage of the debate.

I will, therefore, Mr. Speaker, simply say that I look forward to the union with great hope for the future of our land. In the first place, the union will vastly enlarge our ideas of the greatness and ultimate destiny of these provinces, and give scope for higher aspirations. It will make the young men of this country feel that they have a better inheritance than they now feel to be theirs, and an opportunity of rising to higher points of distinction in this the land of their birth or adoption.

The same opportunities will also be open to the young men of the Lower Provinces, and in this connection I have no hesitation in saying, from what I know of them, that the inhabitants of the Lower Provinces, for enterprise, industry and general intelligence, will compare favorably with any other portion of the territory that will be embraced in the union. It will be an advantage to us to have their cooperation in working out the future of this country, and our connection with them will give birth and life to those ideas that lie at the foundation of a nation's prosperity and happiness.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—And now, Mr. Speaker, having thus rapidly glanced at some of those important particulars that to my mind render the proposal under consideration a wise and desirable one for our adoption, I shall conclude, because I do not desire to protract

the debate, by stating, that for the reasons I have briefly adduced, and from the process of reasoning I have been led to adopt, it is my intention to support the motion for the adoption of the resolutions respecting Confederation, proposed by my friend the Hon. Attorney General West [John A. Macdonald].

Some Hon. Members—*Cheers.*

Thomas McConkey [Simcoe North] said—Mr. Speaker, at this late hour of the night I rise to address you with very great reluctance, but I feel that I would not be doing justice to myself and the people who sent me here, did I allow the vote on this momentous question to be taken without expressing my opinion upon it, however briefly. In doing so, Mr. Speaker, I shall not invoke the aid of history, or exhume old newspaper files to give the opinions of other men, but shall simply confine myself to stating a few of the ideas which have suggested themselves to my own mind in considering the subject. The task is the more difficult at this stage of the debate, as the arguments for and against the measure have been already so ably and lengthily elaborated by members of this honorable House.

Mr. Speaker, we have had eventful times in Canada. The union of the Canadas was an important event in this country; and, sir, although latterly it has not worked satisfactorily, I am not one of those who are prepared to say that under that union we did not prosper. From a very small population, we have grown, under the union, to be a very considerable people, comprising a population of two millions and a-half. We have also grown in wealth, intelligence, and everything else that tends to national greatness.

But difficulties between the provinces have sprung up; Upper Canada rapidly increased in population and wealth over Lower Canada, and has for the last ten or twelve years demanded an increased representation on the floor of this House. She argued, and very properly, that her position was a degraded

one—that with a population in excess of that of Lower Canada by 400,000 people, and contributing about three-fourths of the revenue of this country, she was entitled to such a constitutional arrangement as would place her on a perfect equality with the sister province, and that she would not be satisfied until that was conceded, as the demand was a just and honorable one. Sir, just although this was, Lower Canada, with, I have no doubt, just as much honesty and quite as much determination, resisted their demand.

Hence the terrific struggles which ensued between the sections for the last few years. Within the past three years we have had no fewer than three Ministerial crises. Neither the one party nor the other could govern, so evenly were parties balanced in this House and the country. The machinery of government was almost entirely stopped, and a chronic crisis had set in. Sir, it was apparent to every discerning mind that some solution of existing difficulties must be sought. The present state of things could not continue. Mr. Speaker, I well recollect the announcement of the Honorable Attorney General West [John A. Macdonald].

After [the defeat of his Government, in June last](#)¹³⁶, that honorable gentleman manfully acknowledged the political difficulty in which this country was placed. He informed the House that His Excellency the Governor General [Viscount Monck] had granted the Government *carte blanche*,

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involving a dissolution of Parliament, if they chose, but that they, nevertheless, hesitated to exercise the power; that while individual changes might be made in the constituencies, the two great parties would come back nearly the same; and added, that he had had an interview with the hon. member for South Oxford (Hon. Mr. Brown) of a most satisfactory nature, from which he thought he saw a solution of our difficulties, and asked an

¹³⁶ *Supra* footnote 80.

adjournment of the House. Subsequently, interviews were had between the members of the Government and the member for South Oxford [George Brown], which resulted in the present Coalition Government.

Sir, after a full consideration of the subject in all its bearings, I decided to give the new Government my support, trusting they would be able, as I believed they desired, to put the affairs of this country on a more satisfactory and enduring basis. But, while I support this Government, I must not be understood as approving of coalitions generally. I hold that to a country enjoying representative institutions and responsible government, it is indeed a matter of very little consequence which, of the political parties are in power, so long as there is a strong party to scrutinise their acts, and exercise a general surveillance over them.

When, however, the two great parties coalesce, and there is no strong party in the country to watch them, there is more or less danger of abuses and corruption creeping in. I do not, however, desire that the gentlemen on the Treasury benches should understand that I apply this remark to them. They, sir, I believe, are not only pure, but, like Cæsar's wife, above suspicion. And, if even a necessity existed in any country to justify a coalition, it was in Canada; and I rejoice to know that we had statesmen among us who could rise above the petty political and personal squabbles, in which they had been unfortunately too long engaged, to grapple with a great national difficulty.

Some Hon. Members—*Cheers.*

Thomas McConkey [Simcoe North]—I think, too, it was most fortunate—providential, I might say—that this country had a strong, vigorous Government during the past season, when complications between us and the United States were gathering. To the strength of the Government we owe the prompt manner in which raiders and others, desirous of creating a difficulty between England and America, were put down.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—Mr. Speaker, I have read the resolutions of the Conference, now in your hands, carefully; and while, in my opinion, many of the details are objectionable, from an Upper Canadian point of view, I have, nevertheless, no doubt they were framed with a desire to do justice to all the provinces. No person can read those resolutions without coming to the conclusion that mutual concessions must have been made all round. They clearly bear the impress of compromise.

No doubt, sir, much difficulty was experienced by the gentlemen composing the Conference, in fitting and dovetailing the heterogeneous parts or provinces into a homogeneous whole. I have listened attentively to the speeches of the Opposition, and have so far failed to hear of a better proposition than the one before us; and, indeed, I am not surprised that a better proposition should not have been presented to us, considering that this scheme was compiled by the master minds in British America.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I stated, sir, that some of the details were objectionable, and I now repeat that had the Government permitted amendments to the resolutions, I certainly would have supported them; but in view of the very critical position in which this country stands, I will not assume the responsibility of opposing this scheme as a whole.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—Although I admit the building of the Intercolonial Railroad to be just as necessary to the proposed Confederation as the spinal column to the human frame; nevertheless, in view of the jobbing and extravagance committed with the Grand Trunk, I have a dread of the amount its construction and working will cost this country. Sir, I am not as sanguine as some honorable gentlemen in this House in reference to this road. I have no faith in it as a commercial enterprise; I look upon it as a military necessity, and a bond of union

between the Confederated Provinces. Sir, we have been told that the Imperial Government has been notified of the intention of the Government of the United States to abrogate the [Reciprocity treaty](#)¹³⁷.

To my mind this will be most unfortunate for Canada, and I sincerely trust that the members of the Government who [will shortly visit England](#)¹³⁸ will urge the Imperial Government to secure a renewal of it, if it can be obtained on honorable terms. While hoping this treaty may be renewed, I do not participate in the feeling that its abrogation will drive us into the United States.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—Sir, I regret to hear

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gentlemen speak so glibly of annexation. [One tells us](#) that if Confederation is not consummated, annexation is the other alternative—that we are already on an “inclined plane”¹³⁹—and that the abrogation of the treaty and refusal to adopt the resolutions in your hands will certainly “grease the ways.” Sir, I believe nothing of the kind. The assertion is a libel on the people of Canada, who, I believe, are truly loyal to the British Crown, and have no desire to change the state of their political existence.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—But while provision is made in these resolutions for the construction of the Intercolonial Railroad, I am sorry to see that no decisive provision is made for the western extension. And I would not be at all satisfied myself with the resolutions as they stand, were it not for the positive assurances if the Government that that matter would be attended to simultaneously with the construction of that road. For I hold it to be of essential importance

that we should proceed, as soon as possible, with the opening up of the North-West country and the extension of our canal system.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—And while on this subject, I may be permitted to say that I hope, that in going on with the canals, the Government will not overlook the necessity which exists for the construction of the great Georgian Bay Canal.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I reside on the shores of the Georgian Bay, and am satisfied that that is the best feasible route by which we can hope to bring the trade of the Great West through this country.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I do hope the Government will seriously consider this when they are framing their canal scheme. I am glad to see the Hon. Attorney General West [John A. Macdonald] listening closely to what I am saying on this subject, and I trust he will not overlook it.

John A. Macdonald [Kingston, Attorney-General West]—Hear! Hear!

Thomas McConkey [Simcoe North]—I have no hesitation in expressing my desire that these resolutions as a whole may be carried into effect, and that the whole of the other provinces will come into the arrangement. I hope they will. I would be sorry to see the British Government attempt to coerce them against their will—but I trust that before many months they will see the propriety of coming in—and that before this time twelve months we shall have been formed into one great British American Confederation.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I have no doubt that the consummation of this union will give peace and contentment to the

¹³⁷ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 8.

¹³⁸ The Canadian delegation would consist of John A. Macdonald, George-Étienne Cartier, and Alexander Galt. [Their report can be found later in the volume on Aug. 9, 1865, p. C:15](#), where they presented their discussions in London to the Legislative Assembly.

¹³⁹ [Étienne Pascal Taché, Legislative Council \(Feb. 3, 1865\), p. 6](#).

whole country. I have no hesitation in stating my own conviction that it will give peace and contentment to Upper Canada, by giving us the management of our own local affairs without let or hindrance, while Lower Canada in like manner will have the management of her own local affairs. It will also give Upper Canada, at least in the House of Commons, what we have so long contended for—representation according to our population. I am happy to find that this is fully conceded to us in the popular branch of the Legislature.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I cannot do otherwise than approve of the proceedings of the Government the other day, on the intelligence reaching us of the result of the elections in one of the eastern provinces., When I heard that many of those elections in New Brunswick had gone against the scheme¹⁴⁰, I was at a loss to decide what would be the proper course—whether the scheme should still be pressed, or whether we should turn our attention to some other scheme.

On full consideration of the subject, I have arrived at the conclusion that the Government have acted properly, and that they deserve every credit for the prompt action they have taken to get a speedy decision on this question. It is clear that the question of our defences, and that of our commercial relations with the United States, must be immediately looked to. Some steps must, as soon as possible, be taken to put the country in a proper state of defence. The season is approaching when we would be in a very unsatisfactory condition for meeting a hostile force, and it is the duty of the Government to take prompt action, that we may be prepared, should the hour of need arise.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—A good deal has been said during this discussion about the propriety of an appeal to the people. I hold that great revolutions of this kind ought to receive the sanction of the people. But, in

view of the fact that it is well known that ninety out of every hundred, in Upper Canada at least, are in favor of the scheme, I do not complain that it has not been considered advisable to submit it to a direct vote of the people. For my own part, being fully alive to the great responsibility I had to assume in voting upon these resolutions, I felt it my duty, before coming here, to hold meetings through my county, in order to consult my constituents. Those meetings were held all through the

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riding, and at every one of them the people were unanimous in supporting the scheme.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—Some of the details were objected to, but the scheme as a whole was approved of. These meetings were attended by men of all parties, and the resolutions were moved and seconded in many cases by my political opponents. I did not find more than three gentlemen, at all of those meetings, who gave opposition to the measure. And I may say further, that, when an appeal to the people was mentioned, the expression of opinion was, that it was not at all desirable or necessary, as it was known that the measure was so generally approved of. The result was, that my constituents instructed me to support these resolutions, giving me authority at the same time to propose amendments to such details as I might disapprove of, if the Government would allow any amendments to be made.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—I find, from conversation with several hon. members from the west that I differ from them with reference to the composition of the Legislative Council. I hardly approved of the reposition of the Government when [an innovation was made on the constitution of](#)

¹⁴⁰ *Supra* footnote 2.

[the Legislative Council in 1855](#)¹⁴¹ I felt it was a wrong step, and fully sympathized with the opposition given to it at that time by the present Hon. President of the Council (Hon Mr. Brown) and the honorable member for Peel (Honorable J. H. Cameron).

Had I then been in a position to give effect to my views, I should have joined those honorable gentlemen in protesting against that encroachment upon the Constitution. I approve entirely of the proposition contained in the resolutions now before the House, with reference to this matter. If a necessity exists at all for a check upon hasty and ill-digested legislation of the popular branch, that check should not derive its power from the same source, and in the same manner.

I have, however, for some time inclined to the opinion that the Legislative Council might, with safety, be abolished altogether, and that thereby there would be effected an immense saving to the country. In carrying out this scheme, very much, of course, will depend upon the character of the local constitutions. If such a system can be adopted as will render the working of the local governments simple and inexpensive, it will conduce very much to the prosperity of this whole Confederation. I must say, sir, that if I am permitted to have a voice in the framing of a Constitution for Upper Canada, I shall insist upon it being of the most inexpensive kind, dispensing with a great deal of the paraphernalia that we see so much of here.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—In bringing the new system into operation, and laying the foundations of the new nationality of British North America on a permanent and enduring basis, a weighty responsibility indeed devolves on the governments of these provinces, and the most rigid economy consistent with propriety ought to be, and I trust will be, a leading feature in their arrangements.

Some Hon. Members—Hear, hear.

Thomas McConkey [Simcoe North]—Mr. Speaker, I am no alarmist, but disguise it as we may, this country is at the present moment deeply depressed. I entirely dissent from sentiments enunciated by honorable gentlemen on the floor of this House as to the general prosperity of Canada; the actual state of matters is not as they represent it.

Through a failure of crops for a number of years back in Upper Canada, that section of the province is in a state of agricultural and commercial prostration; farmers and others are unable to meet their engagements to the merchant, who, in consequence, is unable to meet his liabilities to the wholesale dealers, and the result is that scores, I may say hundreds, are obliged to collapse and go into liquidation; bank agencies are being withdrawn from the country districts, and banking accommodation very much curtailed.

Mr. Speaker, these are facts that cannot be gainsaid. Every branch of industry is almost paralyzed at the present moment, and a general gloom hangs like a pall over the land. Under these circumstances, it behoves the Government to do everything in their power to revive and foster industry in the country.

Sir, I will not say that this Government does so, but governments have been too much in the habit of borrowing from the banks that capital which ought to go into circulation for the benefit of the trade of the country. I hold that it is the duty of all governments to refrain from doing anything that will bear upon the people's industry; and I implore this Government to turn their attention to the position of this country just now, and do all they can to better the condition of the people.

While, sir, there are features in the proposition before you which, if they stood alone on their merits, I should certainly oppose, yet, as I stated before, I do not think them of sufficient importance to justify me in rejecting the scheme, which is certainly calculated to elevate us from the position of

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¹⁴¹ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

mere colonists to that of citizens of a great British American nation, covering as it will half a continent, stretching from the mighty Atlantic on the east, to the golden shores of the Pacific on the west, bounded on the south by the great American Republic, and on the north by—sir, I was going to say the North Pole—with, not an intercolonial railroad merely, but an interoceanic communication, stretching from sea to sea.

Mr. Speaker, I deeply feel the great responsibility that attaches to the vote I will shortly be called upon to give. I have weighed well this matter, and taking all things into account, I can arrive at no other conclusion than that it is my duty to vote for the resolutions in your hands, and I am now prepared to do so, believing that I am carrying out the views of the great bulk of my constituents.

Some Hon. Members—*Cheers.*

On motion of Henri Taschereau [Beauce], the debate was then adjourned.

On the Order, for resuming the debate upon the motion "That the question be now put"¹ upon the Resolutions relating to Confederation, being called—

Luther Holton [Chateauguay] rose to a point of order, objecting that the "previous question" was in the nature of an amendment, and that no member could move an amendment to his own motion.

After some discussion,

Mr. Speaker decided as follows:—

"The original motion, made by the Hon. Attorney General for Upper Canada, is that the House should concur in certain resolutions relating to a Federal union of the provinces. Debate having arisen thereon, the Hon. Attorney General for Upper Canada moves, not in amendment in my opinion, 'that that question be now put.'

The substance of an amendment is to alter the original question. Does this motion alter the original question? So far from that, it is a proposal to bring that question before the House for immediate decision. The authorities cited to show that this motion is an amendment sustain the contrary view in my judgment, because they only state that the previous question is 'in the nature of an amendment.' If it were really an amendment, or were to be used as an amendment it would be stated that it was in fact an amendment. The motion to adjourn is also spoken of as being in the nature of an amendment, but it is not an amendment, and like 'The previous question,' does not displace the original proposition, if carried. Hence I conclude that 'The previous question' is not an amendment. The objection that the Hon. Attorney General for Upper Canada cannot move it, on account of having proposed the original motion, in my opinion is not valid."

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



FRIDAY,
MARCH 10, 1865

¹ This continues the debate that the question be now put, which was introduced by [John A. Macdonald to the Legislative Assembly \(Mar. 7, 1865\), p. 703](#). The motion, "that the question be now put" is effectively a closure motion, which may be used to bring the debate on a particular motion. If the House votes in favour of a motion "that the question be now put," the motion which is then under debate is "put forthwith, without any amendment, or debate." In this case, [the main question was John A. Macdonald's February 3 motion for an Address to Her Majesty](#). Once he had moved "that the question be now put," the House began to debate whether it was appropriate to bring to an end the debate on the "main motion" (ie on the motion to endorse the Address to Her Majesty). On this day, March 10, the Assembly voted in favour of the motion "that the question be now put." Once this had happened, a second vote immediately took place on the February 3 motion. With both questions resolved in the affirmative, the confederation scheme had now been formally endorsed. [On March 13, a select committee was formed to draft the address to Her Majesty](#), and laid at the foot of the Throne later that day. The standing order regarding "the previous question" may be found in [Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Canada, adopted by The House, in the 3rd Session of the 6th Parliament, and revised in subsequent Sessions. \(1866\), Rule no. 35](#).

Henri Taschereau [Beauce] said—It is not without hesitation, Mr. Speaker, that I rise at this late period of the debate to offer a few observations on the measure before us—the plan of Confederation of the British North American Provinces; and my hesitation is the greater that I am under the necessity, not only of speaking on a question which has been so long and skilfully discussed, that it would appear almost impossible to say anything which may interest hon. members, but also and more especially that after long and deliberate consideration—after carefully weighing the gist and tendency of these resolutions, and tracing out the effects which cannot fail, I believe, to result from the measure of which they are the exponents—I feel myself bound, Mr. Speaker, to abandon, on this question, those with whom I have always acted hitherto, to differ in opinion from those whose talents and judgment I have never ceased to admire, and to record my vote against the new Constitution which is proposed to us in those resolutions.

Some Hon. Members—Hear! Hear! *from the left.*

Henri Taschereau [Beauce]—It could not fail to be to me a particular cause of regret that I felt compelled to come to this conclusion. I could not understand that this measure was a simple party matter—one of those questions on which those party feelings which have prevailed in Canada so many years ought to influence anybody. I could not conceive how, in considering a question which, in my opinion, imperils all that we hold most dear, and opens to us, if it is carried, the prospect of a future, dark with clouds, portending evil not only to us Lower Canadians, but perhaps no less to all British North America—I could not conceive, I say, how I could be unmindful of my convictions, and lay aside my fears and the sense of duty which binds me here, to yield blind obedience and submission to the influence of political party. I thought myself at liberty to think

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for myself, even on so important a question; and I am persuaded that if there are members of this House who consider themselves authorized to doubt the sanity of those who do not always think as they do, they are not in a majority here.

For my own part, Mr. Speaker, I respect every man's opinion. I am willing to allow all who are so disposed to think differently from me, and do not, on that account, hold them to be either prejudiced or dishonest; on the contrary, I am willing to believe that they act according to their convictions, and with perfect good faith. I desire that others will judge me in the same manner, and that those from whom I am now dissentient on the subject of the resolutions in your hand, Mr. Speaker, will believe, at least, that I too am acting in this matter according to my honest convictions and with good faith; that I, too, am animated by love for my country and my nationality; that I, too, have at heart the preservation of that nationality and those institutions which have been transmitted to us by our fathers, as the reward of so many struggles and sacrifices.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—At this advanced stage of the debate, it is not my intention to combat or discuss all the arguments which have been urged in favor of Confederation. I must, however, observe that I have not been convinced by the hon. gentlemen who have spoken before me, that the Constitution offered to us embodies guarantees sufficient to protect our rights. I am of opinion, therefore, that the vote which I shall give against Confederation would be given by a large majority of my constituents, and a large majority of the people of Lower Canada; and my opinion on this subject is so firmly grounded, that I should despise myself if, for the sake of not separating from my party, I were to vote for Confederation, my convictions being so strong and so sincere.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—We were taught to believe, till within the last two or

three days, that the most ample discussion of the question would be allowed; but, by the moving of the previous question, the face of things has undergone a change. This House, and all Lower Canada, supposed that before being called upon to vote on the main question, we should have had an opportunity of obtaining an expression of the opinion of the people. I am persuaded that if, after a full and complete discussion to the measure in this House, the people were called upon for their opinion, they would be more decidedly opposed to Confederation than they ever were to any measure.

Some Hon. Members—Hear.

Henri Taschereau [Beauce]—Unfortunately, as the previous question has been moved, we must vote on the resolutions as they stand, without being able even to move amendments which might render them less objectionable to the country.

I now come to the appeal to the people. Well, I maintain that in voting to change the constitution of the Government, without consulting the people on the subject, the members of this House are exceeding their powers; and that even if the people were in favor of Confederation, they ought not to pass it, as they are now about to do, without special authority.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—The hon. member for South Lanark (Mr. Morris) has told us that this is no new question—that it has been for a long time a subject of discussion—that the people understood it thoroughly, and that the members of this House were privileged to vote on it without referring it to their constituents. I am quite aware that much has been written on the subject of the Confederation of the provinces; but has the question ever been discussed before the people at elections? I am fully convinced and perfectly certain this question was never brought up at any election, nor the question of any Confederation at all. It has never been laid

before the people, and the people have never expressed an opinion on the subject.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—It appears to me that the amendment which is to be moved by the hon. member for Peel (Hon. J. H. Cameron), after the present resolutions have been voted by the House, will be in a singular position.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—I have understood the explanations given by the Honorable Attorney General for Upper Canada (Hon. J. A. Macdonald), relative to the resolution of the honorable member for Peel [John Cameron]—that the resolutions before the House would be passed first, and that afterwards, [when the House went into committee, the hon. member for Peel \[John Cameron\] would move his amendment, namely,](#) “that the House will vote the Address to Her Majesty this evening, in order that the Government may despatch it to England tomorrow, if they please, and that on Monday afternoon the hon. member for Peel [John Cameron] will come and move an Address to His Excellency, praying that he will refer these resolutions to the people.”²

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—I confess that I do not understand how the members of this

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House, who are in favor of the appeal to the people, can vote for Confederation after the previous question has been decided, any more than I can understand how the hon. member for Peel [John Cameron] can move the appeal to the people after the resolutions have been passed. The hon. member has said that he would endeavor to move his resolutions before the Address is presented to His Excellency [Viscount Monck], or before it is referred to a committee of the whole House; but I think I understood likewise that the Hon.

² [John Cameron, Legislative Assembly \(Mar. 7, 1865\), p. 716.](#) Quote is not verbatim.

Attorney General for Upper Canada [John A. Macdonald] will not allow this, and has said that the hon. member for Peel [John Cameron] is not entitled to do so.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—I am not alone in feeling the apprehensions which I have expressed relative to the new Constitution intended for us. A member of this House, who wrote, now a long time since, on the subject of Confederation, has allowed us to see indistinctly that the resolutions as presented to us did not afford sufficient guarantees to settle all our sectional difficulties at once. The honorable member for Montmorency [Joseph Cauchon] could not, in [his pamphlet written in 1865](#), avoid saying as follows:—

But, nevertheless, it is clearly evident that concurrent legislation is full of danger for the future; that is plainly laid down even in the clause that we are now discussing, since, to obviate it, central legislation has invariably been made to predominate over local legislation. Will it be possible to avoid the points of contact likely to be produced by concurrent legislation, or to define them with such precision that these conflicts would be impossible, or nearly so? Without harmony the system would be worth nothing, and would soon destroy itself; and the harmony of the system cannot be found exclusively in the predominant power of the Government and of the Federal Parliament. It is necessary that this harmony should also exist in the inferior machinery, and be felt throughout the whole system.³

And afterwards, [in the same chapter, he adds:—](#)

In fact, will not the elements upon which the local institutions will be based, be reproduced in all their vivacity in the Government and in the Federal Parliament? And this local power which it has been their object to compress will react dangerously on the whole system. At one time it may be Lower Canada that will be punishing its Ministry and its members for having wounded Lower Canadian feelings and striking at its interest; and another time it may be Upper Canada, or perhaps the Atlantic Provinces, that may make similar complaints. This should not be, and to avoid it our eminent statesmen must put their head together to find a better solution to the problem.⁴

While the hon. member for Montmorency [Joseph Cauchon] was writing that article, he naturally saw that Confederation would have some very complicated parts in its machinery, and that the difficulties which might occur would not be easily surmounted—that the resolutions would need to be amended. That was, no doubt, the opinion of the hon. member for Montmorency [Joseph Cauchon] when he wrote those articles, but since he has found that the Ministry are resolved not to allow any amendment of the resolutions, the honorable member has thought it better to take them as they are, with all their imperfections, than to risk losing Confederation altogether.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—I believe, Mr. Speaker that we needed a remedy for the constitutional difficulties in which we were involved, but I believe also that the remedy proposed would be worse than the disease sought to be cured.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—I believe that the country has suffered from those difficulties, but on the other hand I see in Confederation internal strife in the local legislatures, not to speak of that strife which will infallibly spring up at an early day between the federal and the local legislatures.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—It is evident that the federal will never be able to satisfy the local legislatures. In Lower Canada, for instance, we shall have a pretty strong party—the English party, Protestants, who will carry their complaints to the Federal Government, just as, in Upper Canada, they made complaints relative to representation based on population, and that party being a minority in Lower Canada, will seek a remedy for their evils, real or imaginary, at the hands of the Federal Government. Moreover, we shall have constant contests and sectional

³ [Joseph Cauchon, *The Union of the Provinces of British North America* \(1865\), pp. 128-129.](#)

⁴ [ibid., p. 129.](#)

heart-burnings between the local legislatures themselves, on all those subjects on which their interests may come into collision.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—Let us suppose, for instance, that the Legislature of Lower Canada should make some perfectly just demand, something to which that province is clearly entitled, and that the representatives of Upper Canada and the Maritime Provinces should combine to hinder it from obtaining its demand—would the Lower Canadians be well satisfied with such treatment? And this might easily happen. The hon. member for Vaudreuil (Mr. Harwood) has spoken in pompous language of the prosperous future which awaits us under Confederation. To hear him we are not only to have coal mines,

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but lakes of gold at our disposal. I think the honorable member's figures of rhetoric have carried him rather too far; and I sincerely believe that instead of that prosperous and happy future foreseen by him, we are preparing for ourselves a state of things which will cause us to repent in ten years of what we are now doing. I believe that we are commencing Confederation ten years too soon.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—We should have an Intercolonial Railway at least five or six years before thinking of Confederation. At present we are as much strangers to New Brunswick and Nova Scotia as we were previous to last autumn. We may perhaps know them a little better than we did before we began to discuss Confederation; and we ought, in the first place, to establish easy methods of communication between those provinces and ourselves, as a means of bringing about Confederation at some future day, if it be practicable. I say that the Intercolonial Railway ought first to be built,

and that Confederation might be put off even several years after that.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—[Article 41 of the resolutions](#) before us says as follows:—

The Local Government and Legislature of each province shall be constructed in such manner as the existing Legislature of each such province shall provide.⁵

If I understand that article right, the local constitution of Lower Canada will be settled by the present Legislature; just as in New Brunswick, Nova Scotia, &c, the present legislatures will decide on the constitution of their legislatures under Confederation. Very well; but in that case Upper Canada will give us a constitution, as we may give her one. The effect of that clause will be, that in order to the organization of its local constitution, Lower Canada will stand with 47 French-Canadian votes, against 83 votes of members of other origins. We shall therefore not stand on the same footing as New Brunswick or Nova Scotia in this respect; the difference will be very great.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—We have only 47 French-Canadian votes out of 130, and we could not count on Upper Canadian members for the safety of our interests—either local or religious—whereas they would have the support of all the English and Protestant members from Lower Canada.

Some Hon. Members—Hear.

Henri Taschereau [Beauce]—And in Confederation the English minority of Lower Canada will not make common cause with the French-Canadian party, but, on the contrary, with the Upper Canadian party; for they will look to Upper Canada for protection.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—We are told that all our interests and institutions are protected, and that the clergy are in favor of Confederation. I, for my own part, have seen

⁵ [Quebec Resolution 41. Resolutions were presented to the Legislative Assembly on Feb. 3, 1865, p. 18.](#)

no proof of the truth of that assertion; I believe that the clergy have not made any display of their opinions on this question. I am moreover convinced that those of that body who have considered the question, have looked upon it as fraught with danger for us—as pregnant with evils, the development of which may be grievous to us as a nation hereafter.

Another part of the resolutions which we should not adopt without consideration, is that contained in the [34th article of clause 29](#). It reads as follows:—

The General Parliament shall have power to make laws for the establishment of a General Court of Appeal for the Federated Provinces.⁶

We have a guarantee that we are to have our own local tribunals, that our judges will be taken from the bar of Lower Canada, and that our civil laws will be maintained. Why then establish a Federal Court of Appeals, in which appeals will lie from the decisions of all our judges? We are told, it is true, by the Hon. Minister of Finance [Alexander Galt], that the resolutions did not create a Court of Appeals, but only gave the Federal Parliament the power to create it. But what difference is there between creating the court forthwith and granting a right to create it hereafter? The principle is the same. If the Government may lawfully create such a court, no one can prevent the Federal Government from establishing it whenever they think fit.

Would this tribunal be an advantage to us French-Canadians, who are so attached to our civil code? It will be composed of judges from all the provinces—from New Brunswick, Nova Scotia, Upper Canada, &c.; and notwithstanding the talents and the learning of all those judges, we Lower Canadians cannot hope to find the same justice from such a tribunal as we should receive from one consisting of judges from Lower Canada; for our laws being different from the laws of those

provinces, they will not be able to understand and appreciate them as Lower Canadians would.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—And, moreover, when this new Court of Appeals is instituted, the appeal to England will not be abolished, so that we shall have one more means of producing delay and increasing the costs of suitors. Lower Canadians will

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assuredly be less satisfied with the decisions of a Federal Court of Appeals than with those of Her Majesty's Privy Council. In good truth, I do not see why this clause was imposed upon our delegates. I do not suppose that the delegates of the other provinces can have very strongly insisted on it; but even if they had, I do not see why ours submitted to it. Of course our laws would not be understood in such a court, and most of the judges would render their decisions according to principles of jurisprudence unknown to Lower Canada.

I am convinced that those Lower Canadian members who are in favor of Confederation are not in favor of a legislative union; but have they not read [the speech made at Toronto by the Hon. President of the Council \(Hon. Mr. Brown\)](#)?⁷ And did they not hear [that of the honorable member for South Leeds \(Mr. Ford Jones\)](#),⁸ and the speeches of the members from Upper Canada generally, who nearly all spoke in favor of a legislative union, declaring that they accept Confederation as an instalment—a first step—towards a legislative union, which we shall have in a few years?

It is not necessary for me to discuss, on this occasion, the advantages or disadvantages of a legislative union, for all the members are perfectly well acquainted with the question; but I am well convinced that the Confederation will be converted into a legislative union in a few years. I believe that the Hon. Minister of Finance [Alexander Galt]

⁶ [Resolution 34](#), *ibid.*

⁷ [George Brown, Speech at Toronto \(Nov. 1864\)](#), [Edward Whelan, The Union of the British Provinces \(1865\)](#), pp. 186-203.

⁸ [David Jones, Legislative Assembly \(Mar. 9, 1865\)](#), pp. 814-820. The comment on the legislative union is on p. 818.

and the hon. member for South Leeds [David Jones] were sincere in saying that, and that they were perfectly convinced of its truth.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—It has been said, as a reason for hurrying on the passing of the measure that if we wish for Confederation, now is the time to obtain it; that if we wait another year it will be too late; that the Lower Provinces are ready for Confederation, and that England is disposed to grant us a new Constitution. I believe that the Lower Provinces have proved to be a little slack in fulfilling their engagements, and that the policy of the Government might therefore, with great safety, undergo some modification.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—But if we must absolutely have Confederation, if there is no getting on without it, why was not an appeal made to the people last autumn, when the scheme was quite prepared?

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—For my part, I think that the want of the measure of Confederation is not so urgent as it is said to be, and that time should be taken to mature the plan. Does anybody believe that the question of Confederation would have been thought of if the Taché-Macdonald Ministry⁹ had not [been overthrown last summer](#)¹⁰? No; we should not have heard a word about it.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—So that Confederation was not so very pressing at that time! And if they want of it was so little felt in

[the Constitutional Committee appointed last year at the instance of the hon. member for South Oxford \(Hon. Mr. Brown\)](#)¹¹, that many members who this day vote themselves, and induce others to vote for Confederation, thought themselves authorized to oppose it then, and to [vote against any proposition of the kind](#)¹², I think that it is not so needful to unite us by Confederation as we are told it is. I believe that if the adoption of the measure is urged forward so anxiously, it is only because there is fear of public opinion being roused to examine it, and fear especially of its not being accepted hereafter, when the people have pronounced upon it.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—And, I repeat, I believe in my heart, if the Government had not been [overthrown on the 14th June last](#)¹³, we should never have heard a word about Confederation this year.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—As I said when I commenced speaking, I will not discuss every question connected with this scheme, because the House must be tired of such a long discussion. I am bound, however, to declare again, that all the reasons hitherto alleged in favor of Confederation, and all the magnificent pictures presented to our view of the prosperity we are to enjoy under its auspices, have entirely failed to convince me that it is our bounden duty to adopt the resolutions laid before us; and notwithstanding the eloquent speech made to us yesterday by the hon. member for

⁹ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864).

¹⁰ The administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight – an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton’s *The Road to Confederation* \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\)](#), pp. 387-390. Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” *Legislative Assembly \(Jun. 22, 1864\)*](#), pp. 205-206.

¹¹ George Brown created the committee on Mar. 14, 1864. [Journals](#), p. 91. The report was adopted on Jun. 14, 1864. [Journals](#), pp. 383-384.

¹² John A. Macdonald voted against [the report](#). *ibid.*

¹³ *Supra* footnote 10.

Vaudreuil (Mr. Harwood), I cannot say, as he does, that our posterity will be grateful to us for having opened the way for them to become members of the great empire of the Provinces of British North America. I shall say, on the contrary, what will be soon found out that this Confederation is the ruin of our nationality in Lower Canada—that on the day when Confederation is voted, a death-blow will have been dealt on our nationality, which was beginning to take root in the soil of British North America.

Some Hon. Members—Hear, hear.

Henri Taschereau [Beauce]—Our children, far from feeling grateful for what we are now doing, will say that we made a great mistake when we imposed Confederation on them.

Some Hon. Members—*Cheers.*

Alexander Smith [Toronto East]—Mr. Speaker, I

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cannot permit the vote to be taken on this important measure, without placing on record some of the reasons which induce me to give it my support, and to show why, to some extent, I have changed my views on a few of the leading details of the scheme. When, sir, the people of the first commercial city in Western Canada elected me to represent them on the floor of this House, I publicly stated that by every legitimate means I would oppose the construction of a railroad between Canada and the Lower Provinces—then, as I do now, believing that in a commercial point of view, that Intercolonial road would never pay, nor be even beneficial to Upper Canada. But at the same time, sir, I pledged myself to urge upon the Ministers of the Crown and this House the vast importance to the country of an enlargement of our canals and the extension of our canal system. Since then, Mr. Speaker, our political and commercial positions are very much changed.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—Threatened with the abrogation of the [Reciprocity treaty](#)¹⁴, a very serious loss will be entailed on Canada—if the threat be carried into execution—without any advantage accruing to the United States. Indeed, from the nature of our commercial relations with the United States—the natural result of a trade fostered and carried on between the United States and Canada for years—the abrogation of the [Reciprocity treaty](#) cannot be otherwise than attended with great distress and serious loss to the business men of this country.

In addition to this, sir, we are threatened with the abrogation of the bonding system. Surely this is much to be deplored. To every thinking mind a resort to such measures must seem absurd, and what could induce a people so thoroughly commercial as the people of the United States, to desire the abrogation of a treaty which, while it benefits us by permitting the transit of goods through their territory, also benefits them largely by increasing their carrying trade, and fosters an immense trade in the purchase of goods of all descriptions in bond—I must declare my inability thoroughly to understand.

But, however strange, Mr. Speaker, all this may seem to us, angry men, it must be admitted, frequently do indulge in strange antics, and it need not surprise us that a nation plunged in all the horrors of civil war should, under the excitement of some real or fancied wrong, do the same thing; as has been exemplified in the adoption of the despotic system of passports, the abrogation of the [Reciprocity treaty](#), and the annulling of the treaty for the extradition of criminals.

Yet, Mr. Speaker, I cannot believe that the United States will abrogate either the one or the other, and I do not believe that the great and high-minded and honorable men who control the moneyed institutions of the United States will permit it. But, sir, it is only right on

¹⁴ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

our part to do the next best, and only thing we can, to protect ourselves from the loss and inconvenience to our trade in winter, and that is, to build the Intercolonial Railroad—for we must have a highway to the ocean at all seasons for our mails and our merchandise. But, Mr. Speaker, while I admit that I have changed my mind with regard to the Intercolonial Railroad in voting for the scheme in which it is a prominent measure, I am more and more convinced of the paramount necessity of immediately setting about the enlargement of our canals.

We hear of schemes to connect the Georgian Bay with Ottawa by way of the French River route and the Trent route, and sir, perhaps the only practicable and shortest route via Toronto and Lake Simcoe; but all these only divert attention from what really can and ought to be done, at a very trifling cost in comparison with any other scheme—I mean the enlargement of the canals we now have.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—We have now nine feet of water in the St. Lawrence canals, and ten feet in the Well and, and the cost of increasing the depth of those canals to twelve feet, I am told by men competent to judge, would be trifling indeed—probably not over two or three millions of dollars. But if it cost as many pounds, I contend that it would not really cost the country one cent. If the toll of one cent per bushel on grain outward and a proportionate rate on inward merchandise were enacted, the canals would not only be self-sustaining, but would become a source of revenue to the provinces.

Take for instance, what I believe a small estimate, one hundred millions of bushels outward, and an equal amount inward for other merchandise, and you would have a revenue of two millions of dollars—a sum more than sufficient to pay interest and working expenses. Then, Mr. Speaker, see the

impetus it would give to our inland shipping trade, if we could—and we could then do so— attract to the St. Lawrence route the immense grain crops of the Great West.

I might also refer, Mr. Speaker, to the ship-building suited to the wants of our country, and the immense advantage

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shippers of grain would have if their vessels proceeded to sea without the ruinous delay of transshipment, and the mixing and destroying of property round the wharves and storehouses at the different points at which grain, under the present system, has to be transhipped. I only wish I had the eloquence of the Hon. Attorney General West [John A. Macdonald]; with the little practical knowledge I have of those things, I think I would be able to interest both western and eastern members alike on the necessity of improving, and at once, this great and vital avenue to our future prosperity.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—Now, sir, with regard to our defences; while I do not object to some expenditure to please the English people if you choose; I am of opinion our best defence is to cultivate with the United States friendly commercial and political relations, and then, sir, I do not fear that if we do what is right, they will do us any wrong. Sound and honorable conduct on our part is of more strength than all the forts of masonry or earthwork that we shall ever see.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—Mr. Speaker, the prompt and manly course that our Government has pursued with regard to the [Alien Bill](#)¹⁵, and calling out a portion of our volunteers to repress raiding and piracy, will entitle them to the gratitude of every right-minded man in this country. Sir, had they commenced to build forts and arm ships, instead of the manly and honorable course

¹⁵ [An Act for the prevention and repression of outrages in violation of the Peace on the frontier of this Province, and for other purposes \(Province of Canada, 1865\).](#)

which they did pursue, they would, in my opinion, have found use for their volunteers and their forts too; while I hope that in a very short time they will not require either.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—I wish now to say a few words about this great Confederation, from which so much is expected, commercially and politically. I am of opinion that the advantages will be very evenly divided—they taking our grain and flour, while we buy their fish and oil. We will have an open market for our manufactures with them, and they will have the same for theirs with us, so that it is a mere matter of who gives most. But at present the Maritime Provinces import from the United States flour and grain, if I am correct, to the amount of three or four millions of dollars' worth per annum, which our political and more intimate relations would in a more or less degree attract to Canada; and I have no doubt our merchants would know how to turn those advantages to account.

Mr. Speaker, these are some of the reasons why I gave this Confederation scheme my hearty support, believing that the honorable gentlemen who have brought this treaty before this House have no other motive, and can have no other motive, but the promotion of the best interests of this our adopted land.

Some Hon. Members—Hear, hear.

Alexander Smith [Toronto East]—I think the scheme as proposed is, as near as it can be, fair to all the provinces. Before I close, I would just say a word with reference to the course pursued by my respected and honorable colleague from Toronto West (Mr. J. Macdonald).

I have no hesitation in saying that I am confident that he is sincere in his opposition, and he may be right; but I am not so sure that he represents the wishes of his constituents. I attended a large and influential meeting of the citizens of the city of Toronto before the meeting of this House, and a gentleman there proposed that the scheme should not be carried into effect until it was referred to the

people, but he could not get even a seconder to his resolution. For myself, I feel justified by the result of that meeting in supporting this scheme throughout. The meeting was extensively advertised—all had an opportunity to attend, and both sides of the question were ably argued. I shall record my vote for the scheme, and shall be happy to see it carried into early consummation.

Some Hon. Members—*Cheers.*

Walter Shanly [Grenville South] said—In rising to address the House on the great question under debate, it is not my intention to go minutely into the subject; for after all that has been said, and the great length to which the debate has dragged on, I cannot expect to be able to fix the attention of my hearers for very long, even were the subject one to which I could speak authoritatively, instead of being, as it is, one that the ablest and most statesmanlike among us must in a great measure accept upon faith—trusting to the future to develop the excellences claimed for it on the one hand, or to establish the faults that are charged on it on the other. But though I do not pretend to be able to say anything new on the subject, or to throw any light on the uncertain future that lies before us, still I would be unwilling that in, perhaps, the most important division ever taken in a Colonial Legislature, my vote should be recorded without my first stating some, at all events, of the reasons that actuate me in voting as I intend to vote.

One feature has been strikingly observable in the debate, and that is, that from first to

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last, as far as it has yet gone, no new thing has been offered or suggested. The programme of Confederation stands now exactly as it was presented in a quasi-private form to the representatives of the people of this country some four months ago. The promoters of the scheme have added nothing to, taken nothing from the original bill of fare, and they have as good as told us, frankly and squarely, that they would add nothing to, take nothing from

it if they could. The opponents of the project on the other hand, while giving it a sweeping condemnation, offer nothing, suggest nothing to replace that which they so summarily reject. Nothing is easier than to find fault with other men's work; it is a talent that we all possess, and that few of us ever think to hide under a bushel. For myself, though in favor of the scheme, being equally at a loss with other honorable members to say anything new upon it, I, too, will have to turn to my fault-finding instincts in the first instance.

The honorable member for Montreal Centre (Hon. Mr. Rose) has said in his able speech that if we could not improve on the project, we should forbear to find fault with it. I do not agree with him. On the contrary, I conceive that even though approving of the resolutions as a whole, it is the duty of members speaking to the question to point out and place on record the faults that strike them as likely to require correction by and by.

And first of all—coming to discuss Confederation from my own standpoint—I would say that I have long looked forward to the time when the whole, of the British North American Provinces would be united under one stable government; believing, as I always have believed ever since I came to know this country well, that we possess all the elements, in natural resources and endowments, and in distinctive geographical position, to form the ground-work of a power on this continent. I feared, nevertheless, when the project was foreshadowed here last year that the time was not yet full for bringing about the desired combination. I feared that the almost total separation, political and social, which had heretofore existed between ourselves and the provinces below, might possibly cause a premature union to result in permanent estrangement. It appeared to me that we should first have cultivated social and commercial relations with our kindred on the seaboard before uniting, for better for wise, in a political alliance.

These were the views which I took of the Confederation project when it was so

suddenly sprung upon us at the close of last session; and I confess that I still entertain grave apprehensions that we may be about to come together upon too short an acquaintance, before we have an opportunity of knowing one another, and learning to adapt ourselves the one to the other. In this consists my broad and general objection, not to the principle of Confederation, but to the hastiness with which it is sought to be carried out—threatening, as I fear, to mar our destiny in striving to overtake it?

To the details of the scheme itself I hold one strong and marked objection, which I desire to record, though I know that this is not the time or place for remedying defective details. I allude to the Federal feature of the project. I own to a rooted dislike, if not to the Federal principle or Federal theory, at all events to the practical results of the working of the system; and neither the warm eulogium which the Hon. President of the Council (Hon. Mr. Brown) has passed upon the system as illustrated by its working in the United States, nor the milder defence of the system pronounced by my hon. friend the Hon. Minister of Agriculture (Hon. Mr. McGee), has served to clothe it in other than most distasteful colors in my sight.

However the Federal system of government may have tended to promote the material growth of the United States—and it would not be safe to assert that such a country, with such a people, would have failed to attain to early greatness under any form of free government—however, I repeat, the Federal form of government may have promoted the material progress of the United States, it does not seem to me to have elevated, politically speaking at all events, the moral standard of the people of the United States. One most marked and evil result of the system has been to produce politicians rather than statesmen—swarms of the former to a very limited proportion of the latter; and I would much fear, if we are to see Canada redevise, that the petty parliaments of the separated provinces will prove to be but preparatory schools for

that class of politicians who take to politics as to a trade, and whose after-presence in the greater Assembly—to which they would all aspire—would serve to depress the standard of political worth, to lower the tone of political morality, which we might hope to see prevail in a Confederated Parliament of British North America under a purely legislative

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union, which is the description of union into which I trust to see the present imperfect Constitution, or proposed Constitution, eventually merge.

For the reasons stated I have looked upon this Federal scheme of union with dislike and distrust. But the promoters of the scheme, most of whom, it must be admitted, have appeared here rather as its apologists than as its upholders, tell us that it is a necessity of circumstances, an unavoidable consequence of difference in language, laws and local interests between Upper and Lower Canada on the one part, and an absence of community of local interests between us here in Canada and the Maritime Provinces on the other hand. The latter part of the argument is undoubtedly correct; but, admitting the whole of the premises, for argument sake, the other question naturally suggests itself: Is Confederation, even in the faulty form in which it is laid before us, to be accepted as a likely remedy for the evils under which we now labor in Canada, and as a possible antidote against the greater evils which threaten us in the near future?

I would answer that question in my own way, and from my own point of view by and by; meanwhile I would ask to be permitted to say a word in respect of the financial phase of the Confederation project; and upon that point I feel it difficult to agree with my hon. friend the Hon. Finance Minister [Alexander Galt], in assuming that the joint expenses of the two local governments here in Canada may be kept so much below what we are now paying for our single form of government, as to leave a wide margin towards defraying, if not wholly

to cover, our proportion of the expenses of the General Government. I can hardly venture to take such a *couleur-de-rose* view of our position as that. I will not weary the House with estimates and figures, which, after all, can be but problematical and conjectural; but I would venture to predict that under our new condition of existence, with its *quasi* national obligations, our expenditure must increase largely beyond the present limits that we have hitherto been accustomed to.

I believe that to be an inevitable result of the Confederation; but I also believe that there is a future looming upon us—Confederation or no Confederation—which will involve us in duties and responsibilities which we must not shirk—which, in fact, we cannot shirk if we would. The signs of the times are not to be mistaken, and I fear we have an expensive future before us for some time to come. But if, in bringing about a union of all these provinces, we were in reality laying the sure foundation of social, commercial, and political prosperity—if we felt that in reality we were laying the ground-work, as it were, of a new nation on this continent—we might justly, along with the great benefits we bequeath to posterity—benefits which we, in our generation, cannot hope to enjoy in thankfulness—bequeath to them also the financial burden which would seem to be the ordained and inevitable accompaniment of progressive nationality. And if I felt assured in my own mind that this measure of Confederation, faulty as it is, promised even a fair chance for successfully solving a great political difficulty, I for one would not fear to take my share of the responsibility of increasing the expenses of government and adding to the debt of the country.

I have alluded to the expenses attendant on Confederation as being, to a certain extent, conjectural and problematical; but there is one item of its cost which is not of that character. The Intercolonial Railway is a vital part of the Confederation project—the latter could have no useful, practical existence without the former. As a commercial undertaking, the

Intercolonial Railway presents no attractions, it offers no material for a flattering prospectus; we could not invite tout the attention of European capitalists as presenting an eligible investment for their surplus funds. But for the establishing of those intimate social and commercial relations indispensable to political unity between ourselves and the sister provinces, the railway is a necessity. It will, therefore, have to be undertaken and paid for purely as a national work, and it is right that the people of Canada should know and understand in the outset what the probable addition to our public debt would be in connection with [the 68th resolution](#)¹⁶.

I do not think the proportion of the cost of the railway falling to the share of Canada can be much short of what we have already given towards the construction of the Grand Trunk Railway—at all events from twelve to fourteen millions of dollars. If it shall come about that the sense of the people is to be taken on the Confederation question, the Intercolonial Railway feature in the plan will prove the most difficult to reconcile the people to, and especially the people of Upper Canada.

In my own constituency—and I

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may venture to assert that there are not many honorable members in the House stronger in their constituencies than I am—if I were to come before my electors purely on the Confederation issue, and as the advocate of Confederacy, I know that denunciation of the 68th resolution would be a tower of strength in the hands of any anti-Confederate opponent who might choose to measure swords with me in the electoral field; but I would be prepared to face that difficulty, and in the fullest confidence that I could do so successfully and triumphantly, if satisfied that I could—and I think I could—show to my people that the scheme of Confederation, even with the Intercolonial Railway in separately

interwoven in its web, is essential to our existence as a British people.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—Reverting to the objectionable features I have alluded to in the resolutions before us, I have asked myself this question—Is Confederation, as offered to us, faulty, as the plan may be likely to work well for the future of the country? Is it likely to prove a satisfactory solution of the very grave political difficulties that beset us? It would be in vain to attempt to conceal from ourselves that Canada is at this moment approaching the most critical period of her hitherto existence. Threatened with aggression from without, we are not in a gratifying condition of prosperity within, let blue-books and census returns say what they will to the contrary.

Great any momentous events are transpiring just beyond our frontier—events which have already seriously and injuriously affected us commercially, and which must inevitably, in some way or other, affect us politically. A people until recently devoted only to industrial pursuits and the development of their country, have suddenly expanded into a great military power. To use their own expression, the Americans are “making history very fast,” and it is impossible that that eventful history can be manufactured in a territory separated from our own by little more than an imaginary line, without our having eventually some part in its pages, for good or for evil.

In fact we cannot conceal from ourselves that some great change is impending over the destinies of our country—a change that will present itself to us in some form or other, and that before long, without its being in our power to avert, though it may be in our power to shape it. There is fast growing up in England a feeling of want of confidence in Canada. We see it in the tone of the press, in the parliamentary debates and elsewhere. We

¹⁶ [Quebec Resolution 68](#), which reads in full, “The General Government shall secure, without delay, the completion of the Intercolonial Railway from Rivière du Loup, through New Brunswick, to Truro in Nova Scotia.” *Supra* footnote 5.

are told that we are giving more trouble to the Mother Country than we are worth.

A similar feeling of want of confidence, amounting almost to contempt, has always prevailed towards us in the United States. The ignorance of everything relating to Canada—of our political and social condition—of our resources and our commerce—our growth and our progress—that exists among our kindred across the border, cannot fail to have surprised those who have mingled much among them, and if not altogether creditable to them is certainly very humiliating to us; but, great as the ignorance is there, it is fully equalled by that which exists with respect to Canada, and all pertaining to Canada, among our nearer and dearer kindred in the old world.

What can we do to remedy this unfortunate and humiliating state of things? What can we do to inspire confidence in us abroad; to command respect; to defy contempt? These appear to me to be the practical questions with which we have to deal. We are plainly told by England that we must rely more upon our own resources in the future than we have done in the past, and it is right and just we should do so. It appears to me that there are just three states of political existence possible for us here, when we emerge from the chrysalis-form in which we have hitherto existed. First, there is the attempt to stand alone as a separate nationality on this continent—that is one alternative.

Secondly, there is the prospect held out to us in the resolutions—namely, a union of all the British North American Colonies, under the flag of England, becoming more and more every year a homogeneous British people, and building up a consolidated British power on this continent.

The last and inevitable alternative, if we reject the other two, is exactly that stated by my honorable friend from South Lanark (Mr. Morris)—absorption into the United States. It is in vain to shut our eyes to that fact, or that the time is at hand when we will have to make our selection. I know that the latter alternative—and I can speak from as thorough an acquaintance with the wants, feelings and wishes of the people of Canada as any honorable gentleman in this House possesses—would be most distasteful to the great mass of the people of this country.

Some Hon. Members—*Loud cheers.*

Walter Shanly [Grenville South]—To myself personally, it would be so distasteful that it

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would amount to a sentence of expatriation, rupturing the ties and associations of a quarter of a century.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—When my honorable friend the Hon. Attorney General for Upper Canada [John A. Macdonald] introduced the resolutions to the House, he gave us to understand that the question, or the details of the question, were scarcely to be considered as open for debate. He told us plainly and squarely that the project must be viewed as a treaty already sealed and signed between the contracting parties, and would have to be accepted as a whole or rejected as a whole. I felt the force of the situation then, and when the same honorable gentleman came down here a few days since, and, in reference to the new phase of difficulty resulting from the turn taken by the elections in New Brunswick¹⁷, announced that prompt and vigorous action was

¹⁷ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley's Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

necessary, in a somewhat different direction from that originally contemplated, I felt the force of the situation even more fully than at first.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—And I would here ask to be allowed to digress a moment from the main question. I wish to take this opportunity of saying that I never had more than a sort of a half-confidence in the Government as now constituted. When the leaders of the Conservative party, with whom I have always acted, saw fit last year to make certain political combinations which, even they must admit, astonished and startled the country—combinations resulting in the present Coalition Ministry—I claimed that I and every member of the Conservative party, in this House or out of it, who chose to dissent from the course adopted by our leaders, had a right to hold ourselves absolved from all party ties and obligations whatever. I claimed then as I claim now, that from thenceforward I owed no political allegiance, no party fealty, to any man or anybody of men on the floor of this House.

In electing to adopt for myself the anomalous and hybrid position of an “independent member,” I knew full well that it was to “burn my ship”—to cast away from me all chances of political advancement; but I never had political aspirations that warred with my own notions of political honor and consistency, or with my love of personal independence.

But when great changes in our political relations are taking place; when all feel, as I believe all do feel, that a great and momentous event is impending; when, under such circumstances, my hon. friend the Honorable Attorney General for Upper Canada [John A. Macdonald] announces, as he has done, in a frank, bold, manly and statesmanlike manner, prompt and vigorous policy on the part of the Government in dealing with an unlooked-for difficulty—I allude to the difficulty growing out of the New Brunswick elections—I will tell that hon. gentleman that he and his colleagues

may now—and always when boldly grappling with the political emergencies of the country—count on a cordial, earnest and admiring support from me.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—Without further discussion or debate, I cast my vote for and my lot with the Confederation, and this I do in the fullest confidence and belief that, however faulty may be certain of the details of the scheme, and however awkward it may be to work out some of its provisions successfully, the resources of the people of these provinces, their innate adaptation for self-government, will be found fully equal to overcoming all the difficulties and obstacles that may beset their path. I fully believe that the faults which I now object to in the plan of Confederation will, like the diseases incident to childhood, grow out of our system as we advance in political strength and stature, and that when another decade has passed over us we will be found a strong, united British people, ready and able, in peace or in war, to hold our own upon this continent.

Some Hon. Members—*Cheers.*

It being six o'clock, the Speaker left the chair.

The Legislative Assembly adjourned for dinner recess.

After the recess,

Walter Shanly [Grenville South], *resuming his remarks, said*—Before the House rose, I had expressed my belief that the people of this country would be found equal to any emergency that might arise in working out the Constitution embraced in the resolutions, and would prove themselves capable of altering or amending it until it worked effectually and well for the benefit of the whole country. And in making the choice which I know the people of this country will make—as between annexation to the United States and connection with Great Britain—as between republicanism and monarchy—as

between Canada our country, or Canada our state—I believe they will be choosing that which will best advance the material prospects, and best ensure the future happiness and greatness of the country.

If we were to be absorbed into the republic, and become a state of the union, that would in no way relieve us of the great undertakings that are before us for the improvement and development

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of our resources. We would still have a large debt on our hands, of which, unaided, we would have to bear the burden; our canals and other public works would be treated, not as national, but as state enterprises, and the expense of enlarging or extending them would have to be charged upon a diminished revenue, for nearly the whole of the revenue we now raise from customs and excise would go, not to the improvement of this state of Canada, but would be poured into the coffers of the General Government at Washington.

I cannot understand how any patriotic Canadian, even of those who regard political matters from a material point of view only, can advocate annexation to the United States. I believe there are many persons in Canada who, though entertaining feelings of true loyalty to the Crown of England, imagine that in some way or other—they cannot exactly tell how—annexation would bring about an extraordinary and sudden state of prosperity. I differ entirely, even in the material and practical points of view, from the theorists and visionaries who entertain so false a conviction. How, I would ask, is this country, with diminished means at its command, to be enabled to carry out those great works through which alone it could hope to become great, but the ways and means for constructing or improving which still puzzle our financiers?

I have always been of opinion, since I first came to ponder carefully the future of Canada,

that that future does not depend so much upon our lands as upon our waters. The land—the *terra firma*¹⁸—of Canada is not inviting to those who have tilled the soil of Great Britain or explored the vast fertile plains to the west of Lake Michigan. Our country is just on a par with the northern part of the State of New York, and with the States of Vermont and New Hampshire in respect of climatic conditions and conditions of soil. But we possess one immense advantage over those countries, an advantage which gives us a distinctive position on this continent—the possession of the noble river which flows at our feet. It is through that river and our great chain of inland waters that the destiny of this country is to be worked out.

But we cannot fulfil our destiny—or the destiny of this country rather—by standing idle in the market place; by, as one honorable member has suggested, doing nothing to improve our natural highways or create artificial ones, trusting to fortune or to Providence for the development of our resources. I believe that we have a high and honorable destiny before us, but that it has to be worked out by hard toil and large expenditure; and we certainly would not be in a better condition to work it out were we to be united to a country that would at once absorb four-fifths of the revenue on which we now depend for our very existence.

The improvement of our internal navigation is the first great undertaking we should consider, whether for commercial purposes or for purposes of defence. And as regards the promoting of our commercial interest in the improvement of our navigation, what advantage, I would ask, could we expect to gain by becoming a state of the American union? There is not one of the seaboard states but would be in every way interested in diverting the western trade from our own to their own channels, and in endeavoring to obstruct the improvements calculated to attract that trade to the St. Lawrence.

¹⁸ i.e. "solid ground."

The Western States, doubtless, would have interests in common with us, but they are not in a position to render us material aid for the construction of our works, being themselves borrowers for the means of carrying out their own internal improvements. I believe, then, that even from a material point of view, every unprejudiced thinker must admit that our future prosperity and importance lie in preserving our individuality, and in making the most of our heritage for our own special advancement.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—I feel quite certain that nine-tenths of the people of Canada would not be deterred from taking their chance as a nation through the fear that they may someday have to strike a blow in defence of their country; and of all else, whether of reality or of sentiment, that should be dear to a brave and loyal people. We stand here the envied possessors of, take it all in all, the greatest river in the world; the keepers of one of the great portals to the Atlantic; and I trust that Canadians will never be found to yield possession of their heritage till wrested from them by force! And that must be a force, they may rest assured, not merely sufficient to over-match the people of these provinces, but all the power of the Empire besides.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—Now, though I have said I would not enter into details, I must claim the attention of the House for a few moments longer, while I touch upon one very important point. I refer to [the 69th resolution](#)¹⁹, foreshadowing the colonizing by Canada, and at the expense of Canada,

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of the North-West territory. There is not in this House one hon. member who appreciates more fully than I do the great natural resources and great future value of that

territory; but I am not of that clash of sanguine and visionary politicians who would risk losing all by grasping too much, and in the vast dominion extending from Lake Superior to the shores of Newfoundland, the Confederacy will have ample scope for the energy and enterprise of her people for a long time to come.

The North-West territory, from its geographical position as regards us, is very difficult of access. A broad tract of barren and inhospitable country intervenes between Lake Superior and the fertile plains of the Red River and the Saskatchewan, which for seven months out of the twelve are, in fact, wholly inaccessible to us save through a foreign country, rendering it next to impossible for us alone to effect close connection with and colonization of that country. We cannot jump all at once from the position of colonists to that of colonizers. That great territory can only be developed, colonized and preserved to us by the exercise of that fostering care which the Empire has ever bestowed upon her colonies in their infancy.

The Hon. President of the Council (Hon. Mr. Brown), in the course of the debate, said he hoped to see the day when our young men would go forth from among us to settle the North-West territory. I harbor no such wish. On the contrary, one of the fondest hopes I cherish as a result of Confederation is, that it will so attract capital and enterprise to the provinces, so tend to developed our internal resources, as to offer to the youth of the country a field for the exercise of that laudable energy and ambition which now cause so many of them to leave their own hearths and cast their lot with strangers. One of the greatest ills that Canada now suffers from is, that the young men born and brought up in her midst look abroad for their future, and bestow their energies and talents on another

¹⁹ [Quebec Resolution 69](#), which reads in full, “69. *The communications with the North-Western Territory, and the improvements required for the development of the Trade of the Great West with the Seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the Finances will permit.*” *Supra* footnote 5.

land; and, although an immigrant myself, I know and admit that a man born and brought up here is worth any two immigrants for the arduous task of clearing and settling what remains to us of the public domain. I hope and trust that the Confederation of the Provinces will create sufficient inducements to keep the young men of the country at home.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—It is in that hope that I support the measure. I trust at the same time that the great North-West territory will be preserved to our flag, and that, fostered by the Mother Country, it will in time become great and populous, and finally extend the British American nation to the shores of the Pacific. It would be unfair, at this late stage of the debate, to enter further into details. I promised that I would not do so. With details, indeed, it has all along appeared to me we had little to do now. If the project as a whole be good, surely means will be found, as we go on, to remedy objectionable details. With all its defects—and I admit there are many defects—there never was a written Constitution but had its defects—I feel confident that the general design set forth in the resolutions meets with the approval of a large majority of the people of Canada at all events; and it would be an insult to the sound common sense of a people that have so long proved themselves capable of judging for themselves and of governing themselves, to suppose them incapable of adjusting, from time to time, as occasion arises, the minor details or defects of a system of government to which they have resolved on according a fair trial.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—And now, Mr. Speaker, what I had to say on this important subject of Confederation I have said. I promised that I would not weary the House by entering into details; I trust that I have not done so; but I may be permitted to express a hope—a hope founded in a deep and

abiding belief—that the people of these provinces are and will prove themselves equal to face great undertaking that is before them; that aided by all the commercial power of Britain in time of peace, by all her military and maritime power in war, should war unhappily come about, we will show to the world that we are not unworthy scions of the noble races of which we come, but that we are competent to successfully work out to a great end the task that is intrusted to us—the noblest and worthiest task that can be intrusted to an intelligent and enlightened people—that of making for themselves a name and a place among the nations of the earth; that of building up—to borrow a quotation aptly introduced into his able speech by my hon. friend from South Lanark [Alexander Morris]—a quotation from [the speech of a renowned British statesman](#), when speaking on a great colonial question—that of building up “one of those great monuments with which England marks the records of her deeds—not pyramids and obelisks, but states and commonwealths,

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whose history shall be written in her language?”²⁰

Some Hon. Members—*Cheers.*

John Scoble [Elgin West]—If I were to consult my own feelings or my convenience, Mr. Speaker, I should certainly not rise at this advanced period of the debate, to offer any observations on the great question which has now been so long under discussion; but having somewhat altered the opinions that I entertained of the scheme submitted to the House by the Government, I feel it necessary to make a few remarks in explanation and vindication of the vote I intend to give. In approaching the consideration of the question, I shall divest myself, as far as possible, of all party predilections, of all personal preferences, and of all sectional jealousies, and shall endeavor to discuss it upon its merits,

²⁰ [UK. House of Commons. \[Government of New Caledonia Bill\] “Second Reading.” \(Jul. 8, 1858\). cc1096-121.](#)

fairly and impartially—first, with reference to the great difficulties which unhappily exist between Upper and Lower Canada; and, secondly, in relation to the proposed union of the British North American Provinces for purposes and objects common to them all. These branches of the main question, or rather these two questions, are not necessarily connected, and may, therefore, be discussed separately; for it is possible we may not be able immediately to secure the union of the provinces, and in that case we shall still have to deal with the difficulties of our own position, and try, if possible, to find a satisfactory solution for them.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—And first, sir, with reference to the difficulties which have so long distracted and disturbed us, and which hitherto we have in vain attempted to remove. If we may believe the hon. member for Brome (Mr. Dunkin), whom I regret to see is not in his place, the difficulties to which I have referred are imaginary, not real. He told us, in his elaborate and exhaustive speech, that in Lower Canada the Catholic and non-Catholic, the English and French-speaking populations, were living in the most entire harmony with each other; and this statement was confirmed by the honorable and learned gentleman the Hon. Attorney General East (Hon. Mr. Cartier), who declared that so great was that harmony, that he enjoyed the confidence not only of the Catholic, but the Protestant section of the community, and in fact represented them both. Now, sir, I am not disposed to question the fact proclaimed by these honorable gentlemen; on the contrary, I fully believe it, and ascribe the circumstance to their having common objects to pursue, and common interested to maintain.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—But the hon. member for Brome [Christopher Dunkin] went further. He affected to believe that no difficulties of any moment existed between Upper and Lower Canada, and that any dissatisfaction that had been manifested by the

upper section of the province, might be easily removed without resorting to an organic change in our present Constitution. At least, so I understood the hon. gentleman.

On this point I am at issue with him, for I believe those difficulties to be of a most formidable character, and that they threaten at no distant day, unless they be adjusted, the peace and the prosperity of the province—perhaps its disintegration—perhaps its annexation to the United States. Every lover of his country must deprecate such results, and ought to strive to prevent them, or either of them. The House and the country will sustain me in the view I take of the danger of our position, and consequently of the importance of the measure now under consideration, as one means to removing it.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—If, sir, we can ascertain the true cause of our difficulties, we shall not have to seek far or long for their remedy. In what do they originate? Some tell us in difference of nationality, of religious creed, of civil institutions, and of language. I am not disposed to ignore these, or to deny that they may be made to play a conspicuous part in the non-settlement of sectional questions; but I utterly deny that they are the cause of our difficulties.

Take the question of nationality, for instance. Those among us who are of French extraction may be justly proud of their ancestry of their traditions, and of their history. They can boast of the mighty empire which those of kindred blood with themselves have founded in Europe, and of the vast influence which it exerts over the civilization and politics of the world; but as they are no longer subject to France, but are within the allegiance of the British Crown, and enjoy all the franchises of British freemen, it appears to me that the question of French nationality disappears, whilst that of origin only remains; and that now the only nationality that can be recognized among us is a British nationality, unless indeed we are prepared to sever our connection with the parent state, commence a

new nationality of our own, or merge our political existence in the neighboring republic.

But who, sir,

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among us is prepared for either of these alternatives? Am I to suppose that the people of this province of French origin are less loyal to the British Crown than those of Anglo-Saxon descent? Am I to believe that were the opportunity afforded them, they would reunite themselves with France? These questions, I am assured, they will answer indignantly in the negative. At all events, of this I am satisfied, and I believe they are satisfied, that under no government in the world can they enjoy so large an amount of civil, political and religious liberty as under British sway.

The Scotch have their history and their traditions as well as the French, but where is the Scotchman now that is not proud of his alliance with England, or that would wish to dissever the connection, though thereby he might regain his parliament or his king? I believe that every enlightened French-Canadian is of the same opinion, whatever hot-blooded and harebrained demagogues may assert to the contrary.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—Take the question of religious creeds. These are said to present an insurmountable obstacle in the way of the settlement of our sectional difficulty. If, sir, we had established in this province a non-Catholic or Protestant creed, to which all would be required to subscribe, or if not to subscribe, at least to support by compulsory taxation, then, sir, I could conceive that difference of religious opinion might operate in the way alleged; but as among us the most complete religious liberty is enjoyed—yes, a larger amount of religious liberty than Catholic Christians are allowed in France—I can see no valid ground for the supposition that they would suffer in this respect, or that they ever had the shadow of a reason to fear that in doing an act of justice to Upper

Canadians they would be doing injustice to themselves.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—We are, all of us, too much and too deeply interested in the question of religious liberty, to trespass on the rights of conscience, or to allow of state interference in matters of such transcendent importance as our relations to the Divine Being, and the service and worship we owe to Him. Differing as we do in our creed and modes of worship, religious equality is necessary to the peace and good order of government, as well as to the life of religion itself among the people. We thus become the guardians of the most precious of all liberties, the right to worship God according to the dictates of our conscience, without let or hindrance from each other or the state.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—But it is said that the civil institutions of Lower Canada would suffer, were Upper Canada allowed a representation in the Legislature and the Government in proportion to its population. I marvel, sir, much that such a difficulty as this should ever have been started. It is well known that the policy of Great Britain has ever been of the most liberal and comprehensive character in relation to matters of this kind. Trace her history in connection with her conquest in any part of the world; and when, except with the consent of the people, has she imposed upon them the body of her statute laws? Her Constitution and her common law of right belong to the peoples subjected to her sway, and these are the guardians of personal and public liberty; but beyond these she allows the largest freedom in respect of customs, the peculiar institutions, and the administration of civil justice throughout the length and breadth of her dominions.

However desirable the assimilation of the laws between Upper and Lower Canada may be, uniformity would be purchased at too dear a rate, if it led to dissatisfaction among any considerable class of the people. Time may accomplish what force might destroy. As an

Englishman, whilst I believe our laws, in the main, as well as our whole judicial system, are the best in the world, I do not believe either the one or the other to be perfect. To improve them by importing into them whatever is more excellent in other systems, is the dictate of common sense, and will always have my hearty concurrence. The institutions of Lower Canada are perfectly safe in the keeping of Lower Canadians, for practically nothing could be gained by Upper Canadians in changing them, supposing they had the power to do so, which they neither have no desire to have.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—And then, sir, with respect to language, I can hardly suppose Lower Canadians serious when they imagine that any desire exists to destroy the use among them of their mother-tongue. It may do well enough to excite a prejudice among ignorant people to say so, but surely among those that are intelligent it can have no effect. It remains with French-Canadians themselves to determine whether they will abandon the use of their native tongue, and adopt ours, or not. They are free to use either, or both, at pleasure.

If, sir, in Lower Canada the English are

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compelled to learn the French language for business purposes and for social intercourse, and in Upper Canada the French are compelled to learn English for similar purposes, surely that need not be a subject for regret to the one or to the other, inasmuch as both will gain by it. And this further advantage will accrue to those skilled in both languages: they will have access to the literature, the philosophy and the science of the two foremost nations of the world. No attempt will be made to ignore the French language among us, so long as those who prefer it to all others shall deem it worthy of preservation.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—Give the people of Upper and Lower Canada a common object to pursue, and common interests to sustain, and all questions of origin, and creed, and institutions, and language will vanish in the superior end to be attained by their closer union among ourselves, or by their wider union with other colonists under the proposed scheme of Confederation.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—The great difficulty under which we labor, and which we seek to overcome, is a political and not a social one. It has its root in the Constitution imposed upon the province [in 1841](#)²¹ by the Imperial Government and Legislature. That Constitution was founded on injustice to Lower Canada, and its fruit, as was then foreseen, has produced the grossest injustice to Upper Canada. Had the principle of representation based on population been then adopted, and the line which separated Upper from Lower Canada been obliterated, except for judicial purposes, we should now be working harmoniously together, instead of seeking organic changes in the Constitution, in order to preserve ourselves from revolution and anarchy.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—The honorable member for Bagot (Hon. Mr. Laframboise), in his speech, quoted largely from [the report of Lord Durham](#), to show that that distinguished nobleman was prejudiced against Lower Canadians, and was indisposed to do them justice. By selecting here and there passages from that able document, the hon. gentleman gave a colorable appearance to his accusation, but nothing more. I deem it an act of justice to Lord Durham to supplement the extracts read by the hon. member, by further extracts which will show that His Lordship was governed by exact and impartial justice in the measures which he recommended to heal the divisions which then existed in Canada. With the prescient sagacity of a true

²¹ [The Union Act, 1840 \(U.K.\)](#). Scoble refers to it as the 'Constitution of 1841', which refers to the year it was proclaimed, 1841.

statesman, [he said](#):—

As the mere amalgamation of the two Houses of Assembly of the two provinces would not be advisable, or give a due share of representation to each, a parliamentary commission should be appointed for the purpose of forming the electoral divisions, and determining the number of members to be returned on the principle of giving representation, as near as may be, in proportion to population.²²

Where, I ask, is the injustice of this recommendation? Lower Canada had then the larger population, and was entitled to the larger representation in the united Legislature. But the Imperial authorities based the Constitution which they gave to Canada, not on representation according to numbers, but on equality or equal numbers of representatives for the two sections of the province, and the result we have to deplore this day. [His Lordship goes on to say](#):—

I am averse to every plan that has been proposed for giving an equal number of members to the two provinces, in order to attain the temporary end of outnumbering the French, because I think the same object will be attained without violating the principles of representation, and without any such appearance of injustice in the scheme as would set public opinion, both in England and America, strongly against it; and because, when emigration shall have increased the English population in Upper Canada, the adoption of such a principle would operate to defeat the very purpose it is intended to serve. It appears to me that any such electoral management, founded on present provincial divisions, would tend to defeat the purposes of union, and perpetuate the idea of disunion.²³

These are words of wisdom, but they were not listened to at home, and the consequences have been lamentable. We find Upper and Lower Canada in a state of antagonism, and collision imminent. We find the Legislature brought to a dead-lock, and our public men driven to their wit's end. All this was foreseen by Lord Durham and provided for in his admirable suggestions for the future government of this important province. And then, in reference to the peculiar institutions of

Lower Canada, its religion and its laws, [he said](#):—

I certainly should not like to subject the French-Canadians to the rule of the identical English minority with which they have been so long contending; but from a majority emanating from so much more extended a source, I do not think they would have any oppression or injustice to fear; and in this case the far greater part of the majority never having been brought into collision, would regard them with no animosity that would warp their natural sense of equity. The endowments

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of the Catholic Church in Lower Canada, and the existence of all its present laws, until altered by the united legislature, might be secured by stipulations similar to those adopted in the union between England and Scotland. I do not think that the subsequent history of British legislation need induce us to believe that the nation which has the majority in a popular legislature is likely to use its power to tamper very hastily with the laws of the people to which it is united.²⁴

Such were the opinions and such the basis of that great scheme of union which Lord Durham contemplated, and which he aimed to secure to Upper and Lower Canada. It consisted of two parts: representation based on population in the Legislature; and guarantees that the peculiar institutions of Lower Canada should be protected, and her rights respected. But His Lordship had larger views before him than the union of Upper and Lower Canada. He was anxious that all the British colonies in North America should be consolidated under one government.

When His Lordship received his commission from the British Crown, he was strongly in favor of the Federal principle in its application to the then state of Upper and Lower Canada; but a more profound study of the question when in this country, and from consultation with the leading men in the several American Colonies, he arrived at the conclusion that a Legislative would be preferable to a Federal union of those colonies. The change in his opinion is thus stated in the

²² [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\), p. 104.](#)

²³ [ibid., p. 104.](#)

²⁴ [ibid., p. 99.](#)

extracts from his report, with which I shall now trouble the House. By a legislative union [he means](#) “a complete incorporation of the provinces included in it under one Legislature exercising universal and sole legislative authority over all of them, exactly in the same manner as the Parliament legislates alone for the whole of the British Isles.”²⁵ After a careful review of the whole subject, [Lord Durham says](#):—

I had still more strongly impressed upon me the great advantages of a united government; and I was gratified by finding 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. I thought that it would be the tendency of a Federation, sanctioned and consolidated by a monarchical government, gradually to become a complete Legislative union; and that thus, while conciliating the French of Lower Canada, by leaving them the government of their own province, and their own internal legislation, I might provide for the protection of British interests by the General Government, and the gradual transition of the provinces into an united and homogeneous community. But, [His Lordship adds,] the period of gradual transition is past in Lower Canada, [and therefore he says,] that the only efficacious government would be that formed by a Legislative union.²⁶

Having thus dealt with the question in its application to Upper and Lower Canada, he extends the range of his observations to the whole of the British possessions in North America, and [remarks](#):—

But while I convince myself that such desirable ends would be secured by a legislative union of the two provinces, I am inclined to go further and enquire whether all these objects would not be more surely obtained by extending this legislative union over all the British possessions in North America; and whether the advantages which I anticipate for two of them might not, and should not in justice be extended over all. Such an union would at once decisively settle the question of races; it would enable the provinces to co-operate for all common purposes; and, above all, it would form a great and powerful people, possessing the means of securing good and responsible government for itself, and which,

under the protection of the British Empire, might in some measure counterbalance the preponderant and increasing influence of the United States on the American continent.²⁷

His Lordship had no fears that such a union would lead to separation from the Mother Country. He rather looked upon it as a means of strengthening the bonds which united them, and of its proving an advantage to both. On this point [he says](#):—

I do not anticipate that a colonial legislature thus strong and thus self-governing would desire to abandon the connection with Great Britain. On the contrary, I believe that the practical relief from undue interference which would be the result of such a change would strengthen the present bond of feelings and interests, and that the connection would only become more durable and advantageous by having more of equality, of freedom, and of local independence.

But, at any rate, our first duty is to secure the well-being of our colonial countrymen; and if in the hidden decrees of that Wisdom by which this world is ruled, it is written that these countries are not for ever to remain portions of the Empire, we owe it to our honor to take good care that when they separate from us they should not be the only countries on the American continent in which the Anglo-Saxon race shall be found unfit to govern themselves. I am, [says His Lordship,] in truth, so far from believing that the increased power and weight given to these colonies by union would endanger their connection with the Empire, that I look to it as the means of fostering such a national feeling throughout them as would effectually counterbalance whatever tendencies may now exist towards separation.²⁸

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[His Lordship then strongly recommends](#) the union of the two Canadas under one Legislature, and of reconstituting them as one province; and “the bill,” he says, “should contain provisions by which any or all of the North American colonies may, on the application of the Legislature, be, with the consent of the two Canadas, or their united Legislature, admitted into the union on such terms as may be agreed on between them.”²⁹ These remarkable passages drawn from [Lord](#)

²⁵ [Durham Report \(1839\), p. 98.](#)

²⁶ [ibid., p. 98.](#)

²⁷ [ibid., p. 99.](#)

²⁸ [ibid., pp. 99-100.](#)

²⁹ [ibid., p. 104.](#)

[Durham's report](#), appear to me to embody the very spirit of the scheme submitted to our consideration by the Government, and coming to us recommended by so high an authority, merit our best attention; and if realized, though not in the precise form many of us might desire, we may hope it will heal our intestine divisions, and open to us a glorious future.

Representation based on population is denied to Upper Canada, unless coupled with the Confederation of all the British North American colonies; the separation of Upper Canada, pure and simple, is not to be thought of; to return to the position we occupied only a year ago, would be to plunge once more into political contests, with feelings embittered by disappointment; and therefore, with reservations affecting details only, I shall feel it to be my duty to give the motion before the House my best support.

Some Hon. Members — Hear, hear.

John Scoble [Elgin West] — And now, sir, I propose to consider the scheme submitted to us in relation to the larger question of the union of all the British North American Provinces under one government, for purposes common to them all. I needed not the arguments or the eloquence of honorable gentlemen on the Treasury benches to convince me of the immense importance of such a junction as shall lead to the development of a new nationality, and secure to generations yet unborn the advantages of unity and power. With the permission of the House, I will read an extract from a letter which I addressed to the Duke of Newcastle in 1859, when that nobleman visited this country in the suite of His Royal Highness the Prince of Wales, bearing directly on this point. Having briefly stated the grounds which induced me to write to His Grace, I said: —

The possessions of Great Britain in North America are not only vast extent and marvellous in resources, but for facility of internal communication by lakes and rivers, are unrivalled; and their geographical position is such as to make them of the very last importance to the political and commercial greatness of the British Empire. Possessing

the control of this magnificent part of the American continent, with comparatively easy access through it from the Atlantic to the Pacific shores, Great Britain need not fear the rivalry nor dread the preponderance of the United States. But in order that she may derive from it all the advantages it is so well calculated to afford, she must have a fixed and determinate policy, wisely conceived, practical in its details, and perseveringly carried out. In the planting of future colonies in British North America, care should be taken to make them as few as possible. I regret, therefore, that it appears to have been determined to give the Red River settlement a distinct political existence. Canada should have been allowed to expand westwards to the Rocky Mountains, instead of being cooped up within her present limits.

She would then have been able to absorb more easily the outlying colonies of Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island on the Atlantic, and British Columbia and Vancouver's Island on the Pacific. Consolidated ultimately under one government, after the model of the Mother Country, with such modifications as the circumstances of the case might require, an empire might be formed over which, hereafter, some one branch of the Royal Family might reign a constitutional monarch, over a free and united people. In the meantime there is nothing to hinder the appointment of a Prince of the blood royal to the Viceroy over all the possessions of Great Britain in North America, and under him, lieutenant-governors to administer the affairs of the separate dependencies, until they could be gradually and permanently united.

Your Grace will perceive from this statement that I object to the American system of federation, and would oppose to it the unification of the British colonies in this part of the world. One government, one legislature, one judiciary, instead of many, with their conflicting institutions, interests, and jurisdictions, is what I would respectfully venture to recommend as the true policy of the Mother Country on this side of the Atlantic, as it has been with the most splendid results on the other.

A Federal Government, such as that of the United States, for instance, is and must be weak in itself, from the discordant elements of which it is composed, and will be found to contain within itself the seeds of disorganization and dissolution. The multiplication of colonies in a new country like this is tantamount to the multiplication of petty sovereignties, and the creation of rivalries and antagonisms which, sooner or later, will manifest themselves, and prevent the development of that greatness, power and prosperity which an opposite policy, wisely administered, would, in my judgment, effectually promote and secure. By unification, however, I do not mean centralization. I am no friend to the bureaucratic system to France, Austria, and Prussia. A government, to be strong and respected, must leave to the people the largest amount of liberty consistent with the safety and advantage of the whole, in the management

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of their local affairs. Such a municipal system as we have in Canada is all that is necessary to secure that end. With the political franchise extended to all classes of the community, whether native-born or naturalized, the national life could not fail to develop itself in forms that would give permanence to its institutions, contentment to its people, and strength to its government.³⁰

The opinions which I entertained in 1859 I entertain now. Now, as then, I am in favor of the unification of the British American Provinces. Now, as then, I am opposed to the Federal principle, as exemplified in the formation and practical working of the Government of the United States. The greatest statesmen, the wisest men, who became conspicuous during the American Revolution, were clearly of opinion that a government to be strong must be a unit, and must possess within itself, and in all its organs, supreme power and a commanding influence. To diffuse those powers, or even to share them with state or local governments, they felt would weaken it in its most vital parts.

They would, therefore, have stripped the States of every attribute of sovereignty, and confined their action to matters of a purely local or municipal character; but they had not the power, and the consequences are visible in the fratricidal war now raging among them, devastating their fairest provinces and filling the land with mourning and woe. The lessons of history and the experience of other peoples should not be lost upon us; and for myself, I hesitate not to say that if, in the proposed Federation of the British American colonies, we were to follow the example of the framers of the Government of the United States, or to copy its Constitution, it would have my most determined opposition.

The scheme before us, however, is formed after a different model, and in its essential features is in perfect contrast to that on which the Constitution of the United States is based. It is true it creates local governments with large legislative and executive powers; it is

true it gives those governments concurrent powers with the General Government; it is true it gives them possession of the public lands within their several jurisdictions; it is true it allows two of those governments to levy export duties on lumber, coal and other minerals,—and looked at in the light of an advanced political science, this is to be lamented; but looked at in the light of possible and practicable statesmanship, it was unavoidable. I am, therefore, prepared to accept it as a whole, as in fact the best that could have been produced under the circumstances in which it was framed.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—A careful analysis of the scheme convinces me that the powers conferred on the General or Central Government secures it all the attributes of sovereignty, and the veto power which its executive will possess, and to which all local legislation will be subject, will prevent a conflict of laws and jurisdictions in all matters of importance, so that I believe in its working it will be found, if not in form yet in fact and practically, a legislative union.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—Taking this general and, as I believe, correct view of the case, I shall abstain from all criticism of its minor details, in the hope that what is found hereafter immature or unworkable will be abandoned by general consent. The Imperial Government will take care, no doubt, that that part of the scheme which conflicts with the prerogatives of the Crown will be removed, or, at all events, be brought into harmony with them. On one or two points brought out very fully by the Catholic members of the House in opposition to the scheme, I shall venture to offer a few remarks. They take exception to the power conferred on the General Government in the matter of marriage and divorce. I think, sir, the power is very properly placed there.

I respect their religious convictions; as a Protestant, I ask them to respect mine. We owe

³⁰ Letter from John Scoble to the Duke of Newcastle (1859). Unconfirmed reference.

each other mutual toleration. If the Protestant section of this House and this province do not regard marriage as a sacrament, and, therefore, inviolable and indissoluble, I believe they will be found to have as high an opinion of the sacred obligations involved in it, and admit it to be as binding upon the conscience of all who enter upon that holy and honorable state, as their Catholic fellow-subjects. But *quoad*³¹ the state or the civil government of the country. Protestants at large, regard marriage as a civil contract only, and consequently dissoluble on cause shown. This view ought not to be offensive to the judgment or the conscience of our Catholic friends, for it will not and cannot interfere in the slightest degree, either with the form or the continuity of their marriages; and surely they will grant to us, the non-Catholic section of the province, that liberty of conscience in this matter which they claim and enjoy themselves.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—Another point [touched upon by my honorable friend the member for Peterborough \(Col. Haultain\)](#) demands from me a passing remark. I believe that my honorable friend correctly interpreted the feelings of Protestants in Lower

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Canada, when he referred to the probable effect of the [Pope's encyclical](#) on the Catholic mind of the country³². They think that if the principles inculcated in that letter were acted upon, their religious liberties and privileges would be in peril. But it would appear that my honorable friend had not the true key to the interpretation of that famous document. Catholic commentators find it to be perfectly innocuous when properly understood.

Be that as it may, I rely rather on the good sense and good feeling of Catholics themselves, and above all, on the religious liberty secured to us in this province, than on the [Pope's encyclical](#)³³, for the protection of our liberties, whether civil or religious. Let us be united in object and in interest as a people, and I have no fear, however diversified our opinions may be on matters personal to ourselves, but that we shall grow up to be a great nation, and that a glorious future awaits us.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—As there are yet several honorable gentlemen to address the House, I shall not trespass on its attention much longer, as I am anxious the debate should be brought to a close as soon as possible, in order that the Government may be able, [by its representatives in England](#)³⁴, to perform those important duties which are so urgent and so necessary at the present moment.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—Before sitting down, however, I wish to make one or two remarks on the conflicting opinions entertained by honorable gentlemen on the permanency of our relations to the Mother Country. I do not believe there is any large party there who desire to separate themselves from us. On the contrary, I believe the great bulk of the British people are proud of the connection, and are prepared to maintain it if we do our part in cultivating that connection by meeting their just and reasonable demands. There can be no doubt that one cause of dissatisfaction expressed in England towards us has resulted from our fiscal policy. I shall venture no opinion on that policy just now,

³¹ i.e. "with respect to."

³² [Frederick Haultain, Legislative Assembly \(Mar. 3, 1865\), p. 641](#). For the Pope's Encyclical see [Pope Pius IX, The Syllabus \[Of the Principal Errors of our Time...\] \(1865\), Section X, Clause LXXVIII](#).

³³ *Supra* footnote 32.

³⁴ The Canadian delegation would consist of John A. Macdonald, George-Étienne Cartier, and Alexander Galt. [Their report can be found later in the volume on Aug. 9, 1865, p. C:15](#), where they presented their discussions in London to the Legislative Assembly.

whether it was wise or otherwise, but it strikes me very forcibly that we have it now in our power to set ourselves right on that point, and to it I would respectfully invite the attention of the Government.

The question of our defences is very earnestly pressed on our attention by the authorities at home; but that is undoubtedly an Imperial as well as a provincial question, and might be dealt with in this way. If the British Government and people really desire to maintain their connection with the Canadas, they are under the obligation, both moral and political, to afford them adequate defence in money, material and men, in case of necessity; for it is clear that without these our position, except at one or two points, is clearly indefensible. On the other hand, if we are anxious to continue our relations with the Mother Country, then we are bound by the highest considerations of policy to adjust our tariff on imports in such a manner as to give no real cause of complaint to the people at home.

I am persuaded that if we do this it will smooth the way for the removal of any hostility that may have been shown towards us by any class of politicians in England. Privileges and duties are reciprocal, and should be met in a cordial spirit; and let it be remembered that material interests are, of all others, the most binding upon nations in amity with each other, and are the best calculated to maintain our relations undisturbed with the parent state.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—With me, sir, it is a matter of extreme importance that our relations with the Mother Country should be settled on a firm and permanent basis.

Some Hon. Members—Hear, hear.

John Scoble [Elgin West]—I therefore quite agree with the hon. gentleman (Mr. Shanly) who has just sat down, on the necessity of pressing this point on the attention of the Imperial Government. Mr. Speaker, my most earnest desire and prayer is that by a well-considered scheme of union—a

union that shall embrace the whole of the British possessions in North America, from the Atlantic to the Pacific oceans, under one government—results may follow of the most beneficial character, both to the colonies and the Mother Country; and that Providence may so guide the counsels and influence the acts of those who now direct our affairs, as to secure to the people of this country, and to succeeding generations, the blessings of a well-ordered government and a wise administration of public affairs.

Some Hon. Members—*Cheers*.

Arthur Rankin [Essex]—Mr. Speaker, never has there been an occasion, since I have had the honor of occupying a seat in this House, when I have been so deeply impressed with the importance of the subject under consideration, as I am to-night. Every honorable gentleman who has addressed the House during the course of this debate has told you, sir that he rose under some degree of embarrassment. I, too, might give you the same assurance, but I shall not dwell upon it; suffice it to say, I only speak because I think it my duty to explain the reasons which induce me to take the view I entertain of the subject before the House. I have

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listened, sir, with great attention to the speeches which have fallen from honorable gentlemen on both sides; and it is to me a matter of congratulation to observe, that at last, something has arisen which has given a higher tone to the debates of this House, and to the utterances of our public men.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I attribute this improvement in a great measure to the fact that we are discussing a question of greater importance than has ever before been brought under our consideration; that we are at length turning our attention to something worthy of the consideration of gentlemen who aspire to establish for themselves the reputation of statesmen, while it has unfortunately happened heretofore that too much of our

time has been spent in discussing questions which ought properly to be left to the consideration of a municipal, rather than of a legislative body.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—Inasmuch, sir, as I have reasons, which perhaps are somewhat peculiar to myself, for entertaining the views which I hold upon this question, I trust I may be pardoned if I refer to some of the most prominent events connected with the progress of affairs in Canada for some years past. And here I may remark, that though the country has become more important, though our population has increased, and our prosperity advanced, in perhaps as rapid a degree as any reasonable person could have expected, there are still some respects in which we have not advanced, but rather retrograded than otherwise. I mean that the tone of feeling among the prominent men of the country has rather deteriorated than improved, since the introduction of responsible government.

I, sir, am old-fashioned enough to believe, that although there may have been some objections to the mode of government which existed prior to the union, there was a higher tone among our public men in those days than has prevailed for some years past. Still, no doubt, there was much cause of complaint on the part of those who originated the agitation, which resulted in [the rebellion of 1837](#)³⁵. And speaking now in the light of the experience, many of us would probably be prepared to admit those gentlemen who took a prominent part in bringing about that rebellion, and whom we then considered it a duty to put down, were in reality true benefactors of the country.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—The result has proved that they differed only from those who thought it their duty to oppose them, in that

they were in advance of the men and the sentiment of that day. They foresaw, indeed, earlier than their neighbors that the state of things which then existed could not long continue—they appreciated grievances sooner than others.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—And thence arose the political struggles, which resulted, unfortunately, in a resort to arms. That insurrection was happily suppressed; and the statesmen of the great nation of which we are proud to be subjects, after the rebellion was ended, immediately applied themselves to the consideration of the best means of removing the just causes of complaint which had led to the revolt. The first step was to bring about a union of the two provinces.

That union was distasteful to many, who were forced reluctantly to accede to it. There were at that time gentlemen worthy in every way of the respect of their fellow countrymen who denounced the union, and predicted evil results from it. But is there an intelligent man in this country who will now say that those predictions have been realized? I do not think there is a hon. member of this House, on either side, who would expect anybody to believe he spoke sincerely if he asserted that the union had been attended by disastrous results. The time has passed for hostile feelings to exist between the people of the two sections of this country—I say the two sections, for I have never allowed myself to speak of Upper and Lower Canada as separate and distinct provinces or countries, as has been too much the practice.

From the moment the union was consummated, I felt that we should look upon ourselves as inhabitants of one country, and not as the people of two distinct provinces. In some instances legislation might operate with greater advantage to one section, while in

³⁵ [Violent insurrections broke out in 1837-1838](#) in both Lower Canada and Upper Canada that later led to Lord Durham's proposed substantive constitutional reforms in 1839 and the development of the constitutional convention full responsible government in 1848. The conflicts in Lower Canada killed more than 300 people, and in Upper Canada, over 500 armed rebels claimed parts of Toronto. While their goals weren't fully aligned, they both were symptomatic expressions of deeper failures of the constitution.

others it would be more beneficial to the other section. But whatever was for the benefit of one was for the good of the whole, inasmuch as it added to the importance, the wealth and the influence of the whole.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—But there were many people who, for many years after the consummation of the union, writhed under the state of things thereby brought about, and were disposed to sneer at responsible government, and to speak of it as a misfortune rather than as a boon.

Sir, we have had some severe lessons, such as all individuals passing through the period intervening between childhood and manhood must to

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some extent be subjected to, and to which communities rapidly growing from insignificance to importance must also submit. The first lesson we were taught under the system of responsible government was in the passage of [the bill for the indemnification of losses sustained during the rebellion in Lower Canada](#)³⁶.

I, sir, happened to belong to a class in Upper Canada, at that time, who would have considered it almost, if not quite, justifiable to resort to arms in order to resist the enforcement of that law. But, as time has rolled on, I have become more capable of appreciating the course then taken, and I am now prepared to admit that it was but just and reasonable that that law should be enacted.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I then sympathised with those who [burned the Parliament House in Montreal](#)³⁷, and am willing to admit, that if I had been there, I would probably have been one of the first to apply the torch to that building, while under the influence of the feelings which inspired me at that time. But experience and reflection have since taught me to regard things from a very different point of view. We were then taught practically to feel that we really did govern ourselves. We were made to taste the consequences of self-government. We were taught that questions like these must be decided by the will of the majority of the people, as made known through their representatives in Parliament.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—There was no mistake in that case as to what the will of that majority was; and I am free to admit that the rebellious spirit then indulged in, on account of the passage of that bill, was in some respects more worthy of condemnation than the conduct of those who resorted to arms to redress the real grievances which caused the rebellion; and, in course of time, many of those who were most incensed at the passage of this measure, began to realize the fact that it was only one of the natural consequences of the new state of things; and, step by step, the people of Canada have come to understand and appreciate the advantages of self-government. They have come now to understand that whatever is deliberately expressed as the will of the majority of the

³⁶ [An Act to provide for the indemnification of parties in Lower-Canada whose property was destroyed during the Rebellion in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight \[Rebellion Losses Bill\] \(Province of Canada, 1849\).](#)

³⁷ [The Parliament Buildings in Montreal were burnt down](#) by Tory rioters on Apr. 25, 1849 to protest [An Act to provide for the Indemnification of Parties in Lower Canada whose Property was destroyed during the Rebellion in the years 1837 and 1838, also known as the Rebellion Losses Bill \(1849, Province of Canada\)](#). There had been legislation in the Legislature of Upper Canada (1 Vict. c.13 [1838]; 2 Vict. c.48 [1839]; 3 Vict. c.76 [1840]) providing for a credit of £160,000, and ordinances by the special council of Lower Canada, but were left inoperative for the lack of funding. The issue lay dormant in the Union of the Canadas until an Act was passed in 1845 to render for Canada West the 3 Vict. c.76 [1840] Act operative with £38,658, and a Commission examined the question for Lower Canada, issuing indemnities of £10,000. [The Rebellion Bill 1849](#) led by the Lafontaine-Baldwin Ministry was intended to rectify those inequities, by providing funds not exceeding £100,000, and by enacting commissioners to ascertain the veracity of claims, prohibiting claims to persons convicted of treason. See [Stephen Leacock's Baldwin, Lafontaine, Hincks: Responsible Government \(1912\), pp. 305-334.](#)

people, ought to be submitted to by the minority.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—And I hope we have arrived at that stage in our political education, that there is no man in Canada who would now justify a resort to violence to resist any enactment by this Legislature, no matter how unpalatable it might be to the minority, and no matter how important that minority might be. Mr. Speaker, we are now invited to direct our attention to another union of a different kind, and on a larger scale.

Of that union I have long been an advocate. I have looked forward to it for years, as a desirable event; and in proof that I have done so, I may be permitted to read two or three lines from the *Votes and Proceedings* of this House, so far back as the year 1856. I do not desire to claim for myself any special credit in the matter, but merely wish to establish my consistency, in being now, as I am, the uncompromising advocate of this measure—in being prepared to go so far, as I declared was my intention the other day, as to vote for the motion submitted by the Hon. Attorney General West [John A. Macdonald] for the previous question, which, under ordinary circumstances, I should look upon as a very high-handed and objectionable proposal.

Sir, in 1856 I called the attention of the Hon. Attorney General West [John A. Macdonald]—who, if in his place, would readily recollect the fact—to a scheme such as that now under consideration. I urged it upon him, and prayed him to bring his great abilities to bear upon the attainment of an end of sufficient importance to be worthy of his continued exertions. I endeavored to convince him that, by identifying his name with the attainment of some great and important end, he would establish for himself a reputation worthy of his talents. I failed, however, to enlist the sympathies of that hon. gentleman with my views.

His idea was, that it was premature to

entertain any such project—that it might be well enough, perhaps, at some future period, but that it was then quite out of the question; I nevertheless proceeded to draft a series of resolutions, and gave notice of them two or three weeks in advance of the day I intended to move them. During the intervening period, I addressed myself to honorable members of the House, but, I regret to say, met with no encouragement from any quarter, with one single exception—the late Hon. Mr. Merritt cordially approving of the idea. Finding that sufficient support could not be obtained in the House to commend the idea to the country, I felt it to be prudent—as even leaders of parties sometimes do under similar circumstances—not to make an exhibition of my own weakness; I came to the conclusion that the resolutions would not

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receive favorable consideration from any considerable number of hon. members, and that to move them would only be to attract attention to what might be looked upon as my own eccentricities. I accordingly abandoned the idea of pressing them at that time. But, with the leave of the House, I will now read the motion, which is as follows:—

Mr. Rankin—On Wednesday next (30th of April, 1856)—Committee of the Whole on the general state of the province, for the purpose of considering the subject of a union of the British North American Colonies, with a view to an address to Her Majesty to recommend the same to the consideration of the Imperial Parliament.³⁸

This, sir, I am happy to say, is the proposal which the Government are now carrying out.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—This was what I proposed nine years ago, and I shall have the greatest pleasure now in giving them my hearty support while they endeavor to carry it into effect; and I congratulate them on having, though so long after myself, arrived at the same conclusion.

³⁸ Rankin's motion to the Legislative Assembly (probably Apr. 24, 1856). Unconfirmed reference.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—It was advocated long ago by Bishop Strachan³⁹ and other gentlemen.

Arthur Rankin [Essex]—Far be it from me to deny that these gentlemen are entitled to the credit of having suggested the idea, long before I was of an age to think of anything of the kind. But I may congratulate myself that I had conceived the same idea—without borrowing it from them—which had been previously advocated by men so distinguished and illustrious.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—The result shows, however, that in looking upon the movement as then premature, the Hon. Attorney General [John A. Macdonald] was right, and that he correctly understood the feelings of the country; for I am willing to admit that the course of events has proved that it was premature. But, had it not been for certain occurrences which I shall not comment upon (since to do so might savor of a spirit unbecoming on this occasion)—had it not been for the extraordinary state of things brought about before the formation of this Coalition, I am not prepared to acknowledge that it would have been thought of, as a practical scheme, for twenty years to come.

But now honorable gentlemen have taken it up, and it only remains for me to congratulate them on having done so. When this Coalition was proposed, after the vote which resulted in [the defeat of the Cartier-Macdonald Ministry](#)⁴⁰, the honorable member for South Oxford [George Brown], the Hon. President of the Council [George Brown], and then recognized leader of the Opposition, did me the honor to invite me to a meeting of his supporters. Though I never was one of his followers—having been all my life, in the proper sense of the word, a conservative—still I was associated, for the time, with the

gentlemen forming the party of which he was chief; and I think they will do me the justice to admit, that while allied with them, I acted in good faith, and they all knew that, though I was with them, I was not of them.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—At the meeting of the Opposition, called by the Hon. President of the Council [George Brown], the project now under consideration was submitted and in justice to that gentleman, I am bound to say he made a frank, clear and intelligible explanation of the terms which had been agreed upon between himself and the other section of the Government. He informed us fully of all that had taken place between the negotiating parties, and submitted to us the question whether we would support him in the step he had taken, and support the Government which was to be organised for the purpose of carrying out this project. Much was said after those explanations, and to the best of my recollection of what occurred—for I have not since refreshed my memory by reading the report of the proceedings—there was a general assent to the project. Though some hon. gentlemen did entertain views peculiar to themselves, and expressed opinions that perhaps did not convey a hearty or cordial assent, yet there was a unanimous consent that this Government should be formed.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I think everyone absented to that proposal. I, at all events, fully assented to it in good faith—

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—and in doing so, my meaning was to allow the fullest latitude to those hon. gentlemen to concoct the best scheme they could, and to sustain them in working it out. I had no trick in my mind. I did not mean, as some honorable gentlemen seem to have meant, to place them in a false position, and afterwards assail them.

³⁹ Unconfirmed reference.

⁴⁰ *Supra* footnote 10. Rankin refers to the Taché-Macdonald administration (Mar.-Jun. 1864) as the Cartier-Macdonald administration (1858-1862).

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I honestly meant to empower them to confer with delegates from the other provinces, and to endeavor to bring about an understanding by which a union of some sort might be accomplished.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—It is true that there was one feature in the explanations given by the Hon. President of the Council [George Brown] which was not acceptable to me, but it was not of a character which rendered it necessary for me to make any remark at the time. To prevent misapprehension, I

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however, will explain what I mean. [One idea suggested](#) was, that failing the Confederation of all British North America, the Federation should be carried out with reference to Canada alone⁴¹.

George Brown [Oxford South, President Executive Council]—With provision for its extension, so as to embrace the other provinces, whenever they were prepared to come in.

Arthur Rankin [Essex]—Certainly; but though I did not approve of a Federation of Canada alone, I did not feel that it was part of my duty to rise and protest against any such project. I felt it was right to empower these hon. gentlemen to frame that scheme, which they found to be the best and most practicable—although I certainly had a mental reservation with reference to the point I have mentioned; and I did not then, nor will I at any future day, assent to a Federation of the Canadas alone, with a local government for each section. Rather than accept such a

Constitution, I would prefer to remain as we are; for I never can be a consenting party to the making of two or three paltry provinces out of Canada.

But I am prepared to give my hearty support to the project now under consideration—not because I consider it perfect; for if I were so disposed, I might raise many valid objections to the scheme; but I am not so disposed. I really believe the gentlemen who have taken it in hand have applied themselves to the task committed to them in a spirit of patriotism and faithfulness to their trust, and I shall not permit myself to indulge in any remark with reference to the position they occupied towards each other previous to the Coalition now established.

While on this subject, I may remark that the Hon. President of the Council [George Brown] seemed most favorable to the idea of a Federation of the two provinces of Canada alone, and I am bound to say, when he made his explanations, he appeared deeply impressed with the gravity of the step he was about to take, and perfectly well aware that he was exposing himself to be assailed by parties unfriendly to him, on points where he was, perhaps, open to attack. I do not say he is not vulnerable, but I, at all events, shall not assail him now. If I have any attacks to make upon him, I shall suspend them till some future time; and if he succeeds in carrying out this project, he will find in me one who will always be ready to accord to him the highest med of praise, and, for the good he will do in bringing this about, I, sir, will be prepared to forgive him for all the evil he has heretofore done.

Some Hon. Members—Hear, hear, *and laughter.*

John Sandfield Macdonald

⁴¹ [“Memorandum—Confidential”, Legislative Assembly \(Jun. 22, 1864\), pp. 205.](#) The relevant passages are as follows, “*The Government are prepared to state that, immediately after the prorogation, they will address themselves, in the most earnest manner, to the negotiation for a confederation of all the British North American Provinces.*”

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

[**Cornwall**]**]**—You have great faith.

Arthur Rankin [Essex]—We ought all to profit by the lessons of experience. In the course of this discussion, it has been a pleasure to me to observe the general spirit of loyalty which has been displayed by hon. gentlemen who have addressed the House. Even those who are adverse to the scheme have not been behind its greatest advocates in their declarations of attachment to British institutions and British rule on this continent.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—And I am not disposed to insinuate that there is a solitary member of this House who entertains sentiments of disloyalty to Great Britain. We all have a right to express our views, and in fact it is our duty to do so, since we are sent here to consider what is best for the interests of Canada *first*; for though we owe allegiance to England, Canada is our country, and has the strongest and best claims to our devotion.

Some Hon. Members—Hear, hear.

Arthur Rankin [Essex]—I, sir, am not one of those Canadians who place the interests of England first, and hold those of Canada in secondary estimation. It would be better if we could regard the interests of both with the same degree of concern—and I trust they always may be united; but we ought not to permit ourselves to lose sight of the fact, that with nations as with individuals, the time does arrive when it becomes each person to be responsible for himself, and when he can no longer look to his parents to give him a standing in the world. Sir, the time must come, sooner or later, when this country must cease to be a colony dependant on Great Britain; and whatever we do, whatever arrangements for the future we may make, we ought always to keep the fact plainly before our eyes, that passing events are calling upon us, either to commence the establishment of a nationality for ourselves, or make up our minds to be absorbed in the republic lying along our southern borders.

I, sir, do not desire to see the latter state of things brought about. Nothing could be more distasteful to me that to become what is called a citizen of the United States, though I admit the enterprise and intelligence which characterise the people of that country. Mr. Speaker, it is within the recollection

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of every honorable member of this House, that some fifteen years since a movement was set on foot in Montreal, which had as its avowed object the severance of Canada from its connection with England, and its annexation to the United States. The gentlemen who inaugurated that movement were men of influence and high standing in the country, and some of them, as we all know, now occupy prominent positions in this House; they claimed then, as they do now, to be good and loyal British subjects, and yet they deliberately framed a document to which they attached their signatures, in which they prayed their Sovereign to allow this province to withdraw from its connection with England, and attach itself to the United States.

Sir, the framers of the document to which I refer—the [Annexation Manifesto](#)⁴²—were not animated by a rebellious feeling against the Mother Country, but by feelings of loyalty to the interests of this country; their arguments were logical, and founded upon those material considerations which, after all, do exercise, and must continue to exert a more powerful influence over the minds of intelligent men in the nineteenth century, than any mere sentiment, or preference for any particular form of government; and sir, we all know that but a short time after the publication of the annexation manifesto, a new era dawned upon the country.

The Grand Trunk Railway and other important public works were inaugurated. British capital flowed into the province in copious streams, the pockets of the annexationists were replenished, and their

⁴² [The Montreal Annexation Manifesto. Published in The Montreal Gazette \(Oct. 11, 1849\).](#)

loyalty re-established, upon a basis which has lasted ever since. The [reciprocity](#)⁴³, too, contributed largely to the removal of the depression which engendered the annexation movement; and under the operation of that treaty, the material interests of the country have prospered to a degree that will only be fully appreciated when we have been deprived of its advantages. Sir, no conceivable state of things would have induced me to become a party to that movement in favor of annexation, but I am free to confess that the arguments advanced by the framers of the document to which I have referred were sound and logical—regarding them from a material point of view; and if they were so at that time, why should they not be equally so now?

For the last ten years, we have enjoyed all the advantages of free intercourse and free trade with our powerful neighbors of the United States. We are now in danger of being deprived of both—and if we are, what will be the condition of this country three years hence? Shall we not be reduced to a state more disastrous to our agricultural and other important interests, than we have yet experienced? And am I wrong, sir, in assuming that similar causes would once more produce the same effects? It is all very well for hon. gentlemen to say “No, no,” but I maintain that I am right; and, Mr. Speaker, it is our duty to look the existing state of things in the face.

The impulses of mankind have been the same in all ages. We cannot change human nature, nor make men honest or disinterested, by act of Parliament. But, sir, I have only referred to the past in the hope that the recollection of the events and the state of things to which I have alluded, may have some influence upon the minds of hon. gentlemen—may, perhaps, induce some modification in the course of even a single member, who has hitherto been prejudiced against the scheme of union brought down by the Government. That we have arrived at a critical period in the

history of this continent, is universally admitted. Events of the most momentous character are transpiring upon our borders, and I regret to say there exists towards us among our republican neighbors a deep-rooted feeling of hostility.

Occurrences have taken place during the progress of the war which have tended, step by step, to intensify that feeling, which has displayed itself in the stoppage of unrestricted intercourse, and the threatened abrogation of the treaty of reciprocal free trade. In view of this state of things, Mr. Speaker, if we wish either to continue our connection with England or to maintain a separate national existence of our own, it is our duty to devise some means by which we shall be enabled at all seasons to obtain access to the seaboard through our own territory; to strengthen ourselves numerically; to increase our wealth materially, and to add to our importance territorially. All these results, Mr. Speaker, may, in my opinion, be obtained by the union now proposed.

Sir, it is because I entertain this opinion that I am prepared to accept the proposition under consideration without criticising its details. If I were disposed to enter into details, I would most earnestly object to that part of the project which relates to the development of the North-West, and the

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uncertain period of the introduction of that territory into the Confederation; indeed I should object to the Federal principle altogether—for what I would prefer, Mr. Speaker, would be a Legislative, rather than a Federal union; but, sir, I am willing to award the highest credit to the Government for having accomplished as much as they have done. If we are not to have a legislative union in name, we shall have something very closely resembling it. In fact, to have expected that anybody of delegates, representing a number of different provinces and a great variety of

⁴³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 14.

conflicting interests, could concoct a scheme which would prove acceptable to everyone, would have been most unreasonable; and I think it ought to be admitted that the Administration are entitled to the gratitude of the country, for the great pains and patient labor they have evidently devoted to the consideration of this project.

It must be borne in mind, sir, that the scheme of Federation agreed upon by the delegates is not final; and we should remember that the House of Commons, or Parliament of British America, will have power to make such modifications and changes as the interests of the country may render advisable. If it is found that the working of the Federal system is objectionable, that the people would rather have their local affairs managed by municipal councils than by local legislatures, they can make their wishes known to the Federal Parliament in a constitutional manner, and that body can, and doubtless will, find means of abolishing the petty provincial parliaments provided for by the plan now before the House, and replacing them by extending the municipal system throughout the whole of British America.

Indeed, sir, the Federal Parliament will possess the same power to change, alter or amend for the whole country, as we now possess for Canada alone, and therefore it is that I so willingly accept the present scheme, believing it to be the best we can now obtain, and leaving to those who are fortunate enough to hold seats in the British American Parliament to detect and remedy its defects. And, sir, we have seen that the opponents of the union between Upper and Lower Canada were mistaken in their predictions of the disasters which they insisted would flow from that union. May we not venture to tell the opponents of the larger and more important change which we are now discussing, that their predictions will prove still more unsound, their apprehensions still more groundless?

Mr. Speaker, our destinies are in our own hands; by the consummation of this union, we

shall lay the foundation of a great and important nationality; while on the other hand, if we reject this scheme, even if we are permitted to remain unmolested as we are, what is there in our present condition that we can reflect upon with pride or satisfaction. We are but a province, a dependency at best; the reputation of our statesmen is but local; their fame is confined to the limits of the colony; our Ministers of the Crown, as it is the practice to call them, are but the advisers of a deputy sovereign, upon subjects purely provincial, wholly unknown to the rest of the world, and attracting no attention beyond our own borders,—while the public men of the most insignificant European power would take precedence of them in any other country—even Mexico, with its mongrel and semi-barbarous population, enjoys the standing of a nation, and has its diplomatic representatives, and its foreign relations—and shall we be content to stand still, while all the rest of the world is moving on?

Sir, the most experienced, the most distinguished statesmen of the Mother Country appreciate the importance of the proposed change, and regard the movement as deserving of the highest commendation; and a writer in a recent number of the *London Times* remarks, that the Parliament of British America will exercise sway over a larger portion of the earth's surface than any other legislative body in the world. Some hon. members have objected to this project on the score of expense; they have argued that some of the conditions were too favorable to the Maritime Provinces; while, on the other hand, the people of those provinces complain that we are getting the best of the bargain.

I, however, shall not detain the House by discussing the question, of whether we have or have not undertaken to pay a few thousands more than any of the other provinces, than some may think they were fairly entitled to; for I hold that the advantage to be derived from this union would be cheaply bought at a cost far greater, than any liability we shall incur in carrying it out. Mr. Speaker, the extent

of the British possessions which it is proposed to unite under this scheme includes some four millions square miles—more than the whole of the United States, North and South together, and

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equal to one-tenth of the surface of the whole world; the resources of the Lower Provinces are of incalculable value, while the boundless prairies of the North-West, with the fertile soil and genial climate of the Saskatchewan and Red River may be made the home of millions upon millions of our fellow beings.

Our population, including the Maritime Provinces, is at least equal in numbers, and far superior in intelligence and enlightenment, to that of the United States when they asserted their independence; and under the rule of the proposed Federal Government we may grow in strength and importance as rapidly as our republican neighbors; for though in some respects they are more favorably situated than we are, there are others, and important ones too, in which we have greatly the advantage over them—for instance, a far more advantageous line of communication from the Atlantic to the Pacific can be established through our country than through theirs; indeed so great is the superiority of our route, that they never could compete with us for the through traffic from Asia to Europe, which, within a few years I trust, will pour in a continuous stream through British territory from one ocean to the other.

Sir, in support of these views, I trust I may be permitted to read an extract from an interesting and [instructive pamphlet by a hon. member on my left \(Mr. Morris\)](#), in which he quotes from the words of a distinguished American statesman as follows:—

The route through British America is in some respects preferable to that through our own territory. By the former, the distance from Europe to Asia is some thousand miles shorter than by the latter. Passing close to Lake Superior, traversing the water-shed which divides

the streams flowing towards the Arctic sea, from those which have their exits southward, and crossing the Rocky Mountains at an elevation of some three thousand feet less than at the south pass, the road could be here constructed with comparative cheapness, and would open up a region abounding in valuable timber and other natural products, and admirably suited to the growth of grain and grazing.

Having its Atlantic sea-port at Halifax and its Pacific depot near Vancouver's Island, it would inevitably draw to it the commerce of Europe, Asia and the United States. Thus British America, from a mere colonial dependency, would assume a controlling rank in the world. To her other nations would be tributary; and in vain would the United States attempt to be her rival, for we could never dispute with her the possession of the Asiatic commerce, nor the power which that commerce confers.⁴⁴

Sir, this is not the language of an enthusiast or a visionary, but the opinion of one perfectly acquainted with the subject, and eminently capable of discussing it—one, too, whose judgment was certainly not biased by national prejudice. And again, Mr. Speaker, on a more recent occasion we find the Premier of the United States, [the Hon. Mr. Seward, using the following language:—](#)

Hitherto, in common with most of my countrymen, as I suppose, I have thought Canada—or to speak more accurately, British America—to be a mere strip, lying north of the United States, easily detachable from the parent state, but incapable of sustaining itself, and therefore ultimately—nay, right soon—to be taken on by the Federal union, without materially changing or affecting its own condition or development. I have dropt that opinion as a national conceit. I see in British North America, stretching as it does across the continent from the shores of Labrador and Newfoundland to the Pacific, and occupying a considerable belt of the temperate zone—traversed, equally with the United States, by the lakes, and enjoying the magnificent shores of the St. Lawrence, with its thousands of islands in the river and gulf, a region grand enough for the seat of a great empire.⁴⁵

Mr. Speaker, the great consideration with me is how can we best preserve for ourselves and for our children the essence of British institutions; by what means can we best prolong the connection which now so happily exists between England and ourselves, with mutual advantage and with equal satisfaction

⁴⁴ [Alexander Morris, *Nova Britannia; Or, British North America, Its Extent and Future* \(1858\), pp. 51-52.](#)

⁴⁵ ["Mr. Seward's Views on Canadian Annexation," *New York Times* \(Jan. 13, 1862\).](#)

to both parties; and how can we best prepare, when the time comes, as in the natural course of events it most assuredly will, to assume the responsibility of a separate and independent nationality?

Sir, by uniting the scattered and now insignificant British Provinces under one general government, we shall, in the first place, consolidate and strengthen British feeling and British influence on this continent. By the adoption, on the part of the proposed Federal Government and Parliament, of a bold, enlightened and progressive policy, British America may be pushed forward in material wealth, in the numbers of her population and in general importance, to a point which will qualify her to take her place among the nations of the earth, in a manner and with a standing alike honorable to ourselves and creditable to the great country under whose glorious flag we have been sheltered, and by whose example we have been stimulated, while prosecuting that course of political studies which must in

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time qualify us to commence a national career of our own—as I would fain hope, under the sway of a constitutional monarch descended from the illustrious Sovereign who now so worthily fills the British Throne.

But, sir, some honorable members object to this union from the apprehension that it will subject us to serious financial embarrassments. If the only effects of the union were to be the increased extent of our territory, and the addition which the inhabitants of the other provinces would make to the number of our population, I should be inclined to admit the force of their reasoning; but surely no one can anticipate that the Federal Parliament will be composed of men incapable of appreciating their responsibilities, or without the capacity to deal with the important interests committed to their charge.

Mr. Speaker, no one thing has done so much to attract emigration to the United States as the

great public works that have been constantly going on in that country for the last five and twenty years. We hear much said about the superiority of their climate and the other advantages which, it is alleged, they enjoy in a greater degree than we do; but I can assure the House that those advantages have been greatly overestimated, and that such considerations have had but little weight in the minds of emigrants, compared with the knowledge of the more important fact, that in that country the demand for labor was always greater than the supply, and that the emigrant arriving without a shilling in his pocket need be under no apprehension about the maintenance of his family, knowing that he could always find employment at rates of compensation sufficiently liberal to enable him in a few years not only to secure a home of his own, but to surround himself with comforts which would have been far beyond his reach in his own country. Sir, the construction of the Intercolonial Railway will afford employment to thousands of laborers, it will open up vast tracts for settlement, and render accessible an extensive region abounding in mineral wealth and other natural resources of incalculable value.

Then, Mr. Speaker, the next great public work that should be undertaken is the improvement of the navigation of the Ottawa, so as to render that magnificent river the shortest, safest and most advantageous outlet to the ocean for the products of the fertile and boundless west, with its rapidly increasing millions. Mr. Speaker, the expenditure which it would be necessary to incur to render the Ottawa navigable for seagoing ships, great as it would be positively, would be insignificant when compared with the extraordinary advantages which it would confer upon the country by the thousands whom it would attract during the progress of the work, in the first place; and, secondly, by the immense manufacturing power which it would place at our disposal, thereby affording profitable employment for a dense population, throughout a line of some three hundred miles

of country, the greater part of which is now but a comparative wilderness; for, considering the unrivalled water power which would thus be secured along the main line of communication between the west and the commerce of Europe, it is not too much to expect that that power would attract the attention of men of capital and enterprise, and that a succession of mills and factories of every conceivable description would soon grow up, along the whole line, which would afford employment for a numerous, industrious and valuable population. And then, sir, there is that still more important and magnificent project, the Atlantic and Pacific Railway.

All the best authorities agree that a far better, shorter, and cheaper line can be constructed through British than through United States territory. Mr. Speaker, it would be impossible to over-estimate the advantages which any country must derive from being possessed of a line of communication destined to become the highway from Europe to Asia. Sir, the acquisition of this advantage alone would be sufficient to justify us in advocating this measure; but when we reflect upon the almost boundless extent of fertile agricultural territory through which this line must pass, the millions upon millions of human beings which that territory is capable of supporting—when we bear in mind that by means of this union we shall not only secure the control of a larger portion of the world than is now under the sway of any power on earth, but that, by the adoption of such a policy as I have suggested, our population may be more than doubled within ten years, and that though our liabilities will have increased, those liabilities will fall upon the shoulders of so greatly augmented a population, that the burden to be borne by each individual will be more likely to be diminished than increased—when we remember, sir, that it will be in our power so to shape the

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destinies of British America that even the census of 1871 may show that we possess a population of from eight to ten millions.

I must confess, Mr. Speaker that I cannot understand how any hon. gentleman can stand up here, and labor to perpetuate our present insignificance, by interposing obstacles to the carrying out of the only really great or statesmanlike idea which has ever been brought under the consideration of a Canadian Parliament. And now, sir, though I have already trespassed too long upon the patience of hon. members, I must crave their indulgence a moment longer, while touching briefly upon the subject of defence.

Mr. Speaker, without discussing the question of how much or how little we ought to contribute towards the defence of the Empire, in a war with any other nation than the United States, I assume that every true Canadian, whether of French or British origin, will be prepared to resist the invasion of his native soil; and if I am right in this, I take it, all we have to do is to inform the home Government that we are determined—not to contribute so much in men, and so much in money, to the defence of Canada, but that we are resolved—that every man and every farthing we can control shall be sacrificed before we submit to the power of our republican neighbors, and that all we ask of England is to pursue a course becoming the glory of her ancient renown. That she will do this, sir, we have no reason to doubt; but I regret to observe that [Colonel Jervois, in his report](#) upon the subject of fortifications⁴⁶, seems altogether to have ignored the Western Peninsula, for he makes no mention of any point west of Hamilton as capable of being fortified, from which I infer he must have come to the conclusion that in the event of war with the United States, it would be impossible for us to hold the country above the head of Lake Ontario. Sir, this may be the opinion of that gallant officer, and it may be correct; but, as the representative of the most exposed

⁴⁶ [William Jervois, Report on the Defence of Canada \(1864\).](#)

portion of the western frontier, I am bound at least to say that the people of that part of the country would be most unwilling to admit that they are less able now to hold their own than their fathers were in 1812.

Mr. Speaker, our chief danger lies in the possibility of a reunion with the North and South, upon the basis of the [Monroe doctrine](#)⁴⁷; for unhappily the course pursued by England, so far from conciliating either party, has only engendered feelings of hostility in the minds of the people of both sections; and for the belligerents to combine their united forces against a common enemy, and that enemy one whom they both hate as intensely as they do England, would be an event which could excite no surprise in the minds of any one acquainted with the feeling which prevails among the masses of republican America.

Sir, talking of fortifications and defence, no force we can bring into the field, no line of forts we can build, nor, indeed, any course that could be adopted, would so effectually protect us, so absolutely guarantee the inviolability of our soil as the recognition of the independence of the Southern States by Great Britain; and when the proposed deputation from this Government reaches England, I trust they will feel it to be their duty strongly to urge the consideration of this fact upon Her Majesty's Government; for with a powerful British fleet upon their coast, a formidable, warlike and bitterly hostile nation bordering them upon the South, and some half million well-armed and resolute Canadians in their front, depend upon it, Mr. Speaker, we need be under no apprehension of war's alarms.

And now, sir, it only remains for me to thank honorable members for the patient hearing they have accorded me, and to express a hope that the deputation to England will not swerve from the course they have informed us they intended to pursue, in consequence of anything that has transpired in any of the other provinces, but that they will impress upon the home Government the fact that four

fifths of the people of British America are represented by this House, which sustains the scheme of union by an overwhelming majority; that they will urge the Imperial Ministry to exert all the influence they can command in a constitutional manner, to induce the people of the Lower Provinces to reconsider their recent course, and to acquiesce in the project agreed upon by the Quebec Conference as the basis of an arrangement by which a balance of power may be established on this continent, the spread of republicanism checked, and our own immediate prosperity and future influence insured to such an extent as to secure for us a higher degree of consideration while we retain a colonial position, and qualify us hereafter to take our place among the family of nations, still animated by sentiments of reverence for the great people under whose fostering

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care we have attained our majority, and with whom, I trust, we shall always continue to maintain the closest alliance.

Some Hon. Members—*Cheers.*

Joseph Dufresne [Montcalm]—Mr. Speaker, in rising at this moment to express my humble opinion on the merits of the resolutions now under discussion by this House, I do not intend to follow the formula or preamble hitherto invariably adopted, by saying that I approach the subject with fear and trembling.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—But though I do not approach the question with anxiety and hesitation, it is not that I feel myself more competent than others for the treatment of it; it is simply for the good reason that I rely upon the indulgence of this House. We all know how difficult it is for a person who is not a habitual public speaker, or a member of the legal profession, to express himself with facility before a distinguished

⁴⁷ [U.S. foreign policy doctrine that saw any imperial incursion into the Western Hemisphere as a hostile act.](#)

and highly educated body of men such as I now have the honor to address. I look upon the resolutions submitted to us as expressing the sentiments of the people, through their constitutional organ the Legislature.

We ask our Sovereign and the Imperial authorities to unite, by means of a Federal union, all these Provinces of British North America. In examining this question, and in order to express more clearly and fully my opinion of these resolutions, I may say that I accept them for many reasons, but chiefly as a means of obtaining the repeal of the present legislative union of Canada, and securing a peaceable settlement of our sectional difficulties.

I accept them, in the second place, as a means of obtaining for Lower Canada the absolute and exclusive control of her own affairs. I accept them, thirdly, as a means of perpetuating French-Canadian nationality in this country. I accept them, fourthly, as a more effectual means of cementing our connection with the Mother Country, and avoiding annexation to the United States. I accept them, fifthly and lastly, as a means of administering the affairs of the country with greater economy. Such are my reasons for accepting the Confederation scheme submitted to us by the Government.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I shall not undertake to discuss the merits of all the resolutions, for the honorable gentlemen who have already spoken have ably and fully developed the merits of the whole question; and, besides, if I may dare say it without being thought ridiculous, I have undergone a heavy loss—I have, in fact, been plundered. The honorable member for Vaudreuil (Mr. Harwood) is the offender—

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—but I cannot complain much of this, for the theft has turned to the advantage of the House. What he has stolen from me is the history of the

Helvetic and Germanic Confederations; but inasmuch as he has set forth the facts in a far more able manner than I myself could have done it, and as the House has been a gainer thereby, I must endeavor to practise a proper degree of resignation under my own heavy affliction.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I intended to have said something on the Helvetic and Germanic Confederations, but as I have been thus despoiled, and as the [honorable member for Vaudreuil \[Antoine Harwood\]](#) has treated the subject so [powerfully](#)⁴⁸, I shall refrain from entering into the matter. And here again the House will be the gainer.

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—As the question of Confederation itself has already been fully treated with far more ability than my own feeble powers would enable me to bring to bear upon the discussion, I will confine myself to answering certain statements made by honorable members of the Liberal party *par excellence*. Contrary to the opinions of the Church, or rather of the Head of the Church, who declares that the name Liberal cannot be allied with the doctrine of the Church, we have seen the extreme Liberals coming forward in this House as the champions of the Church and of its ministers.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—The honorable member for Richelieu [Joseph Perrault] gave us in pompous terms a sketch of the benefits derived from the union of the Canadas. I must say that I listened to him with no little astonishment, for it was the first time I ever heard a democrat—a demagogue—lauding the union and the public men whom the country has, since the union, placed at the head of affairs.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—[He told](#)

⁴⁸ [Antoine Harwood, Legislative Assembly \(Mar. 9, 1865\), pp. 829-830.](#)

us that we had had statesmen who succeeded in securing a triumph for the rights of Lower Canada—men who protected our interests and caused us to advance in the path of progress. “We see them in their works,” [he says—](#)“see the progress the country has made under the union; look at our primary-school system and our university system; look at the establishment of our ocean line of steamers, bearing our products to Europe, and returning to us freighted with the wealth of every foreign country! See that magnificent work, the Grand Trunk Railway, which is without a parallel in the world! See our splendid canals, the finest works of the kind in existence.”⁴⁹

Really, Mr. Speaker, I am utterly

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astounded at these laudations falling from the lips of the honorable member for Richelieu [Joseph Perrault], and more especially at bus praise of the Grand Trunk Railway; and I feel certain that every honorable member who heard his speech must have been delighted with that portion of it.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—And while it will probably be admitted that other portions of that speech might well have been omitted, it is surely a good thing that the honorable member should have discovered at last that the statesmen of his country in his own day had done their duty.

Some Hon. Members—Hear, hear.

Joseph Perrault [Richelieu]—Yes, but they might have done better still.

Joseph Dufresne [Montcalm]—The honorable member says that they might have done better still; but that was not what he said in his speech, since he declared that they were men of the very highest order of merit, and deserved the greatest possible praise for the works and improvements they had carried out. Now this is indeed peculiarly gratifying to one in my position, after contending for

years with the party of the honorable member for Richelieu [Joseph Perrault], and opposing them because they constantly strove to excite popular prejudice against all improvement and every great undertaking. I shall have occasion to exhibit to the House the means resorted to by that party, in order to prejudice the people against every man who labored in behalf of real progress, and I shall endeavor to contrast the prejudices they appealed to ten years ago with those they are now striving to excite.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—The honorable member for Richelieu [Joseph Perrault] also stated that since the union we had advanced the settlement of our townships, and that this is why he wishes us to remain as we are at present. He says the union has not completed its work. He is right, only it is unfortunate that he and his party should not have succeeded in making that discovery a few years ago; it is unfortunate that they should only make that discovery now, when they themselves and the whole people are convinced that a change in the Constitution is unavoidably necessary—for we French-Canadians, a minority in the country, cannot dictate to the majority.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I shall not endeavor to excite popular prejudices, as the honorable member for Richelieu [Joseph Perrault] has done. I do not desire to be too severe with the honorable member, or to condemn him too strongly; for his mode of treating this question may be simply the result of some peculiarity of mental organization; I merely wish to show that his views as to the dangers of the future are not a whit more sound than the views upon which he must have acted during the past. He has exhausted the library of Parliament in order to show, in black and white, that the people of England are the greatest oppressors on the face of the earth—

⁴⁹ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), pp. 587-88.](#) Quote is a summary.

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Dufresne [Montcalm]—in order to demonstrate a fact which is not true, for he has cited to us nothing beyond the mere views of certain historians, whose opinions only go for what they are worth.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—It is not my purpose to undertake the defence of a people who have no need of me to defend them, nor to avenge the insults offered them by the honorable member; but I must say that I repudiate all he has said against the English people and against England, against the institutions and government of that country, and against her system of colonial administration.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—What good can result from thus ransacking history in order to hold up a single page, the record of an evil deed? What was the condition of public manners among nations at the period of the events he has spoken of, connected with Acadia? Why bring up that matter now? What good can it do? Does the honorable member desire to provoke the prejudices of a sensitive and powerful nation against us? Does he want to bring about the ruin of this country? The honorable member, in his youth and inexperience, has rendered us a very questionable service.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—He rakes up an event which occurred one hundred years ago, and taunts a conquering nation with her mode of dealing with the vanquished! Surely this is a strange way of serving his fellow-countrymen—of laboring to promote their welfare and interests! Am I not right in saying that the honorable member has displayed an utter want of tact and experience? I trust, for the honorable member's own sake, that the charge of inexperience is the heaviest charge to which he

may be held amenable; for I cannot think it possible that he was in any way actuated by malicious motives.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—But, Mr. Speaker, [the honorable member tells us](#) that “the union has not yet done its work.”⁵⁰ Is he not aware that the population of Upper Canada—that the British population vastly outnumber our own population in the province? What then does he mean? Can it be that he really thinks because the union has not finished its work, that it ought to be preserved, and that we ought to remain as we are? I cannot be convinced that he is so

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completely devoid of information and judgment as really to desire that we should remain as we are.

Some Hon. Members—Hear, *and laughter*.

Joseph Dufresne [Montcalm]—Does he not perceive that if the present union he continued, the Upper Canada members will unite together as one man, in order to carry representation based upon population in the Legislature? Notwithstanding the facts we have witnessed during the past few years; notwithstanding that he is aware that three-fourths of the Upper Canadian members were sent here by their electors in order to secure representation based upon population, he says the union has not done its work, and we must remain as we are! No, I cannot, I repeat, believe him to be sincere in that. He knows that we cannot remain as we are. We are in favor of Confederation, not because we believe it to be the very best possible remedy for our evils, but because we are convinced of the necessity of providing a remedy for our sectional difficulties.

The honorable member for Richelieu [Joseph Perrault] may play the alarmist as loudly as he likes. I can assure him that the vast majority of his fellow-countrymen are too intelligent to be deceived. They know full well that the

⁵⁰ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), p. 588.](#)

minority cannot control the majority. The duty of the minority is to better their position as far as possible, but they cannot pretend to dictate to the majority—more especially when that majority is composed, if we are to believe the honorable member for Richelieu [Joseph Perrault], of men who delight in oppressing others.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—[The speech of the honorable member for Richelieu \[Joseph Perrault\]](#) is the speech of a mere youth, and is devoid of weight and importance; but it is a speech which would have been extremely injurious to the best interests of Lower Canada, had it emanated from a man possessing a wider reputation or greater importance than that honorable gentleman enjoys.

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Dufresne [Montcalm]—[He also stated](#) that “the cry of representation based upon population had been used in Upper Canada merely for the purpose of securing the success of party leaders, of enabling them to get into power.”⁵¹ But we know that commanders are kidders of men; that commanders are to be dreaded when they have followers at their back; and the Upper Canada leaders surely do not lack followers. [The honorable member for Richelieu \[Joseph Perrault\] went on to say:](#)—“But we are in a good position! The liberals passed the Separate School Bill!”⁵² I believe he was in the House when the [Separate School Bill](#)⁵³ was passed; but if he was not present, he may be somewhat excusable for that statement. I ask the honorable member how many liberals—how many supporters of the Government of the day voted for the [Separate School Bill](#)⁵⁴? If he did not know when he spoke, it would have been better for him to have kept silent on that

point, and not to have referred to the matter at all.

Joseph Perrault [Richelieu]—It was the Macdonald-Dorion Government⁵⁵ that passed the measure.

Joseph Dufresne [Montcalm]—No. It was not the Government that introduced the measure, and carried it in the House; it was an independent member of this House—Mr. Scott, of Ottawa—who introduced the bill. The Government of the day supported the measure, but only two of their Upper Canada supporters voted for it, and one of the two, the honorable member for South Wentworth (Mr. Rymal), did not do so until I had called upon him to give his vote, and forced him to record it.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—These are the facts as they occurred, and they are proof positive that liberalism is no better here than elsewhere.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—The honorable member for Richelieu [Joseph Perrault] loudly accuses the majority of servility and venality. There was a time when he spoke in a different tone, when he himself formed part of the majority, and when he availed himself of that position to make a little trip to the Saguenay at the expense of the Government, and to write a little romance afterwards.

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Dufresne [Montcalm]—For my part, Mr. Speaker, as one of the majority at present, I have yet to learn when and in what I have been servile towards my friends in the Government; nor am I aware how or when the majority have evinced venality, as the honorable member asserts.

Some Hon. Members—Hear, hear.

⁵¹ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), p. 589](#). Quote is a summary.

⁵² [Joseph Perrault, LA \(Mar. 3, 1865\), p. 590](#). Quote is a summary.

⁵³ [An Act to Restore Roman Catholics in Upper Canada Certain Rights in Respect to Separate Schools \(Province of Canada, 1863\)](#).

⁵⁴ [ibid.](#)

⁵⁵ Led by John Sandfield Macdonald and Antoine-Aimé Dorion (1863-1864).

Joseph Dufresne [Montcalm]—The honorable member for Richelieu [Joseph Perrault] has himself experienced the mode in which a majority evinced venality, and the lesson has evidently not been lost upon him.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—[The honorable member says](#)—“We have a magnificent public domain in Lower Canada; we have an immense quantity of land, while Upper Canada has none left; we can establish magnificent settlements, and increase our population. Let us remain as we are under the union.”⁵⁶ Now, for my part, I assert that for that very reason we ought to accept Confederation in order that we may get the complete control of that noble domain, instead of holding it only in common with Upper Canada. He gives us a grand outline of all we could do with that splendid domain, and then says he does not

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care to have possession of it. Well, for my part I do desire to have possession of it. The honorable member also said that we are to have direct taxation under Confederation, and that the local governments are to be mere municipal councils.

I shall refer presently to the question of direct taxes; but I must say that municipalities having at their disposal millions of acres of land, will be something new in the way of “mere municipalities.”⁵⁷ I rather think [the honorable member](#) does not quite do justice to the importance of the functions of the local governments.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—The honorable member compares the local governments to municipalities. Now, I find that the Local Government of Lower Canada will have a tolerably wide range of matters to deal with; for besides the public lands, [it is also](#)

[to have control of the following](#):—

Direct taxation, and in New Brunswick the imposition of duties on the export of timber, logs, masts, spars, deals and sawn lumber; and in Nova Scotia, of coals and other minerals.⁵⁸

I call the attention of honorable members of this House to these provisions, and I will say a few words with reference to each provision in its turn. If some do not understand their importance, others will. “Direct taxation.”—I know that even your ultra-democrat will cry out—“But, for my part, I prefer having the right to tax myself to leaving the power in the hands of others, for I never will use the right, and others might perhaps enforce it.” [I quote again](#):—

Borrowing money on the credit of the province.

The establishment and tenure of local offices, and the appointment and payment of local officers.

Agriculture.

Immigration.

Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools, at the time when the union goes into operation.⁵⁹

As to education, the honorable member for Richelieu [Joseph Perrault] has eulogised our system of education; but do those honorable members who cry out so loudly against Confederation take a very deep interest in the education of our youth? Are they really anxious that that education should be in accordance with our principles, and the principles they themselves have advocated since they have constituted themselves the defenders of the altar and the throne?

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—We are to have the control of the public laws and of

⁵⁶ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), pp. 595-596.](#) Quote is a summary.

⁵⁷ [Joseph Perrault, LA \(Mar. 3, 1865\), p. 623.](#) Quote is a summary.

⁵⁸ [Quebec Resolution 43 \(1\).](#) *Supra* footnote 5.

⁵⁹ [Resolutions 43 \(2-6\).](#) *Supra* footnote 5.

education, and yet are to be a mere municipality! Emigration and colonization are mere trifles—the functions of a mere municipality!

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]— Be it so, but hereafter we shall be very glad to enjoy all this:—

The sale and management of public lands, excepting lands belonging to the General Government.

Sea coast and inland fisheries.

The establishment, maintenance and management of penitentiaries, and of public and reformatory prisons.

The establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions.

Municipal institutions.

Shop, saloon, tavern, auctioneer and other licenses.

Local works.

The incorporation of private or local companies, except such as relate to matters assigned to the General Parliament.

Property and civil rights, excepting those portions thereof assigned to the General Parliament.

Inflicting punishment by fine, penalties, imprisonment or otherwise, for the breach of laws passed in relation to any subject within their jurisdiction.

The administration of justice, including the constitution, maintenance and organization of the courts, both of civil and criminal jurisdiction, and including also the procedure in civil matters.

And generally all matters of a private or local nature, not assigned to the General Parliament.⁶⁰

Now, I call the attention of hon. members of this House to the powers here granted to the local governments, and which would consequently be granted to us in Lower Canada. When we opposed representation based upon population, was it because we feared that the majority would pass a tariff

weighing unequally on the two sections of the province? Was it because we feared they would erect no more light-houses in the Gulf or elsewhere? Was it because we feared that Upper Canada, by means of its majority, would establish a greater number of post-offices, or increase the rates of postage on letters? No, Mr. Speaker, it was not for any of these reasons; but it was because we properly and rightly feared that when Upper Canada obtained a larger number of representatives in the Legislature than Lower Canada, they would invade our rights and endanger all that we hold most dear. That is what we feared.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—And at the very moment when the Government presents a measure securing the safety of all our rights and institutions, with guarantees for the minority, honorable members declare that the union must be maintained, even with

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representation based upon population. No, they are not sincere in this; it is a mere subterfuge on their part, for they cannot propose anything to the country in place of the Government project.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—The Opposition attempt to show that a Federal union and a Legislative union are the same thing, but the whole world knows that the two kinds of union are not in any way alike. In a Federal union the Legislature cannot go beyond the rights and powers assigned to it, whereas in a Legislative union it is vested with all power—it is sovereign. And is it to be supposed that under a legislative union, with representation based upon population, the majority would refrain from encroaching on our rights, our institutions, and all that we value as important for our well-being?

Joseph Perrault [Richelieu]—Hear, hear.

Joseph Dufresne [Montcalm]—The hon.

⁶⁰ [Quebec Resolutions 43 \(7-18\)](#), *ibid.*

member distinctly [sees the mote in his neighbor's eye, but he cannot in any way discover the beam in his own!](#)⁶¹ He forgets that he wearied this House for five or six hours, reading passages from history calculated to excite prejudice against a nation which is in a majority both here and elsewhere. I can only account for his having forgotten his own speech so soon, by taking it for granted that the honorable member did not himself make the research required in order to swell it up to its vast dimensions, for it was nothing but a mass of scraps with which he wearied the House during five long hours.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—I do not wish to be severe, but I trust the hon. member will pay attention to the remarks I now desire to make. He asserted, on the floor of this House, that the liberals had struggled to obtain responsible government. If he said that of the men who really did do so, it would be all very well; but if he asserts it of those who form his own party, he is greatly in error; for we all know that that party has always protested against the union and against responsible government.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—That party declared, at elections and elsewhere, on every occasion, that responsible government was a deception and a snare—an insult cast in our teeth by England.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—That has been the cry of his political party ever since we obtained responsible government. How, then, can he have the hardihood to assert that we owe it to them?

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—[The hon. member for Richelieu \[Joseph Perrault\] also said](#) that the clergy were wrong in 1837, and that they are wrong now in supporting the

Government⁶².

Joseph Perrault [Richelieu]—I did not say that.

Joseph Dufresne [Montcalm]—I made a note of it at the time, as I did of his remark, that “even in the episcopacy there were men of talent.”

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—He thought that “the bishops themselves might possess talent.”

Joseph Perrault [Richelieu]—No, no.

Joseph Dufresne [Montcalm]—Let the honorable member retract his words, and I shall be quite satisfied.

Joseph Perrault [Richelieu]—You have completely distorted the meaning of what I said.

Joseph Dufresne [Montcalm]—The honorable member stated that the clergy were wrong in 1837; that they are wrong now; and that there were men of talent even among the bishops.

Joseph Perrault [Richelieu]—Will the honorable gentleman allow me to say a word in explanation, and in order to set him right?

Joseph Dufresne [Montcalm]—With pleasure. I do not wish to take advantage of the honorable member's blunder, and his words certainly require explanation.

Joseph Perrault [Richelieu]—I have often heard words spoken in this House misquoted, but I must say I have never heard that species of tactics carried to such excess as it has been in this instance, with regard to myself, by the honorable member for Montcalm [Joseph Dufresne].

Some Hon. Members—Hear, hear, *from the Opposition.*

Joseph Perrault [Richelieu]—What I said with reference to the episcopacy and the men of talent who adorn it, was this—I stated that with our present system of public instruction in our rural districts, every child is

⁶¹ [Matthew 7:5](#). The phrase means that you should abstain from criticizing others and focus on your own faults.

⁶² [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), pp. 618-619.](#)

enacted to receive such an education as will fit him to aspire to the highest position in the country, and to the highest rank in social life. I then added, in proof of my assertion, that we now see in the highest ranks in society men belonging to humble country families, whose parents posset seed neither the fortune nor the influence necessary to push their children forward, and that they had succeeded only through their own talents, their industry, and the advantages afforded by our system of education.

[I also said](#), in proof of my assertion, that the children of the rural population had attained seats on the judicial and ministerial benches, and even among the episcopacy⁶³. Now, any one who understands the obvious meaning of words will admit that it is impossible to interpret that sentence as an expression of astonishment that there should be men of talent in the episcopacy, as the honorable member makes a pretence of doing. On the contrary, by reserving the most forcible expression to the

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last, when I said that even in the ranks of the episcopacy are to be found the sons of farmers who advanced themselves by their own talents, I wished to show that even the episcopal chair, the first and most elevated position in our country, was within the reach of our men of talent, thanks to our system of education, which enables all to compete for the highest dignities. And I defy anyone capable of understanding the sense and use of words, to deduce any other meaning from my remarks, unless it be done with the set purpose of foisting upon me words I never used.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I have allowed the honorable member for Richelieu [Joseph Perrault] to explain what he said, or wished to say, but he had no right to conclude with an unjust insinuation. However, I am not greatly surprised, for I am aware that it is the

habit of his party, and that those honorable gentlemen never lose an opportunity of insulting those who differ from them in their opinions.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—A few days ago, when I begged leave to interrupt the honorable member for Richelieu [Joseph Perrault], he consented courteously, and in replying to my remark—which was not of an insulting nature—he told me that he was not like me, for my speeches and my works were as yet things of the future. It was quite true, though it is not always well to speak the whole truth, nor, in fact, to hear it.

Some Hon. Members—*Laughter*.

Joseph Dufresne [Montcalm]—But I must tell him that in my humble position, not being fully informed of all that takes place in the world, I have neither the means nor the leisure to bring forth works of such vast importance as those of the honorable member. I content myself with coming here to discharge my duty towards my constituents, and I do it myself. I do not employ an official in making researches in the library to enable me to make long speeches.

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Dufresne [Montcalm]—I do not require a paid *employé* of the Government to prepare my speeches; and, moreover, I have not as yet found means to live at the expense of the Government. And if my speeches and works are as yet things of the future, I am not, at all events, in the habit of supporting myself, like the honorable member for Richelieu [Joseph Perrault], by drawing upon the public chest, with or without any just claim or right.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I have now done with the honorable member for Richelieu [Joseph Perrault]. I have a word to say to the honorable member for the county of Bagot [Maurice Laframboise]. [Though his](#)

⁶³ [Joseph Perrault, Legislative Assembly \(Mar. 3, 1865\), p. 587.](#)

[speech](#)⁶⁴ was not an excessively brilliant one, yet he did not weary the House like the honorable member for Richelieu [Joseph Perrault]. [He told us](#) that we did not represent the sentiments of our electors, but that there was no danger of our voting for an appeal to the people on the question of Confederation, because the people are so strongly opposed to the project that the Government dare not submit it for their approval⁶⁵.

He was not the first to make the assertion, and I shall refer to the point presently. [He then told the Government](#) “that it never was their intention to have the question of Confederation seriously discussed, and that they did not desire a discussion of their scheme.”⁶⁶ But how did the honorable member expect to be believed? Was not the Government plan laid before the House at the commencement of the session—seven weeks ago? Have not the Government and their friends done everything in their power to promote the discussion of the question, while honorable gentlemen opposite were unwilling to do so, and constantly strove to prevent its discussion? What was their motive in so acting? The honorable member for Bagot [Maurice Laframboise] was, therefore, wrong in stating that the Government did not desire a discussion, and that they stifled discussion; for it is perfectly clear that the Opposition did not desire it, and persistently refused it.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—The honorable member for Bagot [Maurice Laframboise] is not in his seat; but when he returns I shall have a few words to say in reply

to certain points in his speech. [The honorable member for Drummond and Arthabaska \(Mr. J.B.E. Dorion\) also told us](#) that the movement throughout the country is so strong that it cannot be resisted; that the people are discontented, and that the consequences of that discontent will be highly disastrous⁶⁷. He spoke of the vast number of petitions presented to the House against Confederation, in order to show that the people are opposed to it⁶⁸.

Well, if all the honorable members of this House who sent petitions to their counties for signature have followed the same course as the honorable member himself, it is not surprising that they should be numerous signed, for we all remember [the honorable member’s letter, which was read in this House a few days ago by the Honorable Attorney General for Lower Canada \(Hon. Mr. Cartier\)](#)⁶⁹. There can be no two opinions as to the character of that document.

Some Hon. Members—Hear, hear, *and laughter*.

Joseph Dufresne [Montcalm]—The House will bear in mind that he wrote to the wardens of his county, directing them to get the petitions he forwarded signed by the men, the women, and the children!

Some Hon. Members—*Laughter*.

Joseph Dufresne [Montcalm]—And when his letter was read in this House, instead of blushing with shame and confusion,

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[the honorable member said](#) he gloried in having written it! “It was an energetic step,” said he, “and I am not ashamed of it.”⁷⁰

⁶⁴ [Maurice Laframboise, Legislative Assembly \(Mar. 9, 1865\), pp. 841-856.](#)

⁶⁵ [ibid., p. 848.](#)

⁶⁶ [ibid.](#) Quote is a summary.

⁶⁷ [Jean-Baptiste-Éric Dorion, LA \(Mar. 9, 1865\), pp. 855-871.](#)

⁶⁸ Unconfirmed reference.

⁶⁹ [George-Étienne Cartier, LA \(Mar. 8, 1865\), p. 770.](#) The letter in question came from Jean-Baptiste-Éric Dorion who wrote to a mayor from his constituency, asking for him to enclose as many petitions as possible against Confederation by men, women, and children—the latter two not being electors and being part of the scandalous part of the revelation.

⁷⁰ [Jean-Baptiste-Dorion, LA \(Mar. 8, 1865\), p. 770.](#) Unconfirmed reference. Dorion’s response, as reported by “Provincial Parliament,” [Quebec] *Morning Chronicle* (Mar. 9, 1865) was that, “He had written many such letters, inasmuch as his constituency was very extensive, comprising two counties and a large number of municipalities. He had no time for writing lengthy

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—I do not desire to make any insulting remarks, nor to indulge in painful comparisons; but it must be remembered that it is not the hardened criminal that blushes for his evil deeds; the rogue that blushes may still mend his ways; but those who have lost the power of blushing are in final impenitence.

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—The honorable member told us of the astonishing progress of the United States, in spite of the war and the enormous expenses it has entailed; and he told us that in five years from the present time New York will have paid off its debt; then why not unite ourselves with the State of New York? He did not say all that, but nearly all; it is the natural conclusion to be drawn from his speech. [He tells us](#) that the people are discontented, and that they will rise up in rebellion if we force Confederation on them⁷¹. But what means does he employ in order to excite the prejudices of the people?

We may judge of the means he resorts to in this instance by those he employed in former days to prejudice the people against a measure favorable to their own interests, but unjust in some of its provisions, involving the spoliation of a particular class in society—I speak of [the abolition of the Seigniorial Tenure](#)⁷². Were it not for the abolition of the Seigniorial Tenure, the seigniors would now be extremely wealthy.

The effect, then, of that law was to despoil the seigniors for the benefit of the people—whom the honorable member for Drummond and Arthabaska [Jean-Baptiste-Éric Dorion] pretends to represent. But, Mr. Speaker, how

did the honorable member act at the time? How did he attempt to deceive the people, and excite prejudices against that measure? I have endeavored to find the pamphlet written by the honorable member at the time, but it is not to be found in the library of Parliament—it has disappeared.

However, the democratic journals of that period are still forthcoming, and as they published a portion of the honorable member's pamphlet, I will read a few passages, in order to shew what a *pot pourri* it was. The means then used succeeded so well with the people, that an attempt will probably be made to resort to similar expedients now against Confederation.

The people, convinced of the truth of what the hon. member wrote against the seigniors and against the Government, were incensed against the "traitors," and in the county of Lotbinière they prevented the commissioners charged with the preparation of the schedules from proceeding with their duties during a certain period. It is well to bear in mind the existence of these documents, now that our adversaries are loading us with abuse; and it is time the people should know who are their friends and who are the "traitors."

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—You will awaken the House!

Joseph Dufresne [Montcalm]—I trust I may be pardoned if I have spoken too strongly, but I feel so strongly on these matters that I must reply to the statements made.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—Well, [here is the treatment](#) awarded at the time to

or detailed letters, and he had therefore expressed himself in the plainest and most straight-forward terms, as he usually endeavored to express himself. His object was to get the petition generally signed. His constituency was strongly opposed to the Confederation scheme, and if hon. member doubted his assertion they were at liberty to go out to the county and try, and they would very soon find out the real feeling of the people."

⁷¹ In the proceedings, Dorion says that they won't rebel, but that they wouldn't be as heartfelt in their defence. He says, "You may toll off the population into regiments, and they will not rebel, because they are loyal and submissive, but their hearts will not be in the cause, and they will assuredly not fight with the same spirit as they would show if they were defending a constitution and a state of things of their own choosing." [Jean-Baptiste-Éric Dorion, Legislative Assembly \(Mar. 9, 1865\), p. 869.](#)

⁷² [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\).](#)

the men who introduced the measure for the [abolition of the Seigniorial Tenure](#)⁷³—a measure exclusively in the interest of the people:—

Seigniorial Tenure.—Pay, Wretched People! Pay! The people will learn properly to appreciate the tendency of our political institutions only by the evil effects that must result from them, and the day will come when the disease will work its own cure.

This is a dark day, but the hour is coming when light shall succeed to darkness.⁷⁴

Such were the writings then distributed amongst the people.

Jean-Baptiste-Éric Dorion
[Drummond & Arthabaska]—Go on.

Joseph Dufresne [Montcalm]—Of course, I do not expect to see the honorable member exhibit any sense of shame; he has got beyond that. He would find it as difficult to blush as it would be for a Negro to turn pale.

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—[I quote again](#):—

To The Canadian People.—People! I am one of your sons; Jean Baptiste, I am one of your brothers. When a brother does you a wrong, I feel that wrong; when you pay, I pay; when you are struck, I feel the blow; when you are brought low, I feel myself abased; when you suffer, I suffer; when you moan, I moan; when you weep, I weep.⁷⁵

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—

When anything good betides you, I rejoice at it; when you prosper, I am happy; when you laugh, I laugh; when you sing, I sing.⁷⁶

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—

People! Here I am; look at me from head to foot. A simple

rustic, living in the midst of you, I desire to render you a service. I ask but one favor—that you will read the following pages. I seek no reward, for if I can only make you understand your position and induce you to claim the restoration of your violated rights, to bless what is good and curse what is evil, I shall deem myself fully rewarded.⁷⁷

Some Hon. Members—*Prolonged cheers and laughter.*

Joseph Dufresne [Montcalm]—“[Yes, take the cup and drink the poison to the very dregs](#),”⁷⁸ were the words of a democrat

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and demagogue.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—

In these evil days, when political prostitution holds the place of civic virtue, when feebleness and sluggishness hold the place of courage and action, when a flood of demoralization rushes forth from the very fountain head of power—put on the armor of patience, be of good heart, be vigilant and doubly vigilant, so that you may escape far worse evils.

Your son,

Le Frere de Jean Baptiste.⁷⁹

Jean-Baptiste-Éric Dorion
[Drummond & Arthabaska]—That is as true now as it was ten years ago.

Some Hon. Members—Hear, hear, *from the Opposition.*

Joseph Dufresne [Montcalm]—I shall not read the whole of it, for it is too long; but I will read [another short extract](#):—

Pay; for your most sacred rights are of no weight against the privileges, extortions and brigandage of which you have so long been made the victims by the seigniors. Pay; for Might is Right, and justice ceased to prevail in Parliament on the 15th December, 1854....

⁷³ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\)](#).

⁷⁴ [J.B.E. Dorion, Tenure Seigneuriale \(1855\), p. 1.](#)

⁷⁵ [ibid., p. 3.](#)

⁷⁶ [ibid.](#)

⁷⁷ [ibid.](#)

⁷⁸ [Psalm 75:8.](#)

⁷⁹ [J.B.E. Dorion, Tenure Seigneuriale \(1855\), p. 3.](#)

Then we shall have the rehearsal of the legal farce which is to be played, with a view of convincing Jean Baptiste that he is to get justice done him. The fourteen high judges of Lower Canada will form a special court to decide questions in dispute between the seignior and the *censitaire*⁸⁰.

If they do not agree, an appeal may be had to England. The dissent of a single judge will suffice to cause the matter to be referred to England. Is not this also an admirable arrangement, more especially when it is borne in mind that the judges, who are, in some cases, themselves seigniors, may act as judges in their own cause? What a mockery!⁸¹

The whole pamphlet is in the same style. I do not desire to occupy the House any longer with it, for I have quoted enough to show how the demagogues acted ten years ago with reference to a measure of such importance to the country. When the Government presented a measure for the despoiling of the seigniors, and voted an enormous sum for the redemption of the Seigniorial dues, that was the incendiary and dishonest language in which the people were addressed. And it is by the use of similar language that an attempt is now made to excite popular prejudice against the Government, when they present a measure giving to Lower Canada the full and complete control of her institutions, of her public lands and of education.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—It is by means of similar incendiary pamphlets that the attempt is now made to excite the feelings of the people against those who are working in behalf of the interests of their fellow-countrymen.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Will the honorable member for Montcalm [Joseph Dufresne] allow me to say a few words? I merely desire to state that I am not ashamed of

what I wrote at that time, and that so defective was his great Seigniorial law when I wrote that document, that it took five years to amend it into anything like proper shape.

Joseph Dufresne [Montcalm]—It is true, nevertheless, that the first law took the burthen of the Seigniorial Tenure off the shoulders of the *censitaires*, and from that moment the seigniors were despoiled of their rights for the benefit of the *censitaires*. I admit that the bill was defective, and in fact I voted against the [Act of 1854](#)⁸²; but I did not act like the honorable member, and my only object was to compel the Government to do better. The honorable member may say what he likes—I maintain that the demagogues did everything in their power to ruin us, in connection with that question, and they are doing the very same thing now as regards Confederation.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—We French-Canadians form to-day but one-third of the population, and despite the progress we have made under the union, any man of sense who reflects on the position we now occupy, must admit that we ought to be delighted to accept the scheme of Confederation, since it will give us the control of our system of education, our institutions, and all the interests of Lower Canada.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I have made a note with reference to the speech of one of my friends in this House—the hon. member for Beauce (Mr. Taschereau)⁸³. I was really surprised to hear him express himself as he did with reference to this question of Confederation. I am quite sure he was sincere; but I must say I think he might have expressed his own opinions and refrained from adopting the false arguments in vogue on the other side of this House.

⁸⁰ *Censitaires* were the tenants of a *seigneurie*.

⁸¹ [J.B.E. Dorion, *Tenure Seigneuriale* \(1855\), p.10.](#)

⁸² [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\).](#)

⁸³ Henri Taschereau spoke earlier in the day, pp. 893-895.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I feel that with a friend one must not be severe. Between the honorable members for Drummond and Arthabaska [Jean-Baptiste-Éric Dorion] and Richelieu [Joseph Perrault], and myself, there need be no such reticence of expression; but with the hon. member for Beauce [Henri Taschereau] it is quite a different matter. He told us that Confederation would give the death-blow to our nationality; but how can he possibly think so? I can easily understand such arguments being used by honorable gentlemen opposite, because they are in the habit of distorting facts; but I am pained to see the honorable member for Beauce [Henri Taschereau] resort to such tactics, for I am convinced that the legislative separation about to take place under Confederation, cannot fail

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to have the effect of restoring French-Canadian nationality to the position it occupied previous to the union, coupled, moreover, with all the improvements since effected.

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I do not desire to occupy the time of the House any longer; but as I have still a brief extract or two to read, I trust I may be permitted to say a few words more.

Some Hon. Members—*Cries of "Go on," "go on."*

Joseph Dufresne [Montcalm]—The honorable members opposite reverence as their special apostles and patrons, Louis Blanc, Considérant, Blanqui, &c., &c., Now as to Blanqui, I shall quote his own words to show what his principles are. His sentiments are not very edifying, but it is necessary to read them in order that we may be enabled to judge of the disciples from the teaching of their masters. I

quote:—

The people planted the red flag on the barricades of 1848. Let no one seek to scout it down. It was red solely with the generous blood shed by the people and by the national guards; it floats wide spread over Paris; it must be upheld. The victorious people will not remove their flag.⁸⁴

I shall not quote anything from Louis Blanc, who is well known to the Democrats; the following passage is from Considérant:—

Duty, says this singular apostle, comes from men, and attraction comes from God. Now, attraction is the free tendency of our passions. Every attraction is a thing natural, legitimate, and to which it is impious to resist. To yield to one's attractions is true wisdom, for the passions are like a fixed compass which God has placed within us.⁸⁵

A free run then to your passions! The impulse comes from God!

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—Such are the doctrines of the democrats, the great leaders of our demagogues. I now quote Fourrier:—

All the passions of our nature are holy and good: they are like the notes in music, each one has its special value.⁸⁶

The passions, then, are to be man's guides Good or bad, it is all one.

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—These are the principles of the men who have taken religion under their protection.

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—I would beg of them not to degrade the sacred name of religion, by using it as a political engine; not to drag the ministers of the gospel through the mire. The other day your cry was, "Let them remain in the vestry;" why, then, do you drag them forth? They know our opinions, and they do not need you to defend or protect them.

Some Hon. Members—Hear, hear.

⁸⁴ ["Proclamation de M. \[Louis Auguste\] Blanqui" in Daniel Stern \(Marie d'Agoult\), Histoire de la Révolution de 1848 \(1862\), p. 511.](#)

⁸⁵ [Eugène de Mirecourt, Considérant \(1858\), p. 6.](#)

⁸⁶ [ibid., p. 7.](#)

Joseph Dufresne [Montcalm]—I say, moreover, to the honorable members opposite—show yourselves French-Canadians in earnest, and as your country requires your assistance and that of all its children to rescue it from its difficulties, give a helping hand to those who are working in the good cause. The ship is in danger; join hand in hand with the party which desires to save our nationality and our institutions; unite with us for the safety of our language, our laws, and all that we hold dear. I am aware that a famous demagogue, next to Voltaire, the chief promoter of the French Revolution, [used these words at a public meeting:—](#)

When the last of the Gracchi was expiring, he cast a handful of dust towards heaven, and from that dust was born Marius—Marius who earned his greatness less by defeating the Cimbri, than by driving the aristocracy out of Rome.⁸⁷

That was the language of a great demagogue, a great orator, a great citizen—of a man who might have been great in every way, but who brought his country to a sad position. Attempts have often been made to blacken the reputation of the Hon. Attorney General for Lower Canada [George-Étienne Cartier], and to depreciate the fruits of his labors; for my part I cannot entertain a doubt but that posterity will yet say that the Hon. Attorney General for Lower Canada [George-Étienne Cartier] was great by his works, great by the codification of the laws, great by [the abolition of the Seigniorial Tenure](#)⁸⁸, and great, above all, in that he overcame and routed the demagogues.

Some Hon. Members—*Cheers.*

Jean-Baptiste-Éric

Dorion

[Drummond & Arthabaska]—Oh!

Joseph Dufresne [Montcalm]—As I now see the honorable member for Bagot [Maurice Laframboise] in his place, I desire to make a few remarks in English, with reference to [his speech](#)⁸⁹.

[Mr. Dufresne having hitherto spoken in French.]

[The honorable member for Bagot \[Maurice Laframboise\] stated to us in this House:—](#)

You are robbing Lower Canada of \$500,000, and for what? To give it to Upper Canada. Upper Canada will vote almost unanimously for this scheme of Confederation, because you rob Lower Canada of this amount for its benefit. And how so? Because there are only \$100,000 due for public lands in Lower Canada, while there are \$500,000 due in Upper Canada; and you in Lower Canada will receive only \$100,000, while you give to Upper Canada \$500,000. You are thus committing a spoliation of Lower Canada for the benefit of Upper Canada.⁹⁰

The proposition of the honorable member for Bagot [Maurice Laframboise] is then, if I understand it aright—and I took down his language at the time—to

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take from Upper Canada one-half of the dues on public lands and apply it for the benefit of the Local Government of Lower Canada.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—He never used such language.⁹¹

William Webb [Richmond and Wolfe] said—Mr. Speaker, in the consideration of the scheme presented by the Government for the Confederation of the Provinces of British North America, I must say that I find a great deal of difficulty in dealing

⁸⁷ [Comte de Mirabeau, Réponse aux protestations faites au nom des Prélats & des Possédans-fiefs \(1789\), pp. 12-13.](#)

⁸⁸ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\).](#)

⁸⁹ [Maurice Laframboise, Legislative Assembly \(Mar. 9, 1865\), pp. 841-856.](#)

⁹⁰ [ibid., p. 854.](#) The quote does not match the original language, nor the numbers. J.B.E. Dorion also suggests the member is misquoting Mr. Laframboise.

⁹¹ This interjection from Dorion abruptly ended Dufresne's speech. As the *Globe* reports for this day, the reporters couldn't get the remainder of the transcript due to the late hour. This part of the speech probably occurred in the early hours of the next day. This might explain also why the speech is cut off by Hunter & Rose as well.

with it. It appears to me that before asking for a vote, the Government should have come down to the House with a more full and explicit statement of the measure in its entirety, so that honorable members might be able to arrive at a reasonable and just conclusion as to the merits of the case.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—And I think, sir, that taking into consideration the position in which the greater part of the population are placed who live in the section of country which other honorable gentlemen as well as myself have the honor of representing in this House, this line of argument is of much greater force coming from us than if it had been advanced by the people of any other part of the proposed Confederation.

We all know that if this scheme is adopted, the English-speaking part of the population of Lower Canada will be in a very small minority in the Local Legislature; we all know that those who first opened up and settled the country which I allude to spoke the English language, and that the great majority of the people now living there are English-speaking Protestants; and, therefore, when their representatives are called upon to vote for a measure of this kind, which so deeply and intimately affects their future position and prosperity, I believe that all the details of it, all parts of it, should be fully and clearly placed before them, in order that they may know exactly in what position they stand with regard, and how it is to affect the interests they represent.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—The honorable gentlemen on the Treasury benches, in introducing this scheme and asking our assent to it, have thought proper to take a different course; they merely bring down the resolutions which consent to

Confederation, reserving the all-important details for future consideration. It may be the right course, but I doubt it very much.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—Although the Government has not given all the information which I would desire, I do not, however, think that the people of the section of which I am one of the representatives would be justified in opposing a scheme that may prove beneficial generally, merely because some of their interests may possibly be affected by it. I shall, therefore, vote for the resolutions in your hands, reserving to myself the right of voting for or against the details of the scheme for the local constitution as in my judgment may seem advisable.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—I consider that by voting for this measure I do not pledge myself to anything more than the general principle of a union of the Provinces of British North America. I admit, sir, that last summer the political affairs of this country were in a state of extreme difficulty, and I admit, too, that it was necessary something should be done to get rid of that difficulty. I would have thought, however, that the Conference which met here in October last, to consider a subject that has been before the people of this country since [1858](#)⁹², would have proposed, for the consideration of the respective legislatures, a legislative union of the British North American Provinces. It appears to me that a legislative union would be far more effective in binding the provinces together, and far more economical than the Federal union proposed.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—I admit, however, that there may be

⁹² [Galt first introduced resolutions for the Federal Union of the British North American Provinces to the Legislative Assembly on Jul. 7, 1858 \(*Journals*, p. 815\)](#) and debates on the topic would continue through the 1858 session. See also [Despatches from Cartier, Ross & Galt to Sir Edward Lytton \(Oct. 23 & Oct. 25, 1858\) in Colonial Office, "Confidential: Question of Federation of the British Provinces of America," \(Nov. 1858\).](#)

very great difficulties in bringing about a legislative union, that may not be in the way of a Federal union; and under all the circumstances of the case, the scheme, proposed may have been the best that could have been devised. The greatest objection I now have to it is that many of the people do not understand—that its details are not yet fully comprehended by the country. I believe that if hon. gentlemen had come down with the scheme in its entirety—presenting all its details, and the results expected to flow from them—that there would be far less opposition to it than there is in the country and in this House.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—But as it is now, they call upon the representatives of the people to give their consent to a measure that neither they nor the people thoroughly understand. These objections have been made to the scheme, and in my opinion they have great weight, more particularly in the part of the country which I have the honor to represent. It is not to be wondered at that the English-speaking part of the population of Lower Canada view it with apprehension, or rather have fears in their minds as to the working of it, when gentlemen like the honorable member for Peterborough [Frederick Haultain], who are far removed from any of the difficulties that surround our position, have entertained the same feeling of apprehension. They have thought proper to express doubts and fears as to the

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result, and it cannot, therefore, be surprising that we should have our doubts and apprehensions about it.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—I take it that the Protestants of Lower Canada have no cause of complaint against our French-Canadian neighbors. We have lived together since the union on good terms, and all our intercourse has been founded on equity and justice.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—But there is a feeling amongst our community that they should be removed beyond the possibility of danger from any aggression by the French-Canadian population, and it is difficult to satisfy them that the scheme before the House and country will permit them to indulge in that feeling of security.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—It is not necessary for me, sir, to enter into any lengthy remarks upon this subject, nor to follow those honorable gentlemen who have gone into the matter thoroughly. I have no doubt that if a union of all the British North American Provinces can be brought about on terms that shall be just and equitable to all sections and interests, it would be very advantageous to all of them.

Some Hon. Members—Hear, hear.

William Webb [Richmond and Wolfe]—I shall not, sir, detain the House any longer, but shall conclude by expressing my sincere hope that when we are again called upon to legislate upon this subject, we shall find that the details of this important change of our Constitution will be founded on justice and equity to all, and that we shall also find that honorable gentlemen who have now in a great measure the future destinies of Canada on their hands, may be found equal to their task, and that Canada, in connection with the other provinces, may become the land fit in every respect for the home of the free.

Some Hon. Members—*Cheers*.

George-Étienne Cartier [Montreal East, Attorney-General East]—I have listened, Mr. Speaker, with great interest to the observations of the honorable member for Richmond and Wolfe [William Webb], who has just sat down. There is not the least doubt that the honorable gentleman represents a constituency and population, the majority of which is Protestant in its religious belief; and we know very well that great efforts have been made by those opposed to this scheme to

create apprehension and distrust in the minds of the Protestant minority in Lower Canada in regard to it. But I now reiterate what I have already stated to this House, as a Catholic, and as a member of the Canadian Government, that when the measure for the settlement of the Local Government of Lower Canada comes before this House for discussion, it will be such as to satisfy the Protestant minority in Lower Canada.

Some Hon. Members—*Cheers.*

Joseph Rymal [Wentworth South] said—Mr. Speaker, relying upon the pledge given by the Hon. Attorney General West [John A. Macdonald], that the members of this House would have a fair opportunity of expressing their views upon all the details of this measure, I had proposed reserving what little I had to say till such time as amendments embodying my views were before the House, But the pledge which I expected would be carried out in good faith has been violated by that hon. gentleman, and I am compelled now to raise my voice, and in my weak way, to assert what I would much rather have recorded by my vote.

You are well aware, sir, and every member of the House is aware, of the circumstances that called into existence the present Government, and the avowed object for which it was formed; and all they asked, so far as I am aware, was that a certain degree of forbearance should be shown to them, in order that they might form a scheme that would remove the difficulties existing between Upper and Lower Canada, and, perhaps, tend to bring about a union of all the provinces. As I understood the policy of the Government, the Federation of the Canadas was the first object aimed at, arranging it in such a manner as to allow the Lower Provinces to come in when they desired to do so.

Mr. Speaker, that has by some been denied; but reading [the memorandum](#) drawn up and read by the Government at the time⁹³ explanations were given to this House, and

understanding as I do the purport of it, I think there is no loop-hole of escape from the obligation the Government were under to carry out the Federation of the Canadas first, leaving it to the other provinces to come in afterwards if they saw fit.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I bring, then, two charges against the Government—one against the Hon. Attorney General West [John A. Macdonald], and the other against those hon. friends in the Government with whom I have so long acted. The first is, that the Hon. Attorney General West [John A. Macdonald] broke faith with the House in preventing amendments being moved; and the second is, that the Reform members of the Government broke faith in not bringing down a measure for the Federation of the Canadas.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I had hoped, sir, that the infusion of some pure blood into the Government—the addition of two or three men who had denounced all sorts of wickedness and corruption so loudly as the hon. gentlemen who went into the Government last summer—would at least have brought about some

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improvement in the other members of the Administration—

Some Hon. Members—*Laughter.*

Joseph Rymal [Wentworth South]—and although I have been deceived and disappointed in my expectations, had the scheme propounded to this House been such as to commend itself to my judgment, and convince me it would remove the sectional difficulties long complained of, it would have received my approval. I had hoped, too, and fully believed, that when it came to be pronounced upon by the Legislature, it would, before final adoption, be submitted to the people for their approval.

⁹³ [“Memorandum—Confidential.” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—That this was the opinion of a large majority of the people of Upper Canada, in November and December last, is, I think, beyond doubt. The local papers in all sections of Upper Canada asserted that the Government could not take upon itself the fearful responsibility of forcing such a measure upon the people, we thought asking whether they consented to it or not. Allow me, sir, to read an extract from one that has accidentally fallen into my hands, in order to show the feeling of the people of Upper Canada upon this point. I am not in the habit of addressing the House very often, and when I speak I fear I do not acquit myself very creditably; and feeling on this occasion an unusual sense of responsibility, I am afraid I shall be worse than usual, which at all times is very indifferent. But I am impelled by a sense of duty to give my views upon the subject, and the House, I am sure, will overlook any shortcomings that I may exhibit.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—The extract to which I have alluded reads as follows:—

Whatever mode may be finally chosen to bring the matter before the public, we feel certain that the people of this province, and of either of the Maritime Provinces, will tolerate no proceeding on the part of any one that has a tendency to despotism. The Canadians have battled for a long series of years for the liberties now enjoyed by them, and we greatly mistake if they allow the present or any other Government to make such sweeping alterations in the Constitution of the country without consulting them. The members of the respective governments were not appointed to frame a new Constitution; neither were the members of the various legislatures chosen for that purpose.⁹⁴

Mr. Speaker, I feel that in my own case in its fullest force.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—

The question, as we have already said, was not even

hinted at during the last election.—⁹⁵

I never, sir, heard it mooted.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—Nor was the voice of public opinion in its favor so strong, that it was forced upon the Government or Legislature. So far as Canada is concerned, it was the conception of the Government itself, and was taken up by its members to serve a necessity. This being the case, we contend that the people have a right to be asked to say yea or nay on the subject.

An Hon. Member—What is the name of the paper?

Joseph Rymal [Wentworth South]—It is the *Norfolk Reformer*, a paper the several issues of which, for the months of November and December last, were full of sentiments like those I have quoted; but, looking over the numbers that have appeared since that magnetic or mesmeric circular was sent out from the Provincial Secretary [William McDougall]'s Office, I see that it has sung dumb.

Some Hon. Members—*Laughter.*

Joseph Rymal [Wentworth South]—I fearlessly assert that the Confederation of the British North American Provinces has taken no strong hold of the public mind of Canada. It never was demanded, and I believe as certainly as that I am now speaking, that if this mat term were submitted to the people, and fully understood by them, they would reject it.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I have endeavored to obtain from the leading men in the riding which I have the honor to represent, an expression of their opinions with reference to this scheme. At the time the resolutions were printed here, I secured from twenty to twenty-five copies, and mailed them to my constituency, asking an expression of opinion as to the propriety of adopting them.

Only two sent anything like a favorable

⁹⁴ *Norfolk Reformer*. Unconfirmed.

⁹⁵ *ibid.*

verdict, and all they were able to say in their favor was, that they thought the scheme might be advantageous in a national point of view, but they feared the expense of carrying it out would more than counter-balance the advantages. These are the most favorable expressions of opinion I have got, while in other instances they are denounced *in toto*⁹⁶. Allow me to read an extract from a letter I have received from one of the most influential gentlemen residing in South Wentworth, and who is withal a set rung practical reformer, having received a part of his political education from the *Globe*.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—He says:—

I did at one time allow myself to fancy that Confederation was destined to afford a means of escape from most of the evils which surround our political fabric. When I glanced over the printed resolutions now before the Legislature, I thought that we, the strongest member of the proposed Confederation had, in some respects decidedly the

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*worst of the bargain. I now feel satisfied that this is the case.*⁹⁷

Mr. Speaker, I am glad to find that I am not the only man resident in the South Riding of Wentworth who questions in a very slight degree the honesty of purpose of some members of the Government in bringing down a scheme of this kind, while, at the same time, refusing to give the House that information by which it ought to be accompanied. My correspondent goes on to say:—

I do not believe there is so much patriotism as is pretended among the advocates, or at least the parents of the scheme. I fear they see in it a nice arrangement by which they can extend their term of office, either in the General Government or in the present one. Their departure from the plan proposed by themselves last session; their hurrying the resolutions through the House without giving the country time to consider them; their great

reluctance to give information on the subject, and some other things, lead me to doubt whether they are actuated solely by patriotic motives. I should not have been so uncharitable as to doubt their sincerity, had not their conduct on former occasions been characterized by a lack of that quality.⁹⁸

And I must say, Mr. Speaker, that to a certain extent I entertain the same opinion. I do not propose to go over the whole ground in discussing this scheme. I do not feel competent to that task. But since this debate commenced, I have listened carefully to almost every speech that has been made, with the view of receiving that light which would qualify me to give a vote satisfactory to myself and to my constituents. And I have come to the conclusion that taking this scheme all in all, I am not in a position to approve of it.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—The refusal on the part of the Government to submit it to the people of this country, who have the deepest interest in it, proves conclusively to me that there is something in it which they do not wish the people to know. Their refusal, also, to give the fullest information on a matter of such importance, imparts to me a suspicion, that to use a homely but expressive phrase, “there’s a nigger in the fence.”⁹⁹

Some Hon. Members—*Laughter*.

Joseph Rymal [Wentworth South]—It has been contended that with a view to our security, it was necessary to combine our strength. Now the strength, in my humble judgment, which we would obtain by consummating this union, is just that kind of strength which a fishing rod would obtain by fastening to it some additional joints.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—If you can, by some convulsion of nature, bring Nova Scotia, New Brunswick, Prince Edward

⁹⁶ i.e. “entirely.”

⁹⁷ Letter from constituent to Mr. Rymal. Unconfirmed reference.

⁹⁸ *ibid*.

⁹⁹ A racist phrase, which may have roots in the Underground Railroad and fugitive slaves concealing themselves. It indicates that some important fact is hidden.

Island and Newfoundland, and place them where the uninhabitable mountains, fifteen or twenty miles portly of this place, now are, or leave a couple of them in the boss imp of Lake Ontario, we might have additional strength. But, under our actual circumstances, you propose merely to add to us several hundred miles more of length; without any additional hands to defend them

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I must allude to one matter, which is to bring upon us almost unlimited and unknown expenses, if this union is consummated. To undertake the construction of the Intercolonial Railroad is, in my judgment, to start upon a career of extravagance which will swamp this young country. As one of the agriculturists of Canada, and speaking in their name, I beg to assure the House—if it needs any assurance on a point so palpable—that the agriculturists of Canada are not in a very flourishing condition.

The failure of the crops, with low prices, and the heavy burdens they have hitherto borne, have left them in a bad position to bear increased burdens.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—The balance-sheet of our public financial operations, I think, should be a warning to every one of us, that no uncalled-for or unnecessary expense should be entered upon, but that our means should be economised, and that a balance should, if possible, be shown in our favor for the first time in ten years. We also see many of our business men at present rushing into the bankrupt courts. I find no fewer than 905 insolvent notices in the *Canada Gazette*, from the 1st September to the 24th December last.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—But did all these become bankrupts during the year?

Joseph Rymal [Wentworth South]—I cannot say. They at all events gave the notice during the year. And I believe the misfortunes which have befallen these men will, in each

case, affect at least half a dozen, making an aggregate of 5,000.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I am satisfied, therefore, that this is not the proper time for these increased burdens being thrown upon the people of Canada. I think hon. gentlemen must agree with me, that we have lived as it were too fast, that we have gone beyond our means, and that we are reaping now the bitter fruits of this in tile heavy debt which we at present bear. Without enlarging upon the reasons why I feel it my duty to oppose this measure, I may mention some half

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dozen which to my mind justify me in opposing it.

In the first place, I oppose it because this is not the scheme which the Government pledged themselves to submit to the House this session, nor the one which has been considered by the people of Upper Canada. I oppose it also, because I was not sent here to change the Constitution, or to enter into partnerships, without those who sent me here having an opportunity of pronouncing their opinion concerning them. I oppose it, because of the arbitrary conduct of the promoters of the scheme in endeavoring to wrest from the people privileges which they have enjoyed without abusing, and which they do not wish to give up. I refer here to the proposed mode of appointing the Legislative Council. I oppose it. Because the expenditure which this scheme involves, in my opinion, far outweighs the advantages to be derived from it. Further, I oppose it, because I do not believe it will settle the sectional difficulties we have complained of, but, on the contrary, will multiply them to the same extent as we take in new partners, and will leave upper Canada the victim, not of one, but of several smaller provinces.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—In conclusion, I think honorable gentlemen will agree with me that in 1850 Canada was the

admiration and the envy of most of the people who were acquainted with our position. I would compare the position of Canada at that time—and I think I may without impropriety—to that of a young man of eighteen or twenty, handsome in figure, with a good constitution, of robust strength, and under the care of a tender and loving parent (as I presume England is to Canada), and this parent has committed the health of this child of his—this lovely youth—to the care of a family physician, who, however, has transferred him from time to time to the care of other physicians of different schools. Some of them were allopath's, some were homoeopaths, some were hydropaths—but they all bled—

Some Hon. Members—*Laughter.*

Joseph Rymal [Wentworth South]—they all blistered—they all sweated.

Some Hon. Members—*Continued laughter.*

Joseph Rymal [Wentworth South]—Under such treatment this lovely youth became pale and sickly. The ruddy hue of health passed from his countenance, and instead of his step being firm and bounding, he began to stagger in his gait. Then the parent began to call the physicians to account, for they were acting or pretending to act under responsibility for the result of their treatment. And what answer did they make? Each one of them protested that his own nostrum was sufficient to cure the malady, although it was evident that he was sinking under the treatment. But in order that he might have the benefit of the craft, and themselves not be dismissed for want of skill, they agreed to join, and, making an admixture of their several nostrums, to administer that to the patient.

Some Hon. Members—*Great laughter.*

Joseph Rymal [Wentworth South]—Under this treatment, however, the kind parent began to think that his son had let a poor chance. He remonstrated—as I presume our parent (England) has done—and declared that this could not be allowed, that the patient would die, and that the neighbors were

wondering at the amount of the patient's endurance, and the parent's folly in permitting this bleeding, blistering, sweating process to go on so long. And what do you suppose the quacks, in order to satisfy the parent, proposed to do? After acknowledging, as they could not help, but acknowledge, that they had brought the lovely youth to the brink of the grave, they proposed now to the parent that he should hand over three or four other members of the family that they might experiment upon them also.

Some Hon. Members—*Laughter.*

Joseph Rymal [Wentworth South]—But, Mr. Speaker, I am glad to say, that when they heard to this proposition, the other children said—"We will have none of it—no quack doctors for us from Canada—we will manage our own affairs and select our own physicians for ourselves."

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Rymal [Wentworth South]—I have spoken in a figurative manner, but I trust my language has convoyed the sum and substance of our present position to the minds of hon. gentlemen.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—It conveys exactly, at all events, the opinion I entertain of the treatment which Canada has received at the hands of her rulers for a number of years past. They have been playing their parts, one arguing "I am right," and the other, "You're wrong"—each party arrogating to itself the greatest amount of wisdom—until Canada has been reduced to a state of poverty—I won't say how low; I do not like to describe it—but to a position in which everyone admits we cannot remain. And now the men who have brought her to that position, who have been instrumental in creating the sectional difficulties and religious states that have embroiled the people of Canada, are to be the doctors who are to cure this malady! If they can do it, I shall be happy to assist

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in my humble way. But believing the nostrum they are about to administer will aggravate the evil rather than cure or alleviate it, I feel it to be a duty I owe to my constituents and to my own conscience to vote against the scheme, be the consequences what they may.

Some Hon. Members—*Cheers.*

Thomas Parker [Wellington North]—Mr. Speaker, before the debate closes, I desire to make a few observations in explanation of the vote it is my intention to record on this question. I shall not trespass on the indulgence of the House, but will compress in a few sentences the explanations I desire to make. It is pretty well within the knowledge of the House that I entertain strong objections to the Address on the table—not only objections of principle, but detail—objections not only as an Upper Canadian, but as a British North American, and objections as to the time and manner in which it is sought to give to these resolutions the force of law. If it was possible to propose or secure certain changes, I would make them or warmly support them.

The motion of the “previous question” by the leader of the Government precludes all amendments; for it I am not responsible, but by it I am forced to give a yea or nay vote on the Address as it now stands. I have no choice but to accept or reject these resolutions as a whole. If I could take the responsibility of the latter, I would state my objections to the basis of Confederation fully, perhaps strongly. I refrain from this expression, because, under the circumstances to which I have alluded, it would serve no good end or purpose.

It has been persistently urged during this debate that the opponents of this measure should propound a better. A sufficient answer to that argument is, that they are not allowed to do so. But aside from this, the opponents of a public measure are not always called upon to submit an alternative proposition, but may stand on their strict logical and parliamentary right of proposing nothing and conceding nothing, not even attempting to prove the

particular measure to which they are opposed bad, but that its supporters have not proved it to be good.

Upon all questions of ordinary magnitude and importance from which I dissented, I would feel justified by that answer. But, sir, this is not a question of ordinary magnitude and importance; our domestic and external difficulties are pressing and importunate, and I feel in rejecting this measure, I am bound morally and in duty to the country and the people I represent, to see my way to something better. On this part of the issue I am entirely with the Government. I believe the period has arrived when it is necessary to remodel our institutions, even for the purpose of conducting the civil government of the country. The time has come when it is necessary to carry some measure of constitutional reform.

The public opinion of the country—all the events of the last year—the reconstruction of the present Administration expressly to settle this question, places us in a position whence we can neither recede nor stand still. The status quo is impossible. Under these circumstances, the practical question is—can a better measure than that now before us be secured? Better measures could, perhaps, have been devised, but it is doubtful if they would have secured general concurrence or be carried. The only question, however, I have to determine is, that under the necessities of the time and the restriction from all choice—for neither of which I am in any way responsible—I can see my way to nothing better, and I have therefore determined to record my vote for these resolutions.

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—Conceding, as I honestly do, the necessity of constitutional changes, I accept this as the only practical measure at the present time. If I could see a reasonable probability of securing anything better, I would vote otherwise. But from some of the remarks made by leading members in opposition to this Address, the changes which they would probably propose I

could under no circumstances support; because then, sir, circumstances, over which I have no control, make this the only practicable change possible; and, as the necessity is urgent, I accept these resolutions as a necessity of the time and situation.

In voting for this Address, however, I reserve to myself the right of judgment on every question in these resolutions, which may hereafter become the subject of deliberation in Parliament, should I have the honor to hold a seat in this House. In voting for these resolutions, I hold myself in no way committed to any proposed improvement; and will vote on them, and particularly the Intercolonial Railway, as though they were in no way mentioned in these resolutions. Should this measure fail, either in the House of Commons or by the persistent refusal of the Maritime Provinces to

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make good their contract, I shall consider the Government still bound to find some other solution for our difficulties. Seasonable time and allowance being made for the difficulties of their task, I will continue to hold them responsible for some satisfactory measure of settlement.

Should British North America become united on the basis of these resolutions, a serious responsibility will rest on those public men who will be called in the first days to administer these several governments. Should they fall into prodigal hands, the most serious injury, even ruin, may be entailed on the country. These dangers may be averted by prudence and economy in our future legislators, by which happier results may be achieved. But, sir, under the most favorable auspices, I believe difficulties and embarrassments will grow up under this new Constitution.

I hope it will not then be considered a finality, but capable of amendment as time goes on. I sincerely trust that so far as its future

defects may have their origin in matters of law, they will be redressed by wise, legal and enlightened means; and, so far as they may have their foundation in matters of sentiment or opinion, that they will be redressed by the cultivation of better and more fraternal feeling between the people of the different provinces. I trust and believe that by such happy means, although it is not now such a Constitution as we can all approve, that it may in the future be so modified and administered as to meet the requirements and expectations of the country, and that under it all the residents of these six provinces may become one united, firm, prosperous and happy people.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay] said—Mr. Speaker, I endeavored to catch your eye in the early part of the evening, with the view of offering a few observations, both upon the merits of the subject referred to in the motion in your hands, and of replying to some of the arguments adduced by the friends of the measure; but, knowing the extreme anxiety that existed on the part of many others to speak to the resolutions before the vote is taken, and feeling that there would be another opportunity to address the House, when the motion, of which notice has been given by my honorable friend from Peel [John Cameron], comes up, I have determined not to claim the attention of the House for any lengthened remarks at the present time. There are, however, just one or two points to which I feel that I ought briefly to refer, before a division is taken.

My honorable friend from Granville (Mr. Shanly), in the course of his very interesting speech—a speech to which I listened with a great deal of attention—took occasion to remark upon what he characterised as the bold and manly course adopted by the Government, on learning of the rejection of this scheme by the people of New Brunswick¹⁰⁰. Sir, on that point, I join issue with that gentleman.

¹⁰⁰ Walter Shanly made the comment earlier in the day, p. 903. For the New Brunswick elections see footnote 17.

The course of the Government ought to be bold and manly, to entitle it to the support of a bold and manly mind like his that was so much in doubt as to what course to pursue before this bold and manly policy was adopted. But, sir, instead of its being a bold and manly course, I hold that it was a mere running away from the difficulty which the defeat of those resolutions by the people of New Brunswick presented. What was the position at that moment? We were discussing the desirability and feasibility of having a union of all these colonies, founded upon resolutions adopted by a conference of delegates from the various colonies, which met in this city in October last.

These resolutions were to be concurred in by all the provinces, and were represented to us as being in the nature of a treaty. Suddenly we hear that the Province of New Brunswick, the only one whose territory adjoins ours, had, in effect, refused to ratify [that treaty](#)¹⁰¹, and hence the treaty falls to the ground, and the refusal of that province to join the union renders a union impossible. My hon. friend says it was a bold and manly course to insist on going on with that which it had become impossible to carry out; but, sir, I maintain, as I said before, that their course was merely a method—cunning and adroit, perhaps, but neither bold nor manly—which they adopted of running away from their duty.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—The refusal of New Brunswick to join the union, or to ratify the treaty, having destroyed it, a new duty then devolved upon our Government—a duty growing directly out of the obligation under which those gentlemen placed themselves in the re-formation of their Government in June last. That obligation was to settle the Canadian difficulty this session, either by a Confederation of all the provinces, or by a Canadian Federation.

The one now under consideration for the former object being dead, they were bound to

deal with the Canadian question apart altogether from that relating to the Federation of all the British North American

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Colonies. Instead of dealing with it, however, I say that they have run away from it. And that is what is called a bold and manly course.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Instead of that it was, in my opinion, a most cowardly course to pursue.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—It was a strategic course, the effect of which was to avoid the difficulty, and hold their places in the Government; but was anything but a manly one. The honorable gentleman spoke of this as a treaty. I am surprised that a gentleman for whose astuteness I had learned to entertain a very high estimation, should be carried away by such a fallacy as that. I maintain, sir, that no treaty has been submitted to us. It is not found in the resolutions, nor yet in the despatch of the Governor General [Viscount Monck] transmitting them to this House. Neither the resolutions nor the despatch contain any intimation of their having been a treaty between the respective provinces, and certainly we have had no correspondence laid before us purporting to relate to a treaty between this and the other provinces.

Some Hon. Members—Hear, hear.

Walter Shanly [Grenville South]—the treaty was constructed in Conference, and therefore no correspondence was necessary.

Luther Holton [Chateauguay]—well, we know that there was correspondence between the colonial governments which has not been submitted to us. It was referred to in the resolutions submitted to the Legislature of Nova Scotia. That correspondence, though moved for in this House on the first day of the present session by my hon. friend from Hochelaga [Antoine-Aimé Dorion], has never

¹⁰¹ The treaty meaning the [Quebec Resolutions](#). *Supra* footnote 5.

to this day been brought down, and yet, sir, it has been pretended that it is a treaty. If it is a treaty, why did not the Government submit the treaty or the correspondence which proved the existence of a treaty?

[The seventeenth clause](#), sir, is the only one that can be quoted as having any bearing whatever on the question of a treaty. It reads as follows:—

17. The basis of representation in the House of Commons shall be population, as determined by the official census every ten years; and the number of members at first shall be 194, distributed as follows—Upper Canada, 82; Lower Canada, 65; Nova Scotia, 19; New Brunswick, 15; Newfoundland, 8; and Prince Edward Island, 5.¹⁰²

Of course, sir, the honorable gentlemen undertook to bring before their respective parliaments the propositions which they had agreed upon in conference, and which, if acceptable to all the legislatures, were to serve as a basis of a Constitution for the contemplated union. But there is nothing in that clause to show that the governments, or the provinces which they represented, were to be bound to regard this whole scheme as a treaty, and to lay it before their respective legislatures as such. On the contrary, we find Ministers in the Lower Provinces stating that the whole of the scheme might be modified.

Some Hon. Members—Hear, hear.

Luther Holton [Chateaugay]—And, sir, if it is a treaty, and the governments were bound as by that treaty to stand or fall by it, that treaty has been grossly violated by the other parties thereto. What, sir, was the course pursued in Newfoundland? Why, the leader

of the Government himself [moves a resolution in the Legislature, to the effect that the consideration of the whole question be postponed until next session](#)¹⁰³, with a general election intervening. If there was a treaty binding on all parties—and there cannot be a treaty unless it is binding on all parties—that is the very nature and essence of a treaty. If honorable gentlemen are justified in their statement that it is a treaty, do they not, by necessary implication, thereby charge the governments of all the other provinces with a breach of faith?

Some Hon. Members—Hear, hear.

Luther Holton [Chateaugay]—But, sir, there was no treaty, and it was never intended to consider these resolutions as being in the nature of a treaty. It was simply intended that these heads of agreement—for they are hardly worthy of the name of resolutions, so clumsily are they strung together—should be brought before each Legislature in the shape of propositions, to be considered and voted upon separately, at the same time keeping in view the importance and expediency of adhering to the agreement arrived at in the Conference.

Any other agreement in a conference composed of members of the Opposition, as well as of the governments of the Lower Provinces, would have been simply absurd; but our Government were shrewd enough to see the difficulties that were likely to arise in considering the resolutions separately, and that it would be impossible to obtain the assent of this House to all of the self-contradictory, and, in some cases, absurd propositions, contained in this scheme; and therefore, they

¹⁰² [Quebec Resolution 17](#). *Supra* footnote 5.

¹⁰³ [Newfoundland, House of Assembly \(Mar. 6, 1865\)](#). *Journals of the House of Assembly of Newfoundland (1865)*, pp. 37-38. The resolution reads as follows, “RESOLVED—That having had under their serious and most deliberate consideration the proposal for the formation of a Federal Union of the British North American Provinces, upon, the terms contained in the Report of the Convention of Delegates held at Quebec on the 10th October last,—the Despatch of the Right Honorable the Secretary of State for the Colonies, dated December 3, 1864—the observation of His Excellency the Governor in relation to this subject, in his opening Speech of the present Session—and the Report of the Newfoundland Delegates,—this Committee are of opinion, that having regard to the comparative novelty and very great importance of this project, it is desirable that before a vote of the Legislature is taken upon it, it should be submitted to the consideration of the people at large—particularly as the action of the other Provinces does not appear to require that it should be hastily disposed of, and as (the present being the last Session of this Assembly) no unreasonable delay can be occasioned by this course; and they therefore recommend that a final determination upon this important subject be deferred until the next meeting of the Legislature.”

hit upon this expedient of proclaiming it to be in the nature of a treaty, of using their strength as a Government in its favor and of asking the honorable members of this House to vote for it *en masse*—to vote in stultification of all their antecedents upon every question that has engaged the attention of this Legislature, or that has been the subject of discussion in our Provincial Parliament during the last quarter of a century.

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Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Sir, up to a recent period there might possibly be said to have been some little life in this debate; but during the last week it has been to me not without its ludicrous aspects. When I have heard honorable members get up day after day and argue gravely for union with a people who we now know will have no union with us, and arguing that that union will be a means by which we could emerge from our sectional difficulties here in Canada, it has presented to my mind a most ludicrous aspect.

I cannot conceive why hon. gentlemen, in the face of the intelligence we have had from New Brunswick¹⁰⁴ and Newfoundland¹⁰⁵, and for what we know is likely to be the action of Prince Edward Island and Nova Scotia, should go on gravely arguing in favor of this as a live scheme, from which anything else could come than the perpetuation of the official life of a few hon. gentlemen, brought together by means that I shall not now allude to more particularly, but which I shall take another occasion to characterise in such terms as I think are appropriate.

Their Confederation scheme is dead, sir, and they know it is dead; and yet they go on and ask their supporters here to vote for this string of seventy-two propositions. The hon. gentleman who has just taken his seat, said he was going to vote for the motion, but wished it to be distinctly understood that he was not

in favor of any one of the propositions which the motion embraces. I tell my honorable friend that he is going to record his vote in favor of every one of these propositions. I tell him that the Government will not give to him, or to this House of Parliament, the privilege of recording a vote on one proposition alone, unless it is recorded in favor of the whole scheme.

Thomas Parker [Wellington North]—What I said was this—that I reserved to myself the right of voting as I pleased on every resolution which might become the subject of parliamentary action on another day.

Luther Holton [Chateauguay]—I understood my honorable friend perfectly; but notwithstanding any declaration that he may make in reference to the subject, the fact still holds good that by his vote he will place himself on record as being in favor of those seventy-two resolutions. That is the inevitable result of the mode in which these resolutions are put to this House—a very unsatisfactory mode, a very unparliamentary mode, and a mode which I maintain is an insult to this House as a free Parliament, representing British freemen—and I trust that before the final passing of the resolutions and Address, this House will resist this endeavor to tamper with its freedom, and condemn with it the men who have been the authors of the attempt. Well, sir, the scheme is dead, and yet it is to keep the men alive.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—That is the whole object of this discussion. The honorable gentlemen know very well that the scheme is dead.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—They know perfectly well that I am uttering the simple truth when I say that when they came down with their new programme, they were in the greatest possible difficulty; and it was to retire from this difficulty, and not to force it,

¹⁰⁴ *Supra* footnote 17.

¹⁰⁵ *Supra* footnote 103.

that they hit upon the expedient we saw them resorting to—proclaiming the refusal of the Lower Provinces to come into the union as the strongest reason why they declared in favor of the union.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—These are the few observations I proposed making to-night, reserving any further remarks I may have to make for the debate which will probably arise on the motion of the honorable member for Peel (Hon. Mr. Cameron). But while I am up, I desire to call the attention of the House to a somewhat startling statement which appears in the English newspapers that arrived to-day. I hold in my hands the *Times* of February 21st, containing the extended report of the debate in the House of Lords, of which we received a summary by telegraph a few days ago¹⁰⁶, and in respect to which some information was recently conveyed to the House by a member of the Government, on the authority of a telegram which had been received from New York.

It will be remembered that the first telegraphic report we had of the conversation in the House of Lords represented an appropriation of £50,000 as having been made towards the defences of Quebec. Although we had applied for this information, it was refused us, but it was given unhesitatingly by Lord De Grey, the Secretary at War, in the House of Lords, connected with some other statements respecting the share in the defences of the country to be undertaken by the people of this country.

The honorable gentlemen, however, improved the opportunity which the news afforded them in their own way. They made it the basis of a new flank movement. It served as an excellent excuse for moving the previous question, in order that they might close this debate at the earliest possible moment, and start for England with the greatest haste, in

order to save the country from impending invasion. The telegraphic report created a good deal of excitement in the

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House. It will be remembered that when my honorable friend from West Middlesex (Mr. Scatcherd) was making some remarks in reference to this subject, the Hon. President of the Council [George Brown] rose in his place and told the House that either he himself or some other party had telegraphed to New York to learn the precise facts as to the alleged appropriation by the Imperial Government of £50,000. The honorable gentleman stated he had learned that the sum was not £50,000.

John A. Macdonald [Kingston, Attorney-General West]—Thirty thousand pounds.

Luther Holton [Chateauguay]—£30,000, or £50,000—it was variously stated—but £200,000. Well, sir, we have [the extended report at length](#), and it appears that £50,000 is the sum to be placed in the estimates this year¹⁰⁷. They look to the expenditure of £200,000 in the course of four years, beginning this year with an appropriation of £50,000¹⁰⁸. It appears from this that they do not consider the case as so very urgent—not, at all events, so urgent as to require the business of the Parliament of this country to be suspended, in order that Ministers may hasten thither to make provision for the defence of the country.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—So much would follow from the fact of their spreading the £200,000 over four years. But that is not all. Very startling statements on the subject of the defence of Canada were made in this debate in the House of Lords. We know how persistently our own Government have refused us the necessary information to guide us on the subject—seeking, in the absence of that information, unfairly to use the subject of defence as a means of persuading honorable

¹⁰⁶ See "Midnight Despatches," *Montreal Herald* (Mar. 7, 1865) and "By Telegraph," [*Quebec*] *Morning Chronicle* (Mar. 8, 1865).

¹⁰⁷ [UK, House of Lords, "Defences of Canada—Reports of Colonel Jervois—Question" \(Feb. 20, 1865\), vol 177, cc 416-40.](#)

¹⁰⁸ [ibid.](#)

gentlemen to support their measure of Confederation.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Now I hold this doctrine, that *quoad*¹⁰⁹ Canadian affairs, our Ministers are bound to furnish us with the same ample information as the Imperial Government are bound to furnish the Imperial Parliament, *quoad* Imperial affairs, when it is not inconsistent with the public interest so to do.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Well, we find that weeks ago this debate came up in an incidental manner in the House of Lords, on a motion of a noble lord (Lord Lyveden), for information on the subject, and that the Government at once entered into the fullest explanations, in the course of which they made some rather startling as to their negotiations on the defence question with this Government, and in respect to which all information has been withheld from us. [In answer to Lord Lyveden, Earl De Grey said:—](#)

The Government undertook to provide for the necessary improvements in the defence of Quebec, which had always been considered as an Imperial fortress, and which, though formerly of great strength, like other fortifications, required improvements to meet the altered circumstances of warfare. They had proposed to the Canadian Government to undertake the fortification of Montreal and the western points. The Canadian Government was well aware of the obligations which rested on them, and when they had received the necessary answer from the Canadian Parliament, were ready to undertake these works.¹¹⁰

Mark this, that the Canadian Government are ready to undertake the fortification of Montreal and the western points.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Such is the information which we get from Earl De Grey, that our Ministers have entered into this understanding, provided that they can get the

assent and authority of the Canadian Parliament to incur the whole expense of permanent defensive works westward of Quebec.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—And yet, sir, although information on this subject has been sought for at almost every stage of the debate—almost daily—they have persistently withheld it from us. But now fortunately before this debate is closed, [we learn from the lips of the Secretary at War](#) that in so far as in them lay, they pledged the resources of this country to an untold amount for the construction of fortifications throughout the province, with the exception of Quebec¹¹¹. They have agreed to this, I say, subject to the approval of Parliament, and which approval they dare not ask until this scheme, the whole of the seventy-two resolutions, with all their clumsy contrivances, is adopted by this House—in order that their official existence may be lengthened out for a few months longer.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—The whole amount which will be required for permanent fortifications, as stated in a leading article in the *Times*, is £1,300,000 sterling¹¹²—about \$7,000,000, of which the Imperial Government propose to expend £200,000, or about, \$1,000,000. We therefore learn that our Government have really bargained for the expenditure by Canada of \$5,000,000 to \$6,000,000 towards the permanent defences of the country, in respect of which we have had no information whatever.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—There can be no doubt that they have made this bargain, because I have quoted the words of Earl De Grey stating in precise terms that the Canadian Government had agreed to it,

¹⁰⁹ i.e. “with respect to.”

¹¹⁰ [UK, House of Lords, “Defences of Canada—Reports of Colonel Jervois—Question” \(Feb. 20, 1865\), vol 177, cc416-40.](#)

¹¹¹ [ibid.](#)

¹¹² *The Times* [of London]. Unknown reference.

subject to the approval of our Parliament. I say that this is a startling fact, and I hope that the honorable gentlemen

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who intend voting for these seventy-two resolutions, which in reality sanction this arrangement—because the Government have insisted upon it and urged it throughout this debate—will pause before they add other \$6,000,000 to the untold millions to which we shall be pledged by the adoption of the scheme now before the House.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—In rising to speak at such an advanced stage of the debate, it is not my intention to occupy the attention of the House for any lengthened period, especially as the topic of Confederation which has been under consideration for several days past, has been pretty thoroughly exhausted. I do not, however, consider that I should be doing my duty were I to allow this question to pass without remark, and without stating to the House and to the country the reasons which have brought me to the determination to vote as I have resolved to vote on this great question of Confederation.

What, I would ask, Mr. Speaker, do Ministers call upon us to do on this occasion? To pass an Address to Her Majesty, praying Her by a single stroke of the pen to cancel our present Constitution, and to substitute another based on the seventy-two resolutions adopted by the Conference at Quebec, held on the 10th October last, and which resolutions are now before the House.

I am convinced that the Quebec Conference, when they framed the basis of our new Constitution, far from being actuated by any sentiment of disinterestedness, were on the contrary influenced by the desire of personal advancement. I may be deceived, Mr. Speaker, and I sincerely hope that I am. I hope that the electors of New Brunswick, who have just

rejected the scheme of the Quebec Conference¹¹³, and at the same time passed a direct vote of censure against the most illustrious men in that province, for having agreed to this scheme, and, by so doing, compromised the interests of their country—I hope, I say, that these electors have also been mistaken, knowing, as I do, that obedience must be yielded to the majority, and that, in spite of their triumphant opposition, Confederation will be imposed upon us as now projected.

It is sought by a single stroke of the pen to abrogate our Constitutional Act, and to substitute for it a Constitution of the details of which we are altogether ignorant, of which, indeed, every effort is made to keep us in ignorance. We are urged to exchange what we now have or something that they propose to give us. Franklin has told us that “a bird in the hand is worth two in the bush.”¹¹⁴ I am one of those who would prefer the bird in the hand, and for that reason I am not prepared, without further guarantee, to change the Constitution of the country.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—I hold to the [Constitution of 1840](#)¹¹⁵, because it consecrates a great principle in favor of Lower Canada, that of equality of representation in the Legislature; and I adhere the more firmly to it, Mr. Speaker, when I bear in mind that it is one of the express conditions of my presence in this House as the representative of the county of Yamaska, and I do not intend to betray the confidence reposed in me. In relation to this subject, I will take the liberty of reading to the House extracts from two letters which have been addressed to me by two electors of great influence in my county:—

St. Michel D'Yamaska, 29th Jan., 1865.

My Dear Friend,—From the little information I have been able to obtain in relation to what has taken place in the

¹¹³ *Supra* footnote 17.

¹¹⁴ Proverb meaning that it's better to hold onto what you have rather than risk it trying to get something better.

¹¹⁵ [The Union Act, 1840 \(U.K.\)](#).

House since the beginning of the session, I observe that the true patriots, far from being able to avert, will not even have the satisfaction of delaying, the storm which threatens our unhappy country. The French-Canadian egotists are, as usual, in the majority, especially in this nineteenth century—the age of progress it may be, but the age of selfishness, of hazardous speculations, in which conscience (now, alas! only a by-word) takes no part—the age of usurious loans, to the great detriment of the poor people, whom, not content with pillaging and ruining, it is now proposed, with the view of securing a few years of power and position, to deprive of their nationality, their laws and their religion....

What ought we to do under these circumstances, when we see our country threatened by its own children, allied with its bitterest foes? Treat the traitors with disdain, and maintain with firmness (no matter how few in numbers we may be) an energetic and constitutional opposition. It may be that at last the Catholic clergy will awake from their dream, and will manfully aid the Opposition, whose sole object is the preservation of its most cherished rights.¹¹⁶

Mr. Speaker, I read such language with pride, and I now proceed to read the views of another of my electors, no less patriotic than the one whose letter I have just read:—

Rivière David, 21st Feb., 1865.

Dear Sir,—I have received a copy of the resolutions in relation to the projected union of the Provinces of British North America, and after having examined and studied them, and having read with care all that the papers on either side have to say for and against them, I beg to state as my opinion, that they are very far from meeting with my approval. Even were they better

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than they are, I should be very sorry to see them adopted before an opportunity has been afforded to the electors to pronounce upon them, and to authorize their representatives to vote in favor of them. I shall abstain, in view of the want of space in a simple letter like this, from discussing the reasons which have led me to form this opinion. Suffice it that I unite my voice with that of the best friends of our country in telling you that you were not elected to destroy, but rather to promote the working of our Constitution.¹¹⁷

These remarks, Mr. Speaker, are so true and so reasonable, that I should be ashamed did I not agree with them; yet if I had reason to anticipate that our country would be endangered by the refusal of this House to pass the scheme of Confederation now proposed to us, I would not hesitate to vote in favor of it. But I am very far from believing that our Constitution cannot be made to work with benefit to the country for many years to come.

If the Taché-Macdonald Government¹¹⁸ had not [been defeated last year](#)¹¹⁹, and if it could have retained a majority of one or two votes only, as has been so well observed by the hon. member for Beauce [Henri Taschereau], Confederation would still be in the clouds, and the hon. member for South Oxford [George Brown] would still be at a great distance from his long-sought haven. It is, however, to be hoped that the offspring of the present Administration—composed, as it is, of such heterogeneous elements—will not be the victim of premature birth, and that the Government will have something else to present to the country than a still-born child.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—Mr. Speaker, that great principle of sectional equality was consecrated anew by [the Legislative Council Act of 1856](#)¹²⁰. And by whom was it consecrated? By the men who are now in power. On the 14th March, 1856, the hon. member for Montmorency [Joseph Cauchon], seconded by the Hon. Mr. Spence, moved the adoption of a law establishing equality in the Legislative Council between Upper and Lower Canada, and rendering that branch of the Legislature elective. The principle of that law was assented to by eighty-three votes against six. I read from [the Journals of this House](#) as follows:—

¹¹⁶ Letter from constituent [St. Michel D'Yamaska] to Mr. Fortier (Jan. 29, 1865). Unconfirmed reference.

¹¹⁷ Letter from constituent [Rivière David] to Mr. Fortier (Feb. 21, 1865). Unconfirmed reference.

¹¹⁸ Led by Étienne Pascal Taché and John A. Macdonald (Mar. 1864-Jun. 1864).

¹¹⁹ *Supra* footnote 10.

¹²⁰ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

The order of the day for the second reading of the bill to change the constitution of the Legislative Council, by rendering the same elective, being read, the Hon. Mr. Cauchon moved, seconded by the Hon. Mr. Spence, and the question being put, that the bill be now read a second time the House divided, and the names being called for, they were taken down as follow:—

Yeas.—Messrs. Aikins, Alleyn, Bell, Bellingham, Biggar, Bourassa, Brodeur, Bureau, Cartier, Casault, Cauchon, Cayley, Chapais, Chisholm, Christie, Conger, Cooke, Cook, Chas. Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, DeWitt, Dionne, J.B.E. Dorion, A.A. Dorion, Dostaler, Atty. Gen. Drummond, Dufresne, Felton, Ferrie, Foley, O.C. Fortier, Fournier, Frazer, Freeman, Gamble, Gould, Guévremont, Hartman, Holton, Jobin, Labelle, Laporte, LeBoutillier, Lemieux, Loranger, Lumsden, Lyon, John S. Macdonald, Atty. Gen. Macdonald, Mackenzie, McCann, Marchildon, Masson, Mattice, Meagher, A. Morrison, Munro, Papin, Patrick, Poulin, Pouliot, Powell, Prévost, Price, Rhodes, Sol. Gen. Ross, J. Ross, Sanborn, Shaw, Sol. Gen. Smith, S. Smith, James Smith, Somerville, Southwick, Spence, Stevenson, Thibaudeau, Turcotte, Valois, and Wright.—83.

Nays.—Messrs. Bows, Brown, Cameron, Crawford, Robinson, and Yeilding.—6.

So it was resolved in the affirmative.¹²¹

Thus, on this exciting question of representation by population, eighty-nine members from Upper and Lower Canada voted and took part in the discussion, forty-four from Upper Canada, of whom only six demanded representation by population (the Hon. Mr. Brown being one of them), and forty-five Lower Canadians, ten of English and thirty-five of French-Canadian origin, constituting eighty-three votes against six.

Observe the immense majority who voted upon the constitution of the Upper House, and ratified the [Constitutional Act of 1840](#)¹²² to which I have just referred. Not only was this principle consecrated by a large majority in both branches of the Legislature; as I have just shown, it was also confirmed by the Government of the Mother Country, for whose sanction this law was reserved, at most eight years ago. And, Mr. Speaker, these two

Constitutional Acts have been the means of establishing the peace, happiness and prosperity of the country since [the troubles of 1837 and 1838](#)¹²³; behind these two acts the French-Canadians have sheltered themselves as behind an impregnable rampart, and yet these two acts the present Administration, sustained by a majority of French-Canadians in this House, are ready to scatter to the four winds.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—For the last quarter of a century, Canada has enjoyed responsible government and the advantage of equality in the representation. What then is there to complain of, and by whom are complaints made? Who have complained during the last ten years—have the French-Canadians, have the Upper-Canadians? No, sir, it is the hon. member for South Oxford

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(Hon. Mr. Brown), and on what ground? On the question of representation based upon numbers. Why has that hon. gentleman created such a turmoil in Upper Canada, and why has he tried to tread under foot that which the French-Canadians hold most dear—their religion? It was to attain power, to reach the seat which he now occupies on the other side of the House, supported by the honorable members for Kamouraska [Jean Chapais] and Dorchester [Hector-Louis Langevin], like altar posts on each side of a statue.

Some Hon. Members—Hear, hear, and laughter.

Moise Fortier [Yamaska]—Who are those who have opposed that hon. member in this House? All the members for Lower Canada, both French and English without distinction. Never have the members from Lower Canada been divided on this vital question. *Bleus and Rouges*, Mr. Speaker, have united as one man to preserve that which guaranteed to them their future as

¹²¹ [Journals of the Legislative Assembly of the Province of Canada \(Mar. 14, 1856\)](#), p. 146.

¹²² [The Union Act, 1840 \(U.K.\)](#).

¹²³ *Supra* footnote 35.

descendants of old France.

And what was the cause of this union of French-Canadians against the hon. member for South Oxford [George Brown]? To refuse him that which the present Administration has conceded to him, by the Quebec Conference. What was the reason given by the Hon. Attorney General for Upper Canada [John A. Macdonald], during the session of 1863, to the member for South Oxford [George Brown], who reproached him for having governed Upper Canada by a Lower Canadian majority? He replied—and his words are still ringing in my ears—“Never,” said he, “has Upper Canada had to complain of anything which my Government has imposed on Upper Canada by means of a Lower Canadian majority. You have no grounds of complaint, and you will never obtain your extreme demands.”¹²⁴

This was the language used at that time. But things are changed, and unfortunately *autre temps autre chose. O tempora! O mores!*¹²⁵ And afterwards, the honorable member for Montreal East [George-Étienne Cartier] added expressions more or less ironical, more or less founded, comparing the Grits of Upper Canada to so many codfish in the Gulf of St. Lawrence. It was then, Mr. Speaker, that the honorable member for South Oxford [George Brown] took an active part in the discussion.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—You, no doubt, remember the occasion, for then you yourself, Mr. Speaker, were, in the eyes of the hon. member for Montreal [George-Étienne Cartier], only a codfish eager for the bait. Mr. Speaker, I have always admired the energy displayed by the hon. member for Montreal East [George-Étienne Cartier] in resisting the hon. member for South Oxford [George Brown]; his courage and boldness were boundless, and there was such a vast

difference of principles, and so much animosity existed between those two hon. gentleman-and their respective supporters, that you could never for one moment have imagined that they could endure each other as neighbors on the Treasury benches. This mutual reconciliation, Mr. Speaker, reminds me of the effect produced on my mind by the happy family, which I had an opportunity of seeing at New York a few years ago, when the rat was to be seen between the paws of the cat, the monkey running after the rabbit, and the sparrow coquetting with the owl.

Some Hon. Members—Hear, and laughter.

Moise Fortier [Yamaska]—How long have the men to whom I have just referred paid any attention to the claims of the hon. member for South Oxford [George Brown]? How long have they listened to him? It is only since those hon. gentlemen have found themselves in a minority in this House, since the Taché-Macdonald Government¹²⁶ have resolved *per fas aut nefas*¹²⁷ to retain office—never before. Now, all this has not tended to inspire me with any confidence in the plan of Confederation, and has indeed made me resolve to vote against the whole, because this scheme is to be accepted *in toto*¹²⁸ or not at all.

Some Hon. Members—Hear, hear.

Moise Fortier [Yamaska]—The Government tells us, Mr. Speaker, that these resolutions cannot be amended in any particular; the seventy-two resolutions, they say, must be voted all together, so as to give no ground for complaint on the part of the Maritime Provinces. It is a treaty from which no deviation can be allowed. But how is it that the Honorable Mr. Tilley, of New Brunswick, offered to allow the Opposition in that province to amend this treaty? And did not the Government declare, at the end of the last session, that they intended to propose an amendment of some kind to the Constitutional

¹²⁴ John A. Macdonald responding to George Brown, Legislative Assembly (1863). Unknown reference.

¹²⁵ i.e. “Oh the times, oh the customs!”

¹²⁶ Led by Étienne Pascal Taché and John A. Macdonald (1864-Present). See also footnote 10.

¹²⁷ i.e. “by any means (lawful or unlawful, good or bad).”

¹²⁸ i.e. “entirely.”

Act, and that they would submit it to the people for their consideration before seeking its adoption? And now they refuse to do this. Ah! I repeat, all this is very far from inspiring me with the least confidence in the scheme of Confederation, and in the present Administration. You must swallow the whole scheme without hesitation, without power to offer a single amendment. Let those who please vote for such a measure, the humble member for Yamaska [Moise Fortier] assuredly will not. I therefore declare that I am prepared to vote against the measure now under consideration.

Some Hon. Members—*Applause.*

François Evanturel [Quebec County] said—Mr. Speaker, in return for the indulgence

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extended by the House, I have to say that I do not rise to make a long speech, but that I shall content myself with giving a silent vote. However, before recording my vote upon the measure which is submitted to us, I wish to put a question to the Government. I acknowledge that if I confined myself to consulting my own ideas, I should not put this question; but I do so in order to meet the wishes of several of my friends, both within this House and beyond its precincts.

Those friends have expressed alarm in relation to one of the clauses of the resolutions, and have requested me to ask an explanation from the Hon. Attorney General for Upper Canada [John A. Macdonald], as to the interpretation of that clause. I have therefore to ask him whether [article 46 of the resolutions](#), which states that “both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada,”¹²⁹ is to be interpreted as placing the use of the two languages on an equal footing in the Federal Parliament?

Instating the apprehensions entertained by certain persons on this subject—and I consider that it is a mark of patriotism on their part, and that their apprehensions may be legitimate—I hope the Government will not impute to me any hostile intention, and will perceive that the course I adopt is in their interest, as it will give them an opportunity of dissipating the apprehensions in question.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I have very great pleasure in answering the question put to me by my hon. friend from the county of Quebec [François Evanturel]. I may state that the meaning of one of the resolutions adopted by the Conference is this, that the rights of the French-Canadian members as to the status of their language in the Federal Legislature shall be precisely the same as they now are in the present Legislature of Canada in every possible respect.

I have still further pleasure in stating that the moment this was mentioned in Conference, the members of the deputation from the Lower Provinces unanimously stated that it was right and just, and without one dissentient voice gave their adhesion to the reasonableness of the proposition that the status of the French language, as regards the procedure in Parliament, the printing of measures, and everything of that kind, should be precisely the same as it is in this Legislature.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I do not rise to offer any lengthened remarks, but to draw for a moment the attention of the members of the Administration, with a view to obtain some information in connection with this scheme; but before doing so, I would say a word in reply to the explanation given by the Hon. Attorney General West [John A. Macdonald] to the question put by the hon. member for the county of Quebec (Hon. Mr.

¹²⁹ [Quebec Resolution 46](#), which reads in full, “Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.” *Supra* footnote 5.

Evanturel), with regard to the use of the French language.

The Hon. Attorney General West [John A. Macdonald] stated that the intention of delegates at the Quebec Conference was to give the same guarantees for the use of the French language in the Federal Legislature, as now existed under the present union. I conceive, sir, that this is no guarantee whatsoever, for in the [Union Act](#)¹³⁰ it was provided that the English language alone should be used in Parliament, and the French language was entirely prohibited; but this provision was subsequently repealed by the [11th and 12th Victoria](#)¹³¹, and the matter left to the discretion of the Legislature.

So that if, to-morrow, this Legislature choose to vote that no other but the English language should be used in our proceedings, it might do so, and thereby forbid the use of the French language. There is, therefore, no guarantee for the continuance of the use of the language of the majority of the people of Lower Canada, but the will and the forbearance of the majority. And as the number of French members in the General Legislature, under the proposed Confederation, will be proportionately much smaller than it is in the present Legislature, this ought to make hon. members consider what little chance there is for the continued use of their language in the Federal Legislature. This is the only observation I have to make on this subject, and it was suggested to me by the answer of the Hon. Attorney General West [John A. Macdonald].

John A. Macdonald [Kingston, Attorney-General West]—I desire to say that I agree with my hon. friend that as it stands just now the majority governs; but in order to cure this, it was agreed at the Conference to embody the provision in the Imperial Act.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—This was proposed by the Canadian Government, for fear an accident might arise subsequently, and it was assented to by the deputation from each province that the use of the French language should form one of the principles on upon which the Confederation should be established, and that its use, as at present, should be guaranteed by the Imperial Act.

Some Hon. Members—Hear, hear.

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George-Étienne Cartier [Montreal East, Attorney-General East]—I will add to what has been stated by the Hon. Attorney General for Upper Canada [John A. Macdonald], in reply to the hon. member for the county of Quebec and the hon. member for Hochelaga [Antoine-Aimé Dorion], that it was also necessary to protect the English minorities in Lower Canada with respect to the use of their language, because in the Local Parliament of Lower Canada the majority will be composed of French-Canadians. The members of the Conference were desirous that it should not be in the power of that majority to decree the [George-Étienne Cartier] abolition of the use of the English language in the Local Legislature of Lower Canada, any more than it will be in the power of the Federal Legislature to do so with respect to the French language. I will also add that the use of both languages will be secured in the Imperial Act to be based on these resolutions.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I am very glad to hear this statement; but I fail to see anything in the resolutions themselves which gives such an assurance, in proof of which we have the honorable member for Quebec county [François Evanturel] asking how the matter really stands. But it is not

¹³⁰ [The Union Act, 1840 \(U.K.\)](#).

¹³¹ [An Act to repeal so much of an Act of the Third and Fourth Years and Her present Majesty, to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, as relates to the Use of the English Language in Instruments relating to the Legislative Council and the Legislative Assembly of the Province of Canada \(U.K., 1848\).](#)

simply for the use of the French language in the Legislature that protection is needed—that is not of so great importance as is the publication of the laws and proceedings of Parliament. The speeches delivered in this House are only addressed to a few, but the laws and proceedings of the House are addressed to the whole people, a million or nearly a million of whom speak the French language. I now beg to address one or two observations on a different subject. When the question was first brought before us, I drew the attention of the Government to the discrepancy between the printed resolutions which are now submitted to us, and the resolutions which were despatched to the members of the Legislature, during the recess, by the Hon. Provincial Secretary [William McDougall].

The discrepancy consists in the wording of the third section of the 29th resolution. In the resolutions which were sent us by the Hon. Provincial Secretary [William McDougall], the 29th read as follows:—

The General Government shall have power to make laws for the peace, welfare and good government of the Federated Provinces (saving the Sovereignty of England), and especially laws respecting the following subjects.—

Antoine-Aimé Dorion [Hochelaga]—
The subjects, 37 in number, follow, the 3rd reading thus:—

3. The imposition or regulation of duties of customs on

imports and exports, except on exports of timber, logs, masts, spars, deals, and sawn lumber, and of coal and other minerals.

Antoine-Aimé Dorion [Hochelaga]—
The [43rd of the same resolutions](#) states:

The local legislatures shall have power to make laws respecting the following subjects:—Direct taxation and the imposition of duties on the export of timber, logs, masts, spars, deals, and sawn lumber, and of coals and other minerals.¹³²

So that the General Government are forbidden to place export duties on lumber, coals, and other minerals found in any of the several provinces, such right being reserved to the local legislatures. But in [the resolutions submitted to the House in English](#), there is a most important and invidious distinction, and I drew the attention of the Hon. Finance Minister [Alexander Galt] to it early in the debate. It states:—

The General Parliament shall have power to make laws, etcetera, respecting the following subjects:—...

3. The imposition or regulation of duties of customs on imports and exports—except on exports of timber, logs, masts, spars, deals, and sawn lumber from New Brunswick; and of coals and other minerals from Nova Scotia.¹³³

By the first of these series of resolutions the General Government was deprived of the right of imposing export duties on lumber, coals, and other minerals in regard to all the

¹³² There seems to have been circulating in the Legislative Assembly an earlier set of the Quebec Resolutions, different from both [the text tabled in the Legislative Assembly on Feb. 3, 1865 by John A. Macdonald \(p. 18\)](#) and [the one tabled by Étienne Pascal Taché in the Legislative Council \(pp. 1-6\) on the same day](#). The texts printed in this volume, tabled on those dates are the final and corrected texts, and it is also the texts found in the *Journals of the Province of Canada* for the Legislative Council and those for the Legislative Assembly. It seems that some members were consulting an earlier set of the resolutions. These were marked “private” and circulated after the close of the Quebec Conference in certain business circles, sometime in November and December 1864, and were still in circulation well after that. These earlier sets not only had mistakes in resolutions nos. 29(3), and 43(1) (in regard to exceptions for New Brunswick and Nova Scotia) but also in resolution no. 24 (in regard to amending districts of local provinces, not the House of Commons). According to private correspondence between the Coalition Ministry and the Premiers of Nova Scotia and New Brunswick, these were discovered and corrected well after the close of the Quebec Conference in October. It is likely that corrections were made in November and December 1864. For these correspondences, see [PrimaryDocuments.ca](#). For drafts and final text of the Quebec Resolutions, see [Charles Dumais, *The Quebec Resolutions: Including Several Never-Published Preliminary Drafts by George Brown and John A. Macdonald & a Collection of all Previously-Published Primary Documents Relating to the Conference \(CCF, 2021\)*](#).

¹³³ [Quebec Resolution 29 \(3\)](#). *Supra* footnote 5.

provinces; whilst by the resolutions now before the House, the General Government is allowed to impose such duties except on lumber exported from New Brunswick, and coals and other minerals exported from Nova Scotia. [Then the 43rd resolution](#) now before the House says:—

The local legislatures shall have power to make laws respecting the following subjects:—

1. Direct taxation, and in New Brunswick the imposition of duties on the export of timber, logs, masts, spars, deals, and sawn lumber; and in Nova Scotia, of coals and other minerals.¹³⁴

That is to say, in New Brunswick and Nova Scotia they have a right to impose duties, for local purposes, on the export of lumber, coals, and other minerals, whilst in Canada and the other provinces that power is withheld; and while the timber and minerals from Canada can be taxed by the General Government for general purposes, the timber of New Brunswick, and the coal and minerals of Nova Scotia, can only be taxed by the local governments of these provinces, and for local purposes only. This is a most unjust arrangement for both Upper and Lower Canada.

Now, sir, I find in an official document, published in Nova Scotia under the sanction of

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the Government of that province, and submitted to parliament now sitting, that the powers of the General Government and of the local governments in respect to the export duties upon lumber, coals, and other minerals, are exactly the same, word for word, as are set forth in the printed copy sent to the members during the recess.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—It has been asserted that this was a treaty entered

into by the delegates of the several provinces; but it seems to be a treaty in which alterations have been made.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I called the attention of the honorable gentlemen opposite to this discrepancy, and asked which was the true and correct copy of the resolutions, and I was told that it was the copy which had been submitted to the House. There has been an alteration somewhere; and in a matter of this serious importance, the Government ought to tell us how and where it occurred—they ought to inform us if it is not the case that the treaty was changed after the Conference had ceased to meet, and at whose request and by whom the change was made. It is evident that we are called to vote for a scheme, here, different from that submitted to the Legislature of Nova Scotia, and one more unfavorable to us than that which the delegates from Nova Scotia have reported to their Government.

While on this subject, I will also remark that there is also a discrepancy between the French and the English versions of the resolutions submitted to the House¹³⁵, the French version being the same as the one communicated to the members by the Hon. Provincial Secretary [William McDougall], and also to those submitted to the Nova Scotia Legislature. This would indicate that the change has been made in these resolutions submitted to this House, and it is well that we should have some information, and know what has taken place about this pretended treaty since the separation of the delegates.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—There is another important matter which demands the attention of the House. It has been stated here that the whole of the delegates had agreed to the resolutions of the

¹³⁴ [Resolution 43 \(1\)](#). *Supra* footnote 5.

¹³⁵ *Supra* footnote 132. Both English and French versions that were in the hands of the Speaker did not have any discrepancies.

Conference.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The name of Mr. Palmer was mentioned as being an exception, and to that the honorable gentlemen opposite declared that all the delegates had agreed to these resolutions. Is not that what was stated?

John A. Macdonald [Kingston, Attorney-General West]—Yes.

Antoine-Aimé Dorion [Hochelaga]—But I find that besides Mr. Palmer, who asserted publicly that he had signed the resolutions of the Conference to authenticate them, and that he had not agreed to these resolutions, there is also Mr. Dickey, another delegate, who has taken the same course. Mr. Dickey even went so far as to address a letter to the Lieutenant-Governor of Nova Scotia, Sir R. Graves McDonnell, in which he says:—

The Honorable Provincial Secretary has submitted for my inspection a report to Your Excellency, dated 5th December last, and signed by himself, the Honorable Attorney General, the Honorable J. McCully, and A. G. Archibald, Esq., of the result of a mission with which we were charged by Your Excellency, to attend a Conference at Quebec upon the subject of Intercolonial union. In that report I am happy to be able cordially to concur, except as to that portion of it which would seem to imply the unanimous action of members of the Conference. As I had the misfortune to differ from my colleagues in several important details of the scheme submitted to Your Excellency, I feel myself constrained to withhold my signature from the report, unaccompanied by this explanation. My regret at this circumstance is greatly diminished by the reflection that the Right Honorable the Secretary of State for the Colonies, in his despatch of 3rd December last, sustains my view that the scheme is susceptible of modification and improvement.¹³⁶

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—These are two points which I think are very important, and the honorable gentlemen opposite ought to offer some explanation—on the first point, at all events. In the return of

correspondence presented to the Nova Scotia Legislature, I find also a very important [letter which was addressed on the 9th of January last, by the Lieutenant-Governor of Nova Scotia to the Governor General of Canada \[Viscount Monck\]](#)¹³⁷. That letter has never been communicated to us, although an Address for all the correspondence in reference to this Confederation scheme was proposed and carried several weeks ago¹³⁸.

[This letter of Sir R. Graves McDonnell was in answer to a despatch from Lord Monck of the 23rd December, 1864](#), and the third paragraph reads as follows:—

It is evident from the communication of the Right Honorable the Secretary of State, that Her Majesty's Government expects to be aided in the preparation of a bill embodying the suggestions of the Quebec Conference, by deputations from the several provinces. It also appears to myself and the members of my Government, that to avoid the probable multiplied divergence of opinion in each Legislature, inseparable from discussing a great variety of details in several independent parliaments, despite of a general agreement in the main objects and principles of the general scheme, it is better for these provinces to avail themselves of the friendly arbitrament of the

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Queen's Government and send delegates to consult with the latter during the preparation of the proposed Imperial Bill. The peculiar "views"—and this is the point—of each legislature might, if necessary, find expression in instructions to the delegates from each.¹³⁹

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—So we find in this letter, which has been withheld from us, a suggestion that amendments can be made to the scheme in the form of instructions to the delegates from each of the several legislatures; and yet honorable gentlemen have stated that these resolutions were, in point of fact, a treaty, which this Legislature could not alter or amend in the least important particular, but that honorable members must say "aye" or "nay" upon them

¹³⁶ Letter from Dickey to Sir R. Graves McDonnell. Unconfirmed reference.

¹³⁷ [Letter from Sir R. Graves McDonnell to Lord Monck \(Jan. 9, 1865\).](#)

¹³⁸ [This correspondence would only be presented to the Legislative Assembly the following session, on Aug. 18, 1865, p. C:21.](#)

¹³⁹ [Letter from Sir R. Graves McDonnell to Lord Monck \(Jan. 9, 1865\).](#)

precisely as they stand!

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—There are three material circumstances here cited—first, the discrepancies in regard to the export duties on lumber, coals and other minerals; second, the discretion which is reserved to the Lower Provinces, by their legislatures, to alter and amend the resolutions; and third, the dissent by two of the delegates to the so-called treaty, although we have been informed by our own Government that the Conference was unanimously in favor of it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I desire explanations from the Ministry on these important points.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—As to the first point, I can only say that full explanations have already been given on several occasions; with reference to the second point, the Canadian Government is not responsible for the opinions of the delegates after they left this country; and as regards the third point, His Excellency the Governor General [Viscount Monck] sent down [the correspondence to this House](#)¹⁴⁰ as fully as he thought proper, and I presume the lieutenant-governors of the other provinces did the same.

Antoine-Aimé Dorion [Hochelaga]—I will remind the honorable gentleman that there is another discrepancy. The French copy of the resolutions before the House is exactly in accordance with the printed document sent from Nova Scotia, and with the copy sent to members by the Hon. Provincial Secretary [William McDougall], while the English copy now before the House is different. Now, of these different versions which is the correct one, and where has the alteration been made? The importance of the question is, I think, very great; for if the version given in this Blue-Book

from Nova Scotia, and in the French copy, be correct, we in Lower Canada will have a right to impose, for local purposes, an export duty on all timber, either from Upper or Lower Canada.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—The resolution is in plain terms, and declares that the General Government shall have no right to impose an export duty on timber, but that the local governments shall.

George Brown [Oxford South, President Executive Council]—The right copy is that in the Speaker's hands, of course.

Antoine-Aimé Dorion [Hochelaga]—But there are two versions of it—the one in English differing from that in French.

John A. Macdonald [Kingston, Attorney-General West]—I moved the resolutions in English, and if there is any difference in the French copy, it is an error in the translation.

Antoine-Aimé Dorion [Hochelaga]—Well, if the English copy is the right one, the General Government will have the right to impose an export duty on all timber except that exported from New Brunswick, and on all coals and minerals except from Nova Scotia.

Several Members—That is the right one.

Charles De Niverville [Three Rivers]—Mr. Speaker, as the junior member of this honorable House, it was proper that I should be the last to speak on the question which now engages our attention. A very few days before the commencement of the present session, I did not know that I should fill the seat which I now occupy in this chamber, and should be called on to vote on the question of Confederation, and take part in the debate upon it. Accordingly, I have not had time, as most of the honorable members who have spoken on the scheme submitted to the House have had, to prepare myself to treat it in apolitical and diplomatic sense, and to examine the basis on which it rests. If, on the

¹⁴⁰ ["Resolutions Relative to the Proposed Union of the British North American Provinces," \[No. 12\] in *Sessional Papers* \(1865\). The correspondence is reproduced in full in the Legislative Council proceedings for Jan. 27, p. A:4.](#)

other hand, I had had the time necessary to make myself thoroughly acquainted with it in all its hearings, I should have acted not otherwise than I shall now act. I should have left, as now, to other members of this House better qualified than I am in respect of knowledge, and the discussion and consideration of great political questions, which are the fruit of a long service in Parliament—I should have left to such honorable members the office of viewing the question in the various aspects which distinguish it.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—As member for the chief place of the district of Three Rivers, and a French-Canadian, I ought to speak in explanation of my views. The difficult position of the country for the last few years, arising from the equal strength of the two parties in the political arena, and rendering the administration of public affairs arduous to the various

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ministries which had, one after another, come into power—that position, I say, necessitated a change which might put an end to such a deplorable state of affairs. Our situation was like that of the Roman Empire when near its fall. The union, as the Hon. Attorney General for Lower Canada (Hon. Mr. Cartier) so well said, had lasted its time; it now became necessary to try something else.

It was necessary that the nation which, of all the different races which inhabit the British Provinces in North America, is foremost in duration, energy and prosperity, should take the lead and initiate that measure which was to deliver the country from its difficulties. Well, Mr. Speaker, the most natural remedy which occurred was the scheme for the Confederation of the English Provinces on this continent, and as the opponents of the measure—men who have thrown all their powers, courage and perseverance into their opposition—have never moved any other, it seemed to be the only one which found

acceptance. This scheme has not had the effect of producing fear in my mind, as it has in several members who have spoken before me. After careful examination, I have arrived at the conclusion that it is practicable, and that it ought to be adopted. I am well aware that it is not perfect, for there is nothing perfect in this nether world.

It was not possible to take every advantage for Lower Canada, and to leave nothing for Upper Canada and the Maritime Provinces. Some concessions were necessary to be made in common justice, as we were obtaining great material advantages, together with the preservation and protection of our dearest interests. In short, it was necessary that we and they should make what is generally termed a compromise, and that compromise was such as to be in our favor in every respect.

I do not profess to be a religious man, but I may venture to assert, without transgressing the bounds of modesty that I love and revere my religion as much as any other man in this House. Before, therefore, I could form any decided opinion on the question that is now before the House, and give my vote in favor of it, I did not omit to consult our priests. I have always blamed the conduct of those priests who interfered in elections and matters of policy, acting the parts of canvassers and ultra-partisans, instead of endeavoring from the pulpit—the very abode of truth—to calm the animosities of parties, and to aid the people in making an honest, free, independent and judicious choice, and turning in a manner the pulpit of truth itself into a political tribune, from which they promulgate principles which might be termed seditious. Such conduct I have always condemned.

I love to find in the members of the clergy those virtues which ought to characterise them; and as now the business in hand is not the election of a member of Parliament, but a complete change in the Constitution of the country, it is my opinion that they ought to be considered citizens, and to enjoy as fully and completely as any other class the endowments and privileges which belong to others, and

that, as others have, so should they have a right to examine the new Constitution which we are to receive, and to give their opinion on its merits and imperfections.

Relying on the judgment and the intelligence of certain of this order, I thought it right to consult them. I had recourse to two members of the clergy of the district of Three Rivers—men of great learning, and eminently qualified to give an opinion on the scheme of Confederation—men who were perfectly free from the spirit of party, without political bias or personal ambition to be gratified in preference to the interests of the country, and whose opinions were entitled to respect as being the fruit of a life of study and labor constantly employed to increase the happiness and prosperity of their fellow-citizens and their country, and to protect our religious institutions.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—I have no intention to name those two venerable men, who are known throughout the country as two of the most distinguished members of our Canadian clergy and most eminent citizens. Well, Mr. Speaker, I consulted those two men, and both agreed in making answer that they were favorable to the project of Confederation of the British North American Provinces on this continent. Resting, then, on my own convictions that Confederation is the best means we have at hand of escaping from the present difficult position of the country, and on the authority of members of the clergy—an authority which I take pleasure in mentioning, because the opponents of the Ministerial plan have affected to believe that all the clergy in the country are opposed to the measure—thus supported, Mr. Speaker, I hold it to be my duty, and I do not hesitate to give my vote in favor of the principle and the project of Confederation.

Certain apprehensions have arisen in the public mind relative to the project in question;

these fears, I need not say, have been excited by the opponents of the measure, who make themselves hoarse with crying that French-Canadian

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nationality would be swallowed up by Confederation, and that in twenty-five or thirty years' time there would not be a single French-Canadian left, in Lower Canada. Well, Mr. Speaker, I appeal, to prove the falsehood of these declarations, to the men who in 1840—the time of [the union of the two provinces](#)¹⁴¹—labored with so much zeal and energy to guard the natural depository of our social and religious rights from danger—I appeal, to prove it, to those men who applied all their energy, their abilities, and their patriotism to prevent the union; to those men who, endowed with a singleness of mind at least equal to that which animates the opponents of Confederation, procured numerous petitions to be signed against the union of Upper and Lower Canada; to those men, in short, who predicted that in ten years' time there would not be a single French-Canadian left—these men I summon to the bar of public opinion, and I ask them—"Gentlemen, did you predict truly?

What has become of that French-Canadian nationality which was to be swallowed up by the union? Has it disappeared, as you said it would? See and judge for yourselves." That nation, which was doomed to be annihilated, has built up Montreal, the first commercial city in the two Canadas—Montreal, on which the honorable member for Richelieu (Mr. Perrault) pronounced such a pompous eulogy in his speech the other evening—an eulogy that he extended to the country generally—praising its immense resources and growing prosperity. It was under the union and through the union that the splendid Victoria Bridge was erected, the most magnificent work of the kind in the world. Under its auspices, also, we constructed those immense

¹⁴¹ [The Union Act, 1840 \(U.K.\)](#).

canals which have received honorable mention from the lips of the honorable member for Richelieu [Joseph Perrault]; and everybody knows that that honorable member is eminently qualified to pronounce a judgment on such matters, having seen and examined the canals constructed in Europe.

Accordingly we are justified in saying that our canals are immeasurably superior to the canals of Europe, as he tells us in respect to several of our canals, that a boy in the smallest of skiffs could touch the *revêtement*¹⁴² walls with his two tiny oars. I must say that I do not accept the interpretation put on that part of the honorable member's speech by the honorable member for Montcalm (Mr. Joseph Dufresne), in which he said that there were men on the bench of bishops as well informed and as eminent as any that were to be found in any ministry. This is the interpretation I put on that phrase of the honorable member for Richelieu [Joseph Perrault], and I do not think I mistake in saying that it turns against those who, at the time of [the union of the two Canadas](#)¹⁴³, did everything they could to prevent it.

In 1840 those men, those good and zealous patriots, told the people, by way of serving their cause, that in twenty-five years there would not be a single French-Canadian left in Lower Canada; and now the honorable member for Richelieu [Joseph Perrault] comes out and gives them the lie direct by saying that, at this present time, the Roman Catholic bench of bishops numbers among its members men—of course French-Canadians—who are as eminent for their talents and acquirements as the most distinguished members of our political world; and that religion is amply protected by the present Constitution, which was nevertheless destined, according to those great patriots, to swallow us up and sweep us from the face of the continent.

Paul Denis [Beauharnois]—That is very true.

Charles De Niverville [Three

Rivers]—One word to comfort those French-Canadians who are afraid of suffering wrong in the Federal Parliament, being as they say an insignificant minority of that body. Ever since nations began to comprehend their true interests, a certain equilibrium has been established which it will always be their aim to maintain. This constitutes the protection which the union of two weak parties affords against a strong one, which would aggrandize itself at their expense. This law of equilibrium is reproduced in all times and places—among nations and among individuals: it is found even among animals. For what purpose did the two first nations in the world, France and England, unite together to resist the invading forces of the powerful despot of the north—the Emperor of Russia, and what was the object of the campaign in the Crimea?

Was it to reap the barren glory of shouting that the French soldiers rushed to the assault with the impetuous speed of the thunderbolt; that the English soldiers received the enemy's fire without yielding a foot; that they marched with the cool determination of a wedge of iron against the enemy's squares, and that nothing could resist their onward movement? By no means. Those two powers were perfectly acquainted with the qualities which distinguished their respective armies, and did not need to put them to the proof.

Their intention was simply to prevent the

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Emperor of Russia from extending the frontiers of his states indefinitely, to the detriment of the surrounding nations. Why did the present Emperor of the French go to war with his cousin the Emperor of Austria? For exactly the same reason. I will go even further, and ask why the beast grazing in a pasture drives away the first strange animal which enters it? It is a mere instinct of self-preservation.

Some Hon. Members—Hear, hear.

¹⁴² i.e. "the coating."

¹⁴³ [The Union Act, 1840 \(U.K.\)](#).

Charles De Niverville [Three Rivers]—Well, Mr. Speaker, as that instinct of self-preservation prevails among all created beings on the earth, why should it not be produced among the different provinces of the Confederation? If Upper Canada should ever seek to act unjustly towards Lower Canada and the Lower Provinces, the latter would naturally and instinctively strike up an alliance to resist the encroachments and injustice of the sister province. I am certain, therefore, that in this respect we have nothing to fear. As a French-Canadian, it is my business to speak of what concerns us most nearly: our religion, our language, our institutions and our laws

Well, then, with respect to our language, I ask whether there is the least danger of our losing it in the Confederation? Far from being in danger, I believe it will be more in vogue under the new *régime*, as it can be spoken and made use of not only in the Federal Parliament and local legislatures, but also in the supreme courts which will be hereafter instituted in the country. I say that when that time arrives—that is to say, when the Confederation is established, we shall have a fuller use of our language.

For what liberty have we in its use in this chamber? That liberty which the liberals have vaunted so highly, which can not be touched without destroying it, in what way have we it here? Has it been conceded to us in the full acceptation of the word? By no means, Mr. Speaker; we have it, but it is as Tantalus had the water—he was thirsty, but he drank not; though the water bubbled to his lips, the water receded as soon as he attempted to receive it.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—In truth, what kind of liberty have we, who do not understand the English language? We are at liberty to hold our tongues, to listen, and to understand if we can.

Some Hon. Members—Hear, hear, *and continued laughter.*

Charles De Niverville [Three Rivers]—Under the Confederation, the

Upper Canadians will speak their language, and the Lower Canadians theirs, just as we do now; with this difference, that they who count a large majority of their countrymen in the House, may hope to hear their language spoken the oftenest, as new members will use the language of the majority.

I intend no reproval to the honorable members who have spoken in English on the question now before the House, thus depriving us of the pleasure of understanding them, and, therefore, of enjoying their eloquence, and being convinced by their logic. What they have done on the present occasion is a simple act of justice due to the majority of this House, and one which the French-Canadians have always rendered with pleasure. But if we follow the example of most French-Canadians in days gone by, we shall not keep our language long. How often do we find in the towns, nay, even in the country parts, Canadians who have no sooner caught up two words of English than they run off with delight to repeat them to their neighbors.

Emigration to the United States, which will cease under Confederation (for we shall have the management of our public lands), has been a principal cause of that stupid mania with which all seem to be seized who have lived some time among our neighbors and returned to Canada. To give you an idea of that lamentable mania, I shall relate a circumstance in which I was one of the actors. Not two months since, I was on the platform at the station where the branch from Arthabaska to Three Rivers leaves the Grand Trunk, when two young men, dressed in the American fashion, came to the hotel. One, as he came in, called out in a loud voice, "Where is the ostler?" The man, who was a stout Canadian, soon made his appearance, and as soon as he set eyes on the gentleman, called out in his turn, "What! Joe, is it you?" (*Tiens! c'est toi, Joh!*)

Of course our pretended American was taken aback, and for the moment dumbfounded. Seeing his embarrassment, and willing, in pity to the poor victim of

affectation, to relieve him from it, although it had its comic side, I called to the stableman and said, "Go and take the gentlemen's horses; don't you see they are Americans, and that they don't understand you." Well, Mr. Speaker, such scenes frequently occur; nay, those who move now and then from home may see them every day.

So if we do not wish our beautiful language to lose its influence, we must not fail to discountenance the affectation of Canadians talking English when they hardly know a word of it. Otherwise we must take to talking English, and let our own language

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sink into disuse and oblivion. For our I religion I have no fears. The experience of the past is a guarantee for the future. We live no longer in those times when Paradise was the promised reward of all who ill-treated those of a religion different from their own. These are not the days in which wars and troubles between nations were begotten of religious hatred. The world is too civilized to renew the scenes which were then constantly exhibited. Every man is free to practise his religion as he pleases, and this tolerant spirit is especially to be noted as characterising the English nation.

True, we find some fanatics both among the English and the French population: unfortunately we had two instances of the working of this spirit in one evening in this House—the one from a Catholic, the other from a Protestant. The former cried out loudly that Confederation would be a mortal blow to the Catholic religion, while the other cried as loudly that it would be the ruin of the Protestants.

I must confess, Mr. Speaker, that I am not one of those who live in fear and distrust of British domination. As long as we live under the sway of free England, I have not the least doubt that our language will be fully protected, and that in fifty years from this present time, good Catholics will be allowed the exercise of their religion as freely, as safely and as piously as this day, and that the wicked

will not be compelled to be more religious than they now are.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—The hon. member for Bagot [Maurice Laframboise] told us that there are a great number of Catholics in England, and that they are perfectly at liberty to exercise their religion at their pleasure, but that they are not represented in the English Parliament. This, far from being a proof of intolerance, I take to be a proof of their tolerant character, since, although able to oppress the Catholics, they leave them at full liberty to fulfil the pious exercises of their religion. I repeat it, Mr. Speaker, there are fanatics in all religions; happily for humanity, they are but a small minority, and men of good sense hold them in contempt.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—Our institutions are secured to us by our treaties with Great Britain; our laws by the articles of Confederation. What coercion, what restraint or opposition have we to apprehend from the Mother Country, when the subject of the British Government is acknowledged throughout the whole world to be of all men the most free? Most free in the exercise of his rights as a citizen; as free in speech and action as he is secure in his person, wherever he may find occasion to assert his rights, to uphold them and defend them. I say "wherever," because the English people can, with as perfect freedom and perfect confidence, state their grievances before any tribunal and all authorities, from the highest to the lowest, as they can in the bosom of their families or in a circle of intimate friends.

We, moreover, possess one infallible means—based on the laws of Nature herself—of preserving to the French-Canadians in all their purity their language, their religion, their institutions and their laws; and that means is education—the education which we receive first from the authors of our existence in our childhood, and which is afterwards continued in our elementary schools and our seminaries;

that education—Christian, moral and religious—which is so carefully, wisely and anxiously instilled into us in our youthful days by the masters and tutors of our colleges; that practical education which we acquire in the course of our dealings and transactions with men of business.

That education it is, Mr. Speaker, which renders nations prosperous, rich and great, which elevates them to the rank of which they are worthy, and maintains them in it, It never fades from the mind on which it has been impressed—it remains fixed on the memory, like the characters which we engrave on the bark of a young tree, and which are found long years after, when it falls under the woodman's axe.

As the representative of the city of Three Rivers, I may be allowed to say a few words relative to the advantages which Confederation will bring to that district. Every one knows that it possesses immense tracts of land not yet opened out to the settler, magnificent forests of timber of all kinds, and mines of inestimable value. It is beyond question that Three Rivers yields the best iron in the country.

This was proved at the Great Exhibition at London, where the first medals were awarded to the Radnor Ironworks Company for the best iron-wheels, in respect of durability, elegance and quality. The St. Maurice has been grossly neglected by the various Administrations which, during the last ten years, have held office, although the district yielded a revenue of \$30,000 or \$40,000 to the public chest, which might have entitled it to some compensation.

Nevertheless, the

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district of Three Rivers is not behind other districts in the country, either in industrial success or in the energy and enterprise of its inhabitants. The Arthabaska Railway, which it was said would not pay running expenses, is at present more productive than any part of the Grand Trunk Railway. We need colonization roads and railways, and I am

convinced that under the Confederation, when we shall have the management of our own funds without the interference of Upper Canada, we shall build railways in all parts where the requirements of trade and industrial pursuits call for them. We shall then offer to the settler well-made and well-kept roads, and the district of Three Rivers will derive precious results from them, as well as other districts of the country.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—We have a proof of the rapidity with which the district of Three Rivers would grow, if it were encouraged. This is found in the parishes of St. Maurice, St. Etienne, Ste. Flore and Shawinigan. It is nearly twenty-five years since St. Maurice was a mere forest; now it is a large, rich, and beautiful parish, of which the district of Three Rivers has reason to be proud. It numbers upwards of five hundred voters with the parish of Mont Carmel, which is an offset from it. The extensive trade in timber which is carried on in the valley of the St. Maurice, and which employs thousands of laborers, is an important element in the commercial business of the country, exporting to a great amount the lumber which is taken from the extensive territory—if I may be allowed the expression—belonging to the district of Three Rivers; and these vast tracts which await the settler, those iron mines so rich and so well known, those mines of other minerals still hidden in the mountains and valleys of the St. Maurice, those riches of all kinds which abound there await only the hand of man to render the district and city of Three Rivers an important part of Lower Canada.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—The Ministers of the Crown in Canada have been accused of bringing up the question of Confederation only as a means of retaining power and increasing it. The Hon. Attorney General for Lower Canada [George-Étienne Cartier] has been accused of moving that measure only that he may become Lieutenant-Governor of Lower Canada. Well,

Mr. Speaker, I am thoroughly convinced that that honorable Minister has too much energy, is too laborious, to seek or to accept an office in which he would have nothing to do.

Some Hon. Members—Hear, hear.

Charles De Niverville [Three Rivers]—For my part, I make a present to the Opposition of all the profit I am likely to derive from places or dignities under Confederation, when we have it. I repel the idea that Canadian statesmen allowed themselves to be influenced by paltry notions of personal interest, when they set about devising means to extricate us from the difficulties in which we were involved. They had in view only the interests of the nation, and never had a thought, as some have insinuated, of delivering the country up to ruin and desolation. I conclude, Mr. Speaker, by declaring that I am in favor of Confederation, and opposed to the appeal to the people, because I believe it to be perfectly useless.

An hon. member who spoke yesterday told us that the clergy are not qualified to form a judgment on the project of Confederation. Now, I ask you, if the clergy are not qualified to form a judgment on such a question, how; the people can form one who have not the necessary education? How can they comprehend the aggregate and the details of the scheme, and ascertain whether it would be beneficial to them or not? I repeat that I am in favor of the project now under consideration—first, because I declared myself favorable to the measure when I presented myself to my constituents; and, secondly, because I think it necessary and even indispensable, and calculated moreover to promote the interests of the country in general, and those of Lower Canada and the district of Three Rivers in particular.—

Some Hon. Members—*Cheers.*

Adolphe Gagnon [Charlevoix]—Mr. Speaker, the scheme of a Confederation of the provinces now before this House is one too deeply interesting to be received in silence. If I rise to speak on this occasion, it is for the

simple purpose of justifying my opinion on the subject, by stating my reasons for entertaining it; and as I am not in the habit of making speeches, I crave the indulgence of the House. It is the opinion of members on the other side of the House that the country will derive great advantages from this union; but those advantages depend, as most people think, on the contingencies of an unknown future, and by others, are looked upon as the doubtful results of a hazardous and dangerous speculation, which will involve the ruin of our credit.

Not only, Mr. Speaker, do we risk our capital, which will be lost in the execution of this great scheme;

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not only do we ruin, by this new union, the credit of our country, but we Lower Canadians risk everything that is dear to us, even our nationality, while knowing that we can gain nothing by the change. As an inducement to Lower Canada to accept this scheme, we are promised a railway to open up an intercourse of commerce with the Lower Provinces, and we are given to believe that this great commerce to be opened up by the grand line of communication will be a vast benefit to us; but those who will take time to reflect may come to a different conclusion, without any danger of being mistaken, for those provinces have nothing to exchange with us.

We have the same productions as they have, and in greater abundance than any of them. They have nothing but coal which we do not possess, and that is not transported by railway. This railway will, as a matter of course, lead to the expenditure of enormous sums for building it, and will afterwards cost us a great deal in repairs and working expenses, and after all, will only be of use as a substitute for a few schooners which carry down our produce to the Gulf Provinces every season.

This, Mr. Speaker, will be a dear price to pay for the complete destruction of our little inland navigation, which ought rather to be

protected. The amount of expenditure involved in the building of this railway, if wisely applied to the opening of colonization roads, to the improvement of roads and bridges, and the clearing of the public lands, would be much more beneficial to the people of this province, who would find in these things a degree of satisfaction and happiness which would enable them to do without Confederation, which would be no cure for our political troubles.

A little more good-will and calmness in discussing the question, would have stifled the cry for representation based on population, and our country would have been able to go on under the actual union, which is less dangerous and less expensive than that which is now proposed by the Government. I should have had other remarks to offer, Mr. Speaker, but I am obliged to postpone them, as hon. members must be worn out with their long sittings, and the lateness of the hour.

Some Hon. Members—*Cheers.*

Lucius Huntington [Shefford] said—I do not intend, Mr. Speaker, to occupy the time of the House in any lengthened remarks; and yet as a member representing a constituency of this country, I do not feel disposed to give a vote on this question, without saying at least a word upon it. And it occurs to me—and I say it in the best spirit, and with no intention to cast a reflection upon honorable gentlemen opposite—that if there is so great a desire as appears to exist to-night on the part of honorable members to express themselves upon this question—many of them who are favorable to the scheme as well as opposed to it—and if it is found that the opportunity is curtailed, the responsibility does not at any rate rest upon this side of the House.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I do not, as I have said, propose at this late hour to enter at any considerable length into a discussion of this measure; but there are points that present themselves to me as possessing considerable importance, that have not, I believe, been brought out during the progress

of the debate; and if an opportunity is subsequently given for remarking upon them, I may avail myself of it. But I cannot forbear remarking now, in reference to the announcement made by the Government the other night, that in a certain sense I consider it was a step in the right direction. I believe it was then stated that a mission would be sent to England to consult with the Imperial Government with a view of arranging definitely the question of the defence of this country, and the proportion of the cost of defence to be borne by the respective countries.

Now, without desiring or intending to occupy the time of the House by raising a debate upon this point, I cannot help observing that it was desirable, before this scheme of Confederation was adopted at all by the Conference, that this arrangement should have taken place with the Imperial Government—that it should have been preliminary to the plan of union proposed, and that the Conference should have taken upon itself to arrange with the Imperial Government the proportionate expense which is to be borne by the two countries in relation to the defence of these provinces; for, let it be borne in mind that this question has been forced upon us in Canada as the only means of preparing the country against the aggression of our neighbors; and yet we are asked in adopting this scheme, to go to a great extent in the dark.

We are asked to adopt it, and at the same time it is known that the result must be a change in respect to the proportion of defence we in this country will be called upon

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to bear. It has been said that the disposition in England to take part in our defence was owing to the fact that Canada had manifested a disposition also to make provision for defence. Now, supposing we should fail at any time hereafter to bear what may be considered in England a fair proportion of this, cost, what would be the consequence?

Why, we might be placed again in precisely the same position in which we find ourselves to-day. England might withdraw her troops from this province, and refuse to engage in any defensive works, unless we undertook more than in the opinion of the people of this country we are able to bear; and hence it is my opinion that if it was desirable that this question of Confederation should be submitted to the people at all for their adoption, the first and indispensable step to have taken was to arrange with the Imperial Government the terms and conditions as regards the question of defence upon which we are to enter this new state of political existence, in this sense I do not regret that the scheme, as far as the Lower Provinces are concerned—judging from recent events in New Brunswick and the utterances of public men in the other colonies—is likely to be delayed in its accomplishment; and I am not sorry that the Canadian Government, by this action of the Lower Provinces, will be compelled to consult with the Imperial authorities and arrange with them the proportion we are to bear of the cost of maintaining the defence of the country.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—It may be almost providential that we are compelled, by the force of circumstances in the Lower Provinces, to take this step now; and I must say that heretofore there has been a disposition manifested on the part of the Government to keep the people in ignorance upon this subject; but I trust that when these negotiations shall have taken place with the Imperial Government, we shall know precisely what the Government has done and what it has agreed to do, and that the exact proportion of expense that we are expected to bear will be laid before this House and submitted to the opinion of the people of this country.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I make these remarks, sir, merely because to me the point appears to be a very important one, and

because I believe the fullest information will be indispensable to this House in the future discussions that may take place upon this subject.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—There is another point that has suggested itself, to which, perhaps, I may be permitted to allude in a few words. I wish to do so without reflecting upon any hon. member of this House; but I cannot help feeling and expressing extreme regret, as a Canadian and a British subject, at the spirit that has characterized this discussion upon Confederation and defence on the part of those hon. gentlemen who support this scheme. Sir, in a British Legislature, where it is proposed to build up a great monarchical constitution on this continent, on the model which has flourished in England, I regret that any honorable gentleman should have found it necessary to charge a seditious and disloyal intention upon all those who cannot agree with them in supporting this scheme.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—For myself—I say it sincerely and earnestly, though I have boasted less of my loyalty and attachment to the British Crown and Constitution than some hon. members of this House—I think I may say there is no one who loves more than I love the British constitutional system, no man who desires more than I desire to see copied here that British constitutional-monarchical system, and no man who believes more firmly than I believe that it would give to the people of these colonies that greatness, prosperity and freedom that have distinguished the people from whom we have sprung on the other side of the water.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—But if this debate is considered to be of sufficient importance to have a place among the records of the country—to go down to posterity as the serious utterances of our public men, I think it is a cause of deep regret that hon. gentlemen

opposite, in view of that great patriotism of which they have boasted so much, and which they affirm has induced them to sink minor considerations of party and personal antagonism for the sake of carrying a principle of which they profess to be the disinterested and self-denying exponents, have not seen fit, in the discussion of this question, to discuss it like statesmen, and not brand as infamous, traitorous and rebellious those who differ from them in their view of it.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I think the people of this country, whether belonging to the Conservative or the Reform party, will feel a deep regret at this; and if there is one thing more than another that indicates that the present like past coalitions is going to result in advantage to the Conservative at the expense of the Reform party—if there is one thing more than another that makes me fear that

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the Reform members of the Government, for whom I have a strong political as well as personal sympathy, will be overwhelmed by their conservative colleagues—it is this cry, this bugbear, this *bête noire* of annexation raised by hon. gentlemen on the other side of the House.

Why, sir, it is only a few months since we had the great Constitutional party organized in this country, and baptized with an amount of eloquence and parade such as never attended the birth of a party in any other country. We were told by the leaders of this great Constitutional party that the British Constitution in this country must be defended; that the country was divided into two parties—the Annexation party and the Constitutional party—and that the reformers composed the former, while the conservatives desired to perpetuate British connection.

My hon. friend the member for Lambton [Alexander Mackenzie] was singled out for attack, and told that he and those with whom he acted desired to hand the country over to the Americans; that he was unfaithful and

untrue to his allegiance; that he carried the sign of democracy on his face; and the whole Reform party was branded last summer by the Conservative leaders as annexationists, who desired to uproot and overthrow the British institutions of this country.

Well, sir, what do we find now? We find the same charges hurled at the minority in this House—my hon. friends who sit around me—by the leaders of this same great Constitutional party; and we find the Honorable Provincial Secretary [William McDougall], the Honorable Postmaster General [William Howland], and the Honorable President of the Council [George Brown]—for all of whom, I confess, I yet feel a strong political sympathy—sitting silently by, while their old friends and former colleagues are suffering the same abuse that was dealt out to them by their present colleagues only a few short months ago.

Have they suddenly turned to view these charges as just, or do they still think, as they thought last summer, that they are unfair and unfounded? If they were unfair then, is it right now that, without a word of expostulation, they should allow them to be hurled at us without a word of expostulation from the great Liberal party of Upper Canada, that has suffered with us from these disgraceful, foul and slanderous imputations?

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Is it liberal, is it just, is it fair, is it manly, sir, that they should now sit silently by and see the handful who compose the minority in this House—honorable gentlemen with whom, but a short time since, they acted and in whom they had confidence—branded, as they themselves were branded six months ago, with the name of annexationist and democrat?

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I have thought, as I have heard these charges reiterated, that they might have interposed; I have thought they might have pitied us a little for the sake of former associations. I have thought that the great Liberal party of Upper

Canada might have come a little to the rescue of their former colleagues, and said to those who uttered these false accusations—"Don't hound down these men too much; we know and have acted with them: they are not annexationists, they are not rebellious, and we know that your accusations against them are unfair and ungenerous."

But, sir, throughout this debate these members of the Government have listened to attacks of this kind—the great Reform party of Upper Canada, which only yesterday, as it were, was smarting under the lash that is now cracked over our heads, which only yesterday writhed under the odium of these false representations—sat silently by, without a word of expostulation, without a word in defence of their old friends, whom they know to be unjustly and slanderously accused.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Now, why I speak of this matter is because I fear that these gentlemen, who have long been the exponents of that great Liberal party, which has gained for us responsible government and everything worth living for under the political system we now enjoy, will be overwhelmed by the preponderance of conservative feeling in the Government and conservative influence in the country. I know that they do not feel comfortable under the present state of affairs. I know how the McKellars, the Mackenzies, who have been so long the victims of conservative sneers, and others who have long fought the battle of reform, must feel; but I fear that the conservative leaven is about to leaven the whole lump.

Joseph Rymal [Wentworth South]—Except me.

Lucius Huntington [Shefford]—My hon. friend, in the able speech he made upon this subject, excepted himself, and there is no need for me to except him. I say, sir, it is but yesterday since the organs of hon. gentlemen opposite, who lead the Constitutional party of this country, denounced us all as Americans and annexationists; and I warn the hon. members of the Liberal party, who sit quietly

by while these charges are still made against the minority, that the measure which

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is meted out to us now, and to them last summer, may again be dealt out to them without mercy.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I repeat, sir, I have, since this Coalition took place, seen no sign so perfect and so convincing to me, that the conservatives have had the best of the bargain, as this—to see those hon. gentlemen sitting tamely and silently in their seats, and not rising to say a word while the old cry under which they had writhed for so many years is fulminated against their former allies, and we have no indication from them that they are not the party which they once were.

With these remarks, and reserving to myself the right of speaking more at length on the scheme, which I would be glad to discuss somewhat fully if time had been allowed, I have simply to say that the constituency which I represent is not disposed to permit me to vote for this scheme. I say this from knowledge, having been compelled to be a good deal among them while attending to my business. in the Eastern Townships, both among the French and English, the general opinion is strongly against this scheme. I have had such opportunities of learning the views and wishes of my constituents with reference to this matter, as few other hon. gentlemen have enjoyed for learning the opinion of those whom they represent, and I come back to this House very much strengthened in the conviction that in the Eastern Townships, and especially in the constituency which I represent—

John Pope [Compton]—Hear, hear

Lucius Huntington [Shefford]—The hon. member says "Hear, hear," but I think I may speak in behalf of a large number of petitioners in the county of Compton—

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—there is

a large majority of the people opposed to this scheme I have felt it to be my duty, as no one had risen to speak from the point of view I have taken, that I should say a word for those who were opposed to the scheme, and that as there was no one here to speak for the Eastern Townships, where so strong a feeling pervaded the masses against the scheme, I would but discharge my duty in rising to state what I found to be the feeling in those townships.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—I have no doubt that the Conservative party have large following in the Eastern Townships I have no doubt that a great many of those who follow the hon. member for Sherbrooke [Alexander Galt] are disposed to follow him in supporting the scheme but I speak for the Liberal party of those townships, with whose opinions I have had an excellent opportunity of becoming acquainted. I do not say that the hon. member for Compton [John Pope] is not supported by that party in the position which he has taken, but I do say that those people in the Eastern Townships, as a general thing, who sympathize with the Liberal party, are opposed to the scheme in the circumstances under which it has been presented to the people.

I was not a little surprised by a remark which fell from my hon. friend the member for Richmond and Wolfe (Mr. Webb). I know perfectly well the hon. gentleman's sincerity, and therefore I was singularly struck with the position he took. While he seemed to admit the general feeling of apprehension which prevailed, and the unpopularity of the scheme in the Townships, yet he would vote for the whole scheme, reserving to himself the right to deal with details. The scheme having been adopted by this House as a whole, there is no probability whatever of the honorable gentleman getting a chance to vote upon the details a second time.

William Webb [Richmond and Wolfe]—The resolutions have not been adopted, nor yet concurred in by the other

provinces.

Lucius Huntington [Shefford]—Well, I am speaking of them as if they had been adopted. It makes no difference whether they are adopted or not in the other provinces for some time to come. So far as Canada is concerned, the scheme will be carried before this House rises, and there will be no further opportunity of dealing with its details. But suppose we should get the opportunity hereafter of voting on those details, in what position would be my hon. friend from Richmond and Wolfe [William Webb], or my hon. friend from North Wellington (Dr. Parker)—in what position would they stand when they rose to move amendments to resolutions which they had only so short a time previously voted for? Would they not be reminded by honorable gentlemen opposite that they had swallowed the whole bait, hook and line, bob and sinker!

Some Hon. Members—*Laughter.*

Lucius Huntington [Shefford]—They say they will oppose the details in future; but if the details are incorrect, and they believe so, and they say they do, why not oppose them, now? It was said by the honorable member for South Grenville (Mr. Shanly) that we ought to carry the whole scheme, let the details be ever so unsatisfactory, trusting to the Federal Legislature to detect and remedy them hereafter. Now I think that Canada

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has had some experience in that way of doing things. Those details become vested right, and the sections benefited by them claim them as such, and tenaciously cling to them.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Mr. Speaker, I have not time to go into this subject at this point, and show how objectionable are many of the details; but I maintain the position that it is most absurd and illogical to ask us to accept the scheme as a whole, and leave such objectionable details to be regulated hereafter. When [the union of these provinces took place](#)

in 1841¹⁴⁴, [the discussion in relation to it in the British Houses of Parliament](#)¹⁴⁵ showed that the framers of the Union Act expected that any difficulties that might grow out of it would be easily regulated by the united Parliament of Canada—that such questions as representation by population could be dealt with at any time.

But what happened? Why! Lower Canada treated equal representation as a vested right, and stood firmly on that right. This being the case, there was no process provided by which the evil could be regulated. The result was that a great struggle came on, the difficulties arising out of which, honorable gentlemen opposite tell us, have proved our Constitution to be a failure from this experience of the past, we ought to learn that it is very bad policy to deliberately put errors in our Constitution and trust to the future to remedy them.

If you speak of a union of all British North America, nobody objects. Everybody is in favor of a union, provided the details are satisfactory; but providing imperfect details and trusting to the future for rendering them what they ought to have been made at the outset, reminds me of an incident a friend related the other day. A carter was about to take a friend of mine with his baggage to the railway station, when my friend observed that one of the tugs was nothing but a piece of rope. Says my friend, “You are not going to take me through these twenty miles of woods with that string, are you?” “Oh! never mind,” says he, “I have more strings in my pocket with which I can regulate that on the road.” So hon. gentlemen on the Treasury benches ask us to follow them in their rickety concern, assuring us that they have a pocketful of strings with which they can regulate things on the way.

Some Hon. Members—*Laughter.*

Lucius Huntington [Shefford]—But, sir, they will find no little difficulty in bringing their pocketful of strings into operation. They

will find almost insurmountable difficulties in the way of removing the vested rights that will grow up under any system that may be established. I believe that a number of circumstances connected with this scheme, a discussion of which I cannot now go into, render it the general opinion of those whom it is my business to represent on this floor, that in its present shape this scheme ought not to be carried into effect.

First of all, so sweeping a measure as this—one for sweeping away our entire Constitution and substituting a new one unknown to the British flag—ought not to be carried out until it is submitted to the people; and, secondly, the multitude of details which it embraces ought to be calmly and critically considered, with a view to their amendment, where found defective, before being incorporated in our Constitution. I do not say that this is the feeling of the Conservative party of my own constituency, or of the Eastern Townships; but I do say that even among that party there are grave apprehensions of difficulty growing out of such a jumble as is presented for our adoption, when no time is to be allowed even for their consideration, to say nothing of their amendment.

And many of that party have no hesitation in giving expression to those feelings. I have not met with a man, conservative or reformer, during my absence from this session of the House, who has not been ready to contend that it was the first duty of the Government to provide for consulting the people, and ascertaining from them, in a definite manner, whether they desired the change proposed or not.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Having thus briefly expressed my views, Mr. Speaker, in order not to weary the House at this late hour of the night—or rather of the morning, for it is now after three o’clock—I will

¹⁴⁴ [The Union Act, 1840 \(U.K.\)](#). Huntington is referring to the year the Act was proclaimed, 1841.

¹⁴⁵ See [The Union Act, UK Debates, Part I. Suspension of the Constitution, 1837-1838](#) and [The Union Act, 1840: Imperial Debate, Draft Bills and Correspondences \(1839-1840\)](#).

conclude by stating that I feel it my duty, as a true representative, to record my vote against the resolutions.

Some Hon. Members—*Cheers.*

James Cowan [Waterloo South]—Mr. Speaker, the honorable member for Shefford [Lucius Huntington] says that he and his friends sympathised with the Reform party of Upper Canada when they were branded as rebels and writhing under the charge of disloyalty, and blames us for not extending the same sympathy to him and his friends when laboring under a similar accusation. I don't deny, sir, that the reformers of Upper Canada have often been branded as rebels, but I do most emphatically deny that they ever writhed under the false accusation. Conscious of their fealty to both their Queen and country, they treated with the most sovereign contempt

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every such foul, unfounded imputation against their loyalty. And I would advise the hon. member for Shefford [Lucius Huntington] to keep equally cool under similar provocation. If he and his friends are really loyal—and I have no doubt they are—all such aspersions of their loyalty, instead of affecting them, will only recoil on the heads of their accusers.

Thomas Ferguson [Simcoe South] said—Feeling and knowing as I do, Mr. Speaker, the great desire that is felt by the honorable gentlemen on the Treasury benches, and also, I am ready to admit, by the large majority of the honorable members of this House, that discussion should not be continued unnecessarily, and that no obstructions should be thrown in the way of an immediate decision on the question before us, I beg to state that it is not from choice but from necessity, that it is not from any desire of self-gratification, but from a deep sense of duty, that I rise to say a single word upon this occasion, particularly as so much has been said, and as the night is now so far advanced. I hope, therefore, that as I have remained silent during the debate up to the present moment,

the House will bear with me while I briefly express my views on this all important matter, and assign a few of the reasons that induce me to record my vote in the manner which I design.

Sir, I would say that I stand here in a different position from that of many honorable members who submitted the resolutions embodying the Confederation scheme to their constituents, and who held public meetings on the subject, and who received from them positive instructions as to how their vote should be recorded. I received a circular from the Government, marked "Private," but took no action to ascertain public opinion on its contents, so that I am, I regret to say, without a single word of advice as to how I should act in the matter.

I may say, sir, that after reading the resolutions over again and again, I found many things in them that I could not endorse. I felt that they were not that which we had expected from the Government, when we gave our assent to the Coalition that was formed for the purpose of bringing down some proposition for the settlement of our sectional difficulties. I had expected that if a union of the colonies took place at all, and a change of our Constitution in that direction was proposed, we would not have had a Federal but a Legislative form of Government. It has been stated, since we had the pleasure of meeting together in the present session, that the honorable gentlemen who went to the Conference to represent Canadian views, and engage in preparing a scheme of union, could not obtain that union without its being based upon the Federal system.

Sir, I feel that this is very much to be deplored, as I believe that with a union based on the Federal system, we shall have constant dissension, and before very many years, if this scheme goes into operation, we shall again have agitations for constitutional changes of various kinds, and that the ultimate result must be a perfect union under one Legislative Government for the whole country, and that now was the best time to settle the matter

finally. If in the end, however, that should be the result of the long discussion we have had upon this Constitution, then I shall feel that though no amendments have been allowed on the floor of this House, yet the discussion has been productive of some good purpose.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I had resolved upon offering amendments upon various points in the scheme before us, but the motion for the “previous question” has shut them out, which I very much regret. It is too late now to enter into an explanation of these several amendments I was about to move, or to state what I contemplated accomplishing by proposing them. It is sufficient for me to say that the previous question having been proposed, I feel that there has not been that opportunity for the full consideration of the scheme in all its parts that was expected, or that ought to have been given to this House, in view of the fact that the people are not to be consulted in any other manner than by a vote of their representatives.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—Being one of those, sir, who earnestly sought for a constitutional change, and who joined in the very just complaint of Upper Canada that she was compelled to labor under great grievances—the lack of equal rights with Lower Canada on this floor, man for man, while she also contributed much the larger proportion of the revenue—it is needless for me to say that I earnestly desired some change, that I sympathized with the prevailing sentiment of Upper Canada, and used my best endeavors, in the House and out of it, to assist in bringing about a remedy for our political and sectional ills.

But, sir, we found we could not get representation according to population; and since the present scheme was announced, and knowing the strong feeling which exists against it on the part of many of the Lower Canada members, I endeavored to ascertain, on coming down here, the opinion of hon. gentlemen

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from Lower Canada, and I found that, notwithstanding their opposition to the scheme of Confederation, which they were willing to do almost anything to defeat, they were still persistent in denying to Upper Canada a single shadow of a hope that her grievances would be redressed, if this scheme were rejected, by the granting of representation according to population.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—Before coming here, too, I entertained the opinion that those honorable gentlemen from Upper Canada, who had fought so long and so uselessly for representation according to population, would join with me in endeavoring to get an amendment to the scheme before us adopted, giving us a Legislative instead of a Federal union. I soon found out, however, that there was little hope of getting such an amendment carried, because nine-tenths of them were determined to accept the scheme as it stood, simply because their leaders were in the Government.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—My hon. friend the member for Shefford (Hon. Mr. Huntington), complains of this measure being forced upon the country; but if there is one hon. gentleman more than another chargeable with bringing about this state of affairs, it is that honorable gentleman. He once held a high and honorable position in the Government of this country. He is possessed of great ability, and being highly popular with his constituents, could well have afforded to have lent a helping hand to those who were desirous of having the union as it was work satisfactorily.

I am satisfied that when he held the reins of power, if he was so anxious for the good-will, as well as for the reputation of the great Protestant and Reform party of Upper Canada, and so desirous of maintaining and protecting the rights which he now desires to have given to his friends, he would have used

his power in the Government and his eloquence in the House to obtain even-handed justice for Upper Canada, and to relieve his friends in that portion of the province from the difficulties under which they labored.

But, instead of doing that, he joined a Government that denied its members the privilege of voting for representation according to population—a Government that made it a close question, and which, instead of dealing with it as they ought to have done, or even giving us reason to hope well of the future, took such a course in relation to that great question as left a dark and dismal future before those who had been struggling for their rights on that question. As regards the position of that Government, after it was reconstructed, I believe I am right in saying it was thoroughly understood that its members were not to vote for it.

John Sandfield Macdonald [Cornwall]—No; they were to vote as they liked.

Thomas Ferguson [Simcoe South]—Well, whatever may have been their privileges, we all know that there was nothing done in the matter, although they might have seen that it would be better to come out honestly and say that even-handed justice should be done to both Upper and Lower Canada. As this was my impression, Mr. Speaker, and seeing that no change could be made in the Constitution that would benefit Upper Canada, I felt I had a duty to perform—I felt that if they would not give us a change in the mode we desired, it was not for me to say that I would play the part of the dog in the manger. I feel it would be better to have almost any scheme, than to endure the difficulties we had labored under for so many years past; and I told the honorable gentlemen from Lower Canada that if that were the course they were to pursue, they would change my mind to a considerable extent.

Another thing which had a peculiar effect on my mind, was [the report of Col. Jervis on the](#)

[defences of our country](#)¹⁴⁶. It is impossible for me to deny that the speeches which have been made in the English Parliament, expressive of a want of sympathy with the Canadian people, and of a desire to get rid of Canada, have not been pleasant to me; and although I think I have a loyal heart, and am bound by powerful obligations to maintain British supremacy, I find it hard that English statesmen should express a willingness to shake us off and leave us in the power of a foreign nation.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—But Col. Jervis was sent out to ascertain what defences were necessary, and what could be done to defend this country if at an unfortunate moment a difficulty might arise. When I see that his report declares that we have a difficult country to defend—that it would take a large number of men to put us into a condition to defend ourselves—and when I see that the British Government, true to its real instincts, is resolved to aid us in our defence—this, I say, has a great effect upon my mind, and makes me think it would not be my duty, under the circumstances, to refuse assent to the Government measure at a moment when I feel that the lives and property of my constituents, 30,000 in number, are open to an attack at any time from the powerful armies a foreign people might choose to bring up against them.

Some Hon. Members—Hear.

Thomas Ferguson [Simcoe South]—The scheme seems to me to be an expensive and troublesome

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one; but I do not think it would be right for me to reject any measure calculated to ensure to us that assistance of which we stand so much in need. The United States are, perhaps, more willing to injure their neighbors than other countries are, owing to the universal idea that

¹⁴⁶ [William Jervis, Report on the Defence of Canada \(1864\).](#)

they must carry out the [Monroe doctrine](#)¹⁴⁷ of complete domination over at least the American continent. They are at this moment a war-making and a war-loving people.

For four years they, have been practising the art of war upon their own flesh and blood, and have shown little sympathy with those who have been in congress with them and jointly concerned in every great enterprise—who grew with their growth, and strengthened with their strength; and I feel that they would have very little sympathy indeed with us in the event of any trouble arising either between us and them, or between them and the Mother Country. We are in a very difficult position.

The Americans have done a great deal to provoke the wrath of England and to insult Canada. At this moment they want to abrogate the [Reciprocity treaty](#)¹⁴⁸, and talk of doing away with the bonding system. They lately imposed a passport system, which has only just been removed. Well, seeing that there was no redress for the grievances of Upper Canada, one Ministry falling after another without doing anything, and viewing our condition relatively to the United States, I feel it my duty to forego opposition to this new arrangement.

When I saw the telegraphic despatch, too, relating to [the debate in the House of Lords](#) a few days ago; when I saw that there people were so interested in Canadian affairs, that on the question being put in the House of Lords it was [declared by the leader of the House](#) that no steps should be taken respecting the Hudson's Bay Company until some information should be received from Canada respecting the Confederation system¹⁴⁹; when I found that they were willing to be with us in peace and with us in war; when [they said](#) "Help yourself and we will help you"; when they said, in language stronger than words can

convey, "Not a hair of your head shall be touched without returning the injury tenfold,"¹⁵⁰ I felt that we must support these new resolutions.

Some Hon. Members—Hear.

Thomas Ferguson [Simcoe South]—I do not think, with my honorable friend who spoke to-day, that in three years there will be a cry for annexation. I think that in three years we shall be a stable people—that in three years we shall have sufficient defences to resist aggression—that in three years we shall have risen in the estimation of England and the world at large—that our boundaries will extend from Canada to the Red River and the Saskatchewan. I agree with another honorable gentleman who has spoken to-day, and do not desire to see the young men of this country sent away into another country, when we have spacious limits of our own. I desire to keep our young men among us, and our old men too, as long as they live.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—When I think that England is going to do much for us in other respects, I think she will be willing to open up that country; she will not be an unkind mother to us, and demand from her children that, when she has placed us in a position of difficulty, we should bear all the burdens. I believe, however, that we ought to put our shoulders to the wheel and do something for ourselves. That is the true spirit of Britons; for if we did not, we should be open to insult—and insult is worse than injury. Rather than have to bear with it, I am willing to risk the consequences of even a larger debt than we yet have—to give some of the means that I possess; and in saying and acting thus for myself, I am speaking and acting for my constituents too, who sent me here without any other pledge or bond than that I should do

¹⁴⁷ [U.S. foreign policy doctrine that saw any imperial incursion into the Western Hemisphere as a hostile act.](#)

¹⁴⁸ [Canadian-American Reciprocity Treaty of 1854.](#) *Supra* footnote 13.

¹⁴⁹ [UK, House of Lords, "Question," \(Feb. 23, 1865\), vol 177, cc583-8.](#)

¹⁵⁰ These comments seem to be extemporaneous or from another source. The official *Hansard* doesn't mention the hair comment, for example. [UK, House of Lords, "Defences of Canada—Reports of Colonel Jervois—Question" \(Feb. 20, 1865\), vol 177, cc 416-40.](#)

for them the best I could. I have made this the land of my adoption, and it is evident that any injury I impose on their children I impose on my own too.

Some Hon. Members—Hear.

Thomas Ferguson [Simcoe South]—Whatever may be the result of the scheme—and I trust it will not turn out so badly as some hon. gentlemen seem to expect, and which I much dreaded myself—I trust we shall have such arrangements made with the Maritime Provinces, if arrangements are made with them, that we shall have a real union—not union mixed with disunion.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I believe that in the course of the summer we shall see millions of British capital spent here for our defence, and I see clearly that we shall have to contract debt for this purpose ourselves. But we have another duty to perform: we have to prepare the strong-hearted yeomen of this country to man our fortifications.

England cannot supply us with all the men and money necessary to defend the province—that is the duty of our young men, and our middle aged men too. If we do not perform this duty, we shall not be worthy of the name of a people, not be worthy of the rights, liberties and privileges we enjoy. I will not detain the House much longer; but I must say that one remark I heard addressed to this Chamber to-day, seemed to me very

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uncharitable.

This House will believe me when I say that I was as much astonished as others to see a Government formed, composed of men of different parties; but, sir, I came to the conclusion that the state of parties at that time, and the conduct of some so-called friends of the Ministry then in power, led to such an event; and I do not blame the Conservatives who were in that Government for taking in other gentlemen, if by that course they could advance the interests of the country.

I have heard it said that some members of the present Government were actuated in entering that Government by the greed of office, its emolument and its power; but I will not be so uncharitable as to make such an accusation against them. I believe they suffered a good deal personally in making the arrangement, and I should be sorry to say they did it for any other object than to satisfy the obligations of their conscience. Their object, sir, was, no doubt, the good of the country, not the small gain or the temporary pleasure of holding for a few years the position of Ministers.

Some Hon. Members—Hear.

Thomas Ferguson [Simcoe South]—I trust they will discharge their duty as Ministers in such a way as to enable the people of the country to regard their advent to power with satisfaction—not to condemn them for wrong-doing as traitors to their country.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I think, sir, there are Ministers in the Cabinet who could make far more money in the pursuit of their various avocations than in governing the country, and I trust they will be as economical as they can in all their expenditure, while not losing sight of one great aim—that the people of this country must be prepared to defend themselves, so as not to be afraid of the threats and alarms that reach us every day. If in the end we arrive at a union of the colonies, good results will flow from it. I think we have no evil results to fear, though I would at this moment, if I could, remedy some of the faults in these seventy-two resolutions.

I am sorry, for instance, for one thing—that the clause relating to the general education of the people of this country was inserted in its present shape into the resolutions. I am sorry the separate school system is to be retained for Upper Canada. I am sorry that bone of contention is to be incorporated into the permanent Constitution of this country. Though 52,000 Roman Catholic children in Upper Canada attended school in 1863, no

more than 15,000 of them ever availed themselves of the separate schools.

A Voice—You are wrong.

Thomas Ferguson [Simcoe South]—No, I beg the honorable gentleman's pardon, I am not wrong. I take the figures of the Superintendent of Education, Dr. Ryerson. And of my own knowledge, in places where separate schools have been established and are still existing, the Roman Catholics have grown weary of them, and I am satisfied they would now be willing that their children should get their education along with the children of the rest of the community, without any fear that their respect for their own religion would be interfered with, or their consciences injured.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I trust the day will come when they will all take the right view of it, and the question with them with reference to education may be—not what church they belong to—but how their children may receive the best education, and grow up with other youth in peace and harmony. I regret that the subject is mentioned in these resolutions. I had a resolution prepared on that matter, as well as another with regard to our canals, and I am sorry I have not had an opportunity of moving them.

I trust, however, that the assurances given by the Honorable President of the Council [George Brown] will be carried out, and that a canal and a direct and unbroken communication from Lake Huron to Quebec will be an accomplished fact at no distant day. The people of Western Canada will be dissatisfied and bitterly disappointed if the honorable gentlemen on the Treasury benches neglect this; and if they do, they may rest assured that another cry will come, by and by, from Upper Canada which will remove them from their seats, as others have been removed from those seats before.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—While money contributed by the west is spent

in the east, we insist that the improvements necessary for the prosperity of Upper Canada should also receive the attention of the Government; and there is not a man in Upper Canada who does not see the necessity of having our navigation improved and a sufficient channel for seagoing vessels made to the seaboard. If this is attended to, there will not be so much to complain of about the Intercolonial Railroad being built, although we should like to have it built at a cheaper rate.

In conclusion, I would say, that notwithstanding all the objections I may have to details—yet, in view of the relations in which we stand to the neighboring country—the urgency of the defence question, and the threatening aspect generally of our present position, I take upon myself, though with great reluctance, the responsibility of voting for this scheme.

Some Hon. Members—*Cheers.*

• (p. 962)

The House then divided on the motion for the previous question,—

| "That that question be now put,"¹⁵¹

—*which was agreed to on the following division:—*

YEAS

Messieurs

Alleyn
 Archambeault
 Ault
 Beaubien
 Bell
 Bellerose
 Blanchet
 Bowman
 Bown
 Brousseau
 Brown
 Burwell
 Cameron (Peel)
 Carling

¹⁵¹ *Supra* footnote 1.

| | |
|-----------------------------------|-------------------------------------|
| Cartier (Attorney-General) | Street |
| Cartwright | Sylvain |
| Cauchon | Thompson |
| Chambers | Walsh |
| Chapais | Webb |
| Cockburn | Wells |
| Cornellier | White |
| Cowan | Willson |
| Currier | Wood |
| De Boucherville | Wright (Ottawa County) |
| Denis | and Wright (York East)—85. |
| De Niverville | |
| Dickson | NAYS |
| Dufresne (Montcalm) | |
| Dunsford | <i>Messieurs</i> |
| Ferguson (Frontenac) | |
| Ferguson (Simcoe South) | |
| Galt | Biggar |
| Gaucher | Bourassa |
| Harwood | Cameron (Ontario North) |
| Haultain | Caron |
| Higginson | Coupal |
| Howland | Dorion (Drummond and Arthabaska) |
| Irvine | Dorion (Hochelaga) |
| Jackson | Duckett |
| Jones (Leeds and Grenville North) | Dufresne (Iberville) |
| Jones (Leeds South) | Evanturel |
| Knight | Fortier |
| Langevin | Gagnon |
| Le Boutillier | Gaudet |
| Macdonald (Attorney-General) | Geoffrion |
| Macfarlane | Gibbs |
| Mackenzie (Lambton) | Holton |
| Mackenzie (Oxford North) | Houde |
| Magill | Huntington |
| McConkey | Huot |
| McDougall | Joly |
| McGee | Labrèche-Viger |
| McGiverin | Laframboise |
| McIntyre | Lajoie |
| McKellar | Macdonald (Cornwall) |
| Morris | Macdonald (Glengarry) |
| Morrison | Macdonald (Toronto West) |
| Pope | O'Halloran |
| Poulin | Paquet |
| Poupore | Parker |
| Rankin | Perrault |
| Raymond | Pinsonneault |
| Rémillard | Pouliot |
| Robitaille | Powell |
| Rose | Rymal |
| Ross (Champlain) | Scatcherd |
| Ross (Dundas) | Taschereau |
| Ross (Prince Edward) | Thibaudeau |
| Scoble | Tremblay |
| Shanly | and Wallbridge (Hastings North)—39. |
| Smith (Durham East) | |
| Smith (Toronto East) | |
| Somerville | |
| Stirton | |

The question being put on the main motion (of
John A. Macdonald [Kingston, Attorney-

General West]),—

"That an humble Address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament, for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, in one Government, with provisions based on certain Resolutions, which were adopted at a Conference of Delegates from the said Colonies, held at the city of Quebec, on the 10th October, 1864."¹⁵²

—*it was agreed to on the following division:—*

YEAS

Messieurs

Alleyn
 Archambeault
 Ault
 Beaubien
 Bell
 Bellerose
 Blanchet
 Bowman
 Bown
 Brousseau
 Brown
 Burwell
 Cameron (Peel)
 Carling
 Cartier (Attorney-General)
 Cartwright
 Cauchon
 Chambers
 Chapais
 Cockburn
 Cornellier
 Cowan
 Currier
 De Boucherville
 Denis
 De Niverville
 Dickson
 Dufresne (Montcalm)
 Dunsford
 Evanturel
 Ferguson (Frontenac)
 Ferguson (Simcoe South)
 Galt
 Gaucher
 Gaudet
 Gibbs
 Harwood

Haultain
 Higginson
 Howland
 Huot
 Irvine
 Jackson
 Jones (Leeds and Grenville North)
 Jones (Leeds South)
 Knight
 Langevin
 Le Boutillier
 Macdonald (Attorney-General)
 Macfarlane
 Mackenzie (Lambton)
 Mackenzie (Oxford North)
 Magill
 McConkey
 McDougall
 McGee
 McGiverin
 McIntyre
 McKellar
 Morris
 Morrison
 Parker
 Pope
 Poulin
 Poupore
 Powell
 Rankin
 Raymond
 Rémillard
 Robitaille
 Rose
 Ross (Champlain)
 Ross (Dundas)
 Ross (Prince Edward)
 Scoble
 Shanly
 Smith (Durham East)
 Smith (Toronto East)
 Somerville
 Stirton
 Street
 Sylvain
 Thompson
 Walsh
 Webb
 Wells
 White
 Willson
 Wood
 Wright (Ottawa County)
 and Wright (York East).—91.

NAYS

¹⁵² *Supra* footnote 1.

Messieurs

Biggar
Bourassa
Cameron (Ontario North)
Caron
Coupal
Dorion (Drummond & Arthabaska)
Dorion (Hochelaga)
Duckett
Dufresne (Iberville)
Fortier
Gagnon
Geoffrion
Holton
Houde
Huntington
Joly
Labrèche-Viger
Laframboise
Lajoie
Macdonald (Cornwall)
Macdonald (Glengarry)
Macdonald (Toronto West)
O'Halloran
Paquet
Perrault
Pinsonneault
Pouliot
Rymal
Scatcherd
Taschereau
Thibaudeau
Tremblay
and Wallbridge (Hastings North)—33.

The House then adjourned.

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



**MONDAY,
MARCH 13, 1865**

John A. Macdonald [Kingston, Attorney-General West]—When the House was about to adjourn on Friday night, it was arranged that we should finish to-day the proceedings connected with the Address. I therefore now move:—

That a select committee, consisting of Hon. Messrs. Attorneys General Macdonald and Cartier, and Galt and Brown, and Messrs. Robitaille and Haultain, be appointed to draft an Address to Her Majesty on the resolution agreed to on Friday last, the 10th instant, on the subject of the union of the colonies of British North America.

John Cameron [Peel]—Before that motion is carried, I propose to move—as I think this is the proper time—the resolution of which I gave notice some days ago. I therefore now desire to put into your hands, Mr. Speaker, seconded by Mr. M.C. Cameron, that resolution, which is as follows:—

That all the words after “That” be left out, and the following inserted instead thereof: “an humble Address be presented to His Excellency the Governor General, praying that His Excellency, in view of the magnitude of the interests involved in the resolutions for the union of the colonies of British North America, and the entire change of the Constitution of this province, will be pleased to direct that a constitutional appeal shall be made to the people, before these resolutions are submitted for final action thereon to the consideration of the Imperial Parliament.”

I understood the other day that it was the intention of the Hon. Attorney General West [John A. Macdonald] to raise a question as to the propriety

• (p. 963)

of moving this resolution at the present stage of the proceedings. I desire to know whether it is still his intention to raise that objection, because, if it is, I should confine myself in the first place to arguing that point.

John A. Macdonald [Kingston, Attorney-General West]—I do object. But I do not mean to enter into any argument, but merely to ask the decision of the Speaker on the point of order.

The Speaker—Having learned that the point of order was to be raised, I have looked into the matter, and decide that the resolution is in order.

John Cameron [Peel]—Then, I will proceed to offer to the House the observations which I think it necessary to make, as well on the general subject as on the particular matter embraced in this motion. And as the House is aware that I very rarely trouble it with a speech on any matter, unless I consider it to be one of importance, and that when I do I seldom detain hon. members at any considerable length, I trust they will bear with

me in those observations. Considering the length of time that the subject has been discussed, and the great desire that exists in the mind of every one to have this subject brought to a conclusion as rapidly as possible, I promise on this occasion to be brief. I have already, so far as my own individual vote in this House is concerned, done exactly what I would have done if I had only been an elector called upon for his vote.

We have pronounced upon the resolutions submitted to the House, and I have shown my own conviction of their propriety by having voted in their favor; and if I were to exercise my franchise as an elector, I would do outside the House what I have done inside the House, and declare in favor of those resolutions, though not satisfied that the scheme for the Confederation of the provinces would be so advantageous as the larger scheme of a legislative union.

But I have always felt that if you desire to obtain something which you believe for the benefit of the country, you should not insist upon that which is impossible—that which cannot be carried, but should endeavor to obtain that which you can fairly reach, and by and by you may get that which, at a far distance, seems impossible.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I believe the Confederation of the colonies will lead hereafter to a legislative union. The only difficulty I have felt is, that I believe it would have been infinitely better if all the powers given to local governments should also be given to the General Government, so that when the time came—when all those smaller stars should fall from the firmament—the General Government would possess all those powers, and there would be no necessity then for framing a new Constitution. This subject, I think, may be fairly considered under three aspects. First, as regards the necessity of a change in the Constitution at all.

Secondly, as regards the nature of the change proposed, and how it will affect the interests involved in it. And, thirdly, as

regards the propriety of the measure being submitted to the people, before it is finally enacted by the Imperial Legislature. As to the first point—the necessity of a change—I believe there are very few people in the country, in whatever part of it they may be found, who will be prepared to say that some change in the Constitution of the country has not become necessary. I believe we are all satisfied that things cannot go on as they are now.

I believe we are all satisfied that the people are looking out for some alteration, by which they hope a greater amount of prosperity may come to the country, than that which has been around it and about it for some years past. I am firmly convinced in my own mind—against the opinions of one or two hon. gentlemen, who stood up here the other night—that there has not been, since the union of these provinces, a greater amount of depression, a greater want of feeling of prosperity throughout the whole western portion of Canada, than exists there at this moment.

I believe that into whatever part of the country you go, you will find that a succession of bad crops, and the difficulties which have arisen from large sums of money having been borrowed at high interest, and the necessity of large remittances to England—that all these have pressed heavily on the energies of the people, and tended to paralyse them; and they are looking out, therefore, in every direction, with the best hopes they can conjure up, for some change or alteration, such as they believe will place them on a better footing than that which they have hitherto occupied.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—The Hon. President of the Council [George Brown] for many years past, with a great number of those who have always been in the habit of acting with him, has believed that if we obtained, in the western portion of Canada, representation

• (p. 964)

by population, it would have great influence

in stimulating the energies of the people, and placing them on a much more satisfactory footing than that on which they now stand. I am satisfied, with that hon. gentleman, that it would have had this effect to a very great extent. But we know very well the antagonisms which existed between the two sections, and that that measure, while pressed by Upper Canada, was resisted by Lower Canada. We have felt—and no doubt many in Lower Canada have felt—that this Confederation of the British North American Colonies would probably not have reached the point it has reached, had the demands—the just demands—of Upper Canada been conceded by Lower Canada; had we been placed in that position on the floor of this House, which we thought the interests of the western portion of Canada required at the hands of the Legislature.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—But we have not found that that was done. Lower Canada felt that if representation by population were conceded, there would have been dangers incurred to her own institutions, which she was not willing to place in the hands of the increased number of representatives from Upper Canada. I think the people of Lower Canada were mistaken in that feeling. I do not believe that her institutions would have been dealt with in a way unsatisfactory to her people. The people of Upper Canada, I think, have always been prepared to do what was fair and just towards the people of Lower Canada.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I have no doubt, however, that the people of Lower Canada would be much more ready to take up such a scheme as this, which would give them a Local Legislature to manage their own local affairs, rather than adopt a measure which would place them in what they might conceive to be

an inferior position in point of their numbers on the floor of this House, and an inferior position in respect of power—supposing representation by population in the united Legislature of Canada were carried.

There can be no doubt that the idea that there is a necessity for change has not only grown up from the feeling to which I have referred, but from the circumstances connected with our relations to the neighboring republic during the last three or four years. The [Reciprocity treaty](#)¹ was passed ten years ago, at a time when the value placed upon the Canadas by the neighboring country was very different from that now placed upon them—when the statesmen of the United States believed the effect of that measure would be gradually to ripen the pear of this country, until it would be prepared to fall into their hands. And, unquestionably, the views of many of those who consented to the [Reciprocity treaty](#), at the time of their consenting to it, were that they expected that its effect would be gradually to facilitate the passage of these colonies into the arms of the United States—to create a feeling in favor of annexation, and to check the feeling which was springing up of an entirely opposite character.

But now there is no doubt that the disposition to abrogate the [Reciprocity treaty](#) has not arisen alone from angry feelings against England by the people of the United States, and in consequence of the fancied raids from this country—but also from the fact that there has been a great pressure of taxation upon themselves, and the necessity of raising the tariff, and from the belief that if a tax were placed upon the produce coming in to them from Canada, an increased revenue would result. All these circumstances have given rise to the desire on the part of the people and the Government of the United States to place this question on a different footing from that on

¹ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

which it has stood for ten years, and to repeal that treaty which they represent to be entirely in favor of Canada, though in point of fact it is very largely in favor of the United States.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Another reason why a change is necessary, is—as we cannot conceal from ourselves—that our position as a colony has been greatly altered by the events which have taken place in the United States. We cannot now expect that we can sit with our arms folded, praying that Providence may be good to us, though we do not prepare to defend ourselves. We cannot expect that England will be prepared to take on her shoulders almost the whole of the burden, and that we are to be neither the hewers of wood nor the drawers of water.

We must be both. And if we obtain, as I hope, through the resolutions which have been passed, when the proper time comes, we will obtain—if we get the name and status of a nation, we should not be afraid also to take the responsibilities of a nation; and the course most likely to save us from attack is that we should learn in the time of peace to be prepared for the exigency of war, and to put ourselves—a people of four millions, as we will be when united together—in a position

- (p. 965)

to defend our liberties from whatever quarter they may be attacked.

Some Hon. Members—*Cheers.*

John Cameron [Peel]—We cannot therefore help seeing that a necessity exists for this change, a necessity urged upon us, both by our political position, with reference to the state of the representation in Parliament, and by the position in which, in common with the colonies below, we stand with reference to the probabilities of hostilities from the United States, and the placing of the country in a proper state of defence.

The necessity of change then being admitted—and I believe there is scarcely one honorable gentleman on either side of the House who does not admit it—some think that

change should be brought about in one way, some think that it should be brought about in another way. Some think—and the Hon. President of the Council [George Brown] at one time apparently was of that opinion—that the most desirable change would be the smaller scheme of the Federation of Canada, divided into two or three provinces—that that would be the best way of averting the evils which threaten us. Some believe we can go on as we are now.

John Sandfield Macdonald [Cornwall]—Hear! Hear!

John Cameron [Peel]—And others think that the only way by which we can get into a satisfactory position, would be by a union of the colonies, either in accordance with this scheme, or by a legislative union. I would like to know how many there are who believe that we can go on as we are now.

John A. Macdonald [Kingston, Attorney-General West]—Hear! Hear!

John Cameron [Peel]—I believe there are not a half a dozen members of this House who believe that, with the difficulties of our position, we can work the union on present terms. If we cannot, then we have the alternatives of the dissolution of the union—going back to the old position we occupied before the union, which no man would entertain for a moment—or a Federation of the Canadas—or this larger scheme of a union of all the British North American Colonies. If any one for a moment will consider all those projects in the true view in which they ought to be considered, he will see that with reference to the second branch of my subject—the nature of the change, and the magnitude of the interests involved in it—this scheme is the one to whip the Legislature and the people of this, country must necessarily come.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We are desirous of assuming a position on this continent, which will place the whole of these feeble colonies under one united government. And when that united government is formed, when that union does take place, we shall then stand in a

position which, according to the facts and figures that have been used from time to time in this debate, will establish us as a power on this continent, and enable us to assist in working out the three problems presented by the three governments—the despotic government of Mexico, the republican government of the United States, and the constitutional government of these colonies.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I trust the result would be, that we should see the government of these colonies standing longer than any of the others, inasmuch as we believe it is based on the more free exercise of the true will of the people, and carries out institutions which in the Mother Country have stood the test of time, toil and wear, until they have become more firmly cemented now than at any former period of their existence.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—And I cannot help feeling that if there is that necessity for a change, the nature of the change proposed must commend itself to everyone who is a true lover of his country on this side of the Atlantic.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We are five colonies with a population of 4,000,000, and we shall have a debt of about \$80,000,000, or about \$20 for each inhabitant. In the neighboring republic, from a statement made at the close of last year, we learn that the debt in that country, on the first of July next, will be no less than about \$150 on the head of every inhabitant. Hence our young nation, with a debt of only \$20 upon each inhabitant, will stand in a position, in reference to debt, far different from what the people of that country will stand. Let us take a glance over the whole of the British Colonial Empire.

England has thirty-eight colonies, containing ten millions of people. Six millions

of these are white and four millions are black. Of the six millions of white people, four millions are inhabitants of these British American Colonies. We have for Canada, Nova Scotia and New Brunswick, no less than five millions of tons' capacity of sea-going vessels, and on the lakes seven millions, making a total tonnage of twelve millions, which, in point of tonnage, places us as the third power in the world. No other nations but England and the United States possess a larger tonnage than that,

- (p. 966)

Nova Scotia itself has a larger tonnage than the great empire of Austria. If this is to be our position in relation to our population, our debt and our tonnage, one cannot well help seeing that we must strengthen ourselves by coming together in a political and commercial union.

We have now five independent, and I may say hostile tariffs—a different one in each of the colonies; and we have five different governments. We will then have one strong independent government, and one system of customs taxation. Although we shall not have the same concentrated power that we would have in a legislative union, still we shall have a power that will hold over this country that great force that must be possessed to enable it to bring the whole military force of the country to bear in case its defence becomes necessary, and which will place us in a much better position than ever before.

Look at the whole of the colonies of England, and let us inquire whether, in point of the magnitude of the trade they bring to England and the amount of English goods they consume, compared with the expenditure that England is called upon to make, there is really any valid foundation for the position taken by those political economists of England, of the [Manchester](#) and [Birmingham school](#)². Take the whole of the exports of England to the

² [The Manchester School](#) advocated free trade, while the [Birmingham School](#) advocated government intervention to solve underconsumption. See also [footnote 38, on Goldwin Smith, p. 839](#), for more information on the Manchester School.

colonies, and her imports from those colonies, and what do we find?

The exports of England last year amounted to nearly £100,000,000 sterling, while the exports from the colonies to Great Britain amounted to £40,000,000 sterling. Place the colonists, man for man, with foreign countries, and you will find the trade of the colonies is of much more advantage to England than that of foreign nations, independently of all those other great interests which are involved in the retention by England of her colonial possessions.

Take the fact that the whole of England's expenditure is £40,000,000 sterling, exclusive of the interest of the national debt, while her expense for colonial purposes annually, exclusive of India and of the casual expenses arising from sending troops to colonies where hostilities are taking place, was only some £2,000,000 sterling, of which amount Canada only had but little more than £500,000 sterling. When these things are taken into consideration, I say it will be found that the colonies are of much more value to the Mother-Country than is generally supposed, and much more than the school of politicians to which I have referred would have people believe. If what the Mother Country obtains from our connection with them is of so little importance as to give currency to the doctrines of that school, I do not think it would be hard to show that what we get from our connection with Great Britain is of no very great importance to us, except in the matter of defence.

If we desire to live under the glorious old flag, and to maintain the honored name of British subjects, is it right for our brethren in England, who are "free from touch of spoil," to say that unless we provide for our own defence, we shall be cast off? We should be looked upon as disloyal if we took the same stand, and declared that we would choose our own connection if we provided the whole expense of our defence.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Sir, I think we

should be able to tell the Mother Country that we are prepared to do all in our power for self-defence. When I have stated that the debt of Canada is only \$20 per head, and that that of the United States will soon be, if it is not now, \$150 per head of the population, I am ready to say that I would most unhesitatingly be willing, for the purpose of completing our connection with the seaboard, of building the Intercolonial Railway, and avoiding the liability we now labor under, of having our connection with Great Britain cut off.

I say I would be willing to place \$10 additional upon every inhabitant of the country, in order that we might be placed on the true footing on which we ought to stand in the estimation of the people of England and of the world—that of a people who do not consider the mere sacrifice of money as anything to be compared to the duty of defending themselves.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Sir, I think that when a delegation of our Government goes to England, those who compose it ought to be able to say what we are prepared to do for our defence. They ought to be able to say to the English Government that although we were a young and a comparatively poor country; though we have a rigorous climate and are shut out from the sea for a great portion of the year, yet we are a people that have shown more than once that our liberties could not be taken away from us by force of arms, and we are not prepared that they shall be taken in any other way, but that we are ready to take our just share in any scheme that the Mother Country may adopt; but we are not prepared, and cannot be expected, to take the whole burden of defending this exposed portion of the British Empire upon

• (p. 967)

ourselves. Look at our bonds in the English market.

The British public are under the apprehension that we may at any moment be invaded by the United States, or that the views

of the [Manchester school](#)³ may prevail, and our 5 per cents stand at 80. The position of the United States along our long exposed border is such that in their present excited and ready-armed condition we might be plunged into hostilities at any moment, and therefore our Government ought to say to the Imperial Government that it was absolutely necessary to make arrangements for defence on a large scale—that we are prepared to do that which we ought to do, but you cannot expect us to go to the whole of the expense which would be entailed by the depreciation of our bonds in the market.

If we are to do so, or even to go to any large expense, you must guarantee our debentures. With the knowledge that you are our security, we need not care whether the United States is going to cross our border with hostile intent or not. If our neighbors know that any requisite amount will be given us either upon your loan or upon endorsement, so that our bonds will stand on the market at par, they will have reason to think twice before attacking us.

When the English Government are prepared to back us in that way, then I say we ought to go forward and cooperate with them in carrying out an extended system of defensive works, bearing at least the principal portion of the burden. We do not care for [their spending £50,000 a year in dribbling up a few fortifications at Quebec](#)⁴, while we put another small sum out in patching up earth works in the west, just to invite the Americans over when the works are half built, forming a trap for ourselves in which we may be more effectually caught. I am sure every member of this House, and every citizen of Canada must have been surprised at the position taken by English statesmen in reference to Canadian defences, and at their speaking of there being only a few days in the year in which men could work, in this climate, in building fortifications.

I read the other day that it had been stated in

England that there was only a month of the year that men could work out of doors to advantage. Although it is true that for about half the year our communication with the sea is cut off by the formation of ice, yet men can work out of doors in Western Canada all the year round, and during the other half in Eastern Canada, and with the exception of a few very stormy days, at one or another branch of the work required in erecting fortifications.

But so far as guarding against attack from the United States is concerned, the great thing is to let them know that, whether we spend the money immediately—this summer—or not, we have it to spend. It should be known that both the Imperial Parliament and the Provincial Parliament have voted the money, and that it would be put into the most approved fortifications as rapidly as it could be. The people of the South soon built fortifications, behind which to fight for their liberties, and we too should be prepared to fight for our liberties. It is to the money they spent in fortifications that they owe their existence as a formidable power at the present time.

The idea should not go abroad that we are about to spend a little matter of fifty or a hundred thousand pounds in doing a little plastering here and a little mason work there, but we should proceed as rapidly as possible to show that we are prepared to expend in effective works all the money that may be necessary to put ourselves in a condition to resist invasion, even with a handful of troops, until more can be sent us.

As we are at present, the Government of the United States feel that we are at their mercy, and that they can deal with us as they please. To-day they impose an obnoxious passport system upon us, and to-morrow they relieve us from that source of annoyance. To-day they threaten us with a repeal of the [Reciprocity](#)

³ *Supra* footnote 2.

⁴ [UK, House of Lords, "Defences of Canada—Reports of Colonel Jervois—Question" \(Feb. 20, 1865\), vol 177, cc 416-40.](#)

[treaty](#)⁵, and to-morrow will, perhaps, be prepared, if we are good children, to continue its operation. To-day the bonding system is to be repealed; to-morrow we hear no more of it. Next we hear of their intention of placing a force of gunboats on the lakes, and then we hear that the intention has been abandoned. What are all these fair promises they indulge in, and good feelings they endeavor to call up, but blinds of their real purpose?

Does anybody believe that it is not in their hearts to do all those things with which they threaten us, and is it not our duty to be prepared to meet the consequences of their threats being carried into execution? They now see that we are being aroused in this country, and they begin to treat us more mildly, until they come to some settlement with the South. They begin to see that they have acted aggressively against this paw of the British lion a little too soon—that the British lion is in danger

- (p. 968)

of being waked up.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—And, Mr. Speaker, I think it would be a good thing if we were a little more aroused in this country by the events that are transpiring about us, and that the people of England should become a little more in earnest, so that the people of the United States should not fall into the habit of regarding the British lion, as the Paris *Charivari*⁶ called it, as a stuffed lion. I sometimes wish the British lion would roar—

Some Hon. Members—*Laughter.*

John Cameron [Peel]—as it has roared in times past, and as it roared when it made the Emperor of all the Russia tremble in his shoes.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I am afraid our neighbors are getting into the very false notion that it is only the skin of the animal that we have now—

Some Hon. Members—*Laughter.*

John Cameron [Peel]—and that if the voice were heard, it would not be a roar, but a bray. But they must not trust too much to this idea, or they will be rudely awakened someday by finding the bones, and the blood, and the muscle of the mighty old animal of yore. I feel, sir that we cannot do our duty to the Imperial authorities, nor they to us, unless we become united into one Confederation, instead of remaining in the scattered position in which we now stand. What would be our position if we were thus united?

The opponents of Confederation say we should only get a more extended frontier to defend, and have no more men to defend it with; that the frontier we should acquire would be more difficult to defend with the addition of men we would acquire, than our present frontier would be to defend with our own force; that Canada might be called upon to send troops to the Lower Provinces, thus leaving our own frontier exposed, or they would have to send their militia force up here, leaving their borders open to attack.

But, in reply to that reasoning, I would say that it is not likely we should be attacked at all points at once. We might be compelled to withdraw entirely from one portion of the territory in order to defend more important portions, or to obtain more defensible positions; but no man can hesitate to agree that it is infinitely better, for all purposes of defensive action, that the whole militia force of the country should be under the control of one executive head, who could grasp the whole force in one hand, than that they should be scattered over a wide domain of exposed territory, under the command of different executives, all of whom would have to be communicated with before any concentration could take place.

The true position in which we should stand before the world is, that the whole militia force should be understood to be under the control

⁵ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 1.

⁶ i.e. "a mock parade/serenade."

of one Central Government; for in that way, common sense ought to tell everybody, they would be of far more value in defense than they could possibly be if divided, and the moral effect produced upon a foreign power, contemplating attack would be very greatly enhanced, were it understood we were one united people, instead of being a divided community.

Our entire population would be four millions of people, which, at the ordinary rate of computation, would give us an available militia force of five hundred thousand men. If we believe that our people are really and truly a loyal people, warmly attached to the Constitution of the good old land, because believing that the engrafting of the institutions of that country upon the soil of this continent offers the best and greatest security for every man who desires to enjoy the blessings of a free country and free institutions, then we would, if united, have not only this sentiment of attachment to the English Throne, but we would have the machinery, which this great Constitution provides, in our hands by which we could carry out and defend our liberties and our people in the enjoyment of their free constitutional government.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Our opponents say we are hardly ripe, hardly of age fit to enter upon a new nationality. Why, sir, there are none of the lesser powers of Europe, except Belgium and Bavaria, that have a population of four millions. If we cannot establish a nation when we have four millions of people, what shall we say of Greece with its population of only one million? If we are ever to form ourselves into a nationality—and few will deny that it is our destiny to be united at some time—what better time will ever be likely to present itself for handing down to posterity the boon of a united and free nation—the greatest boon that a government and people can transmit—than the opportunity which the present favorable state of affairs presents to us?

It is offered to us freely and openly in the

face of the world, and we hope to convince the world hereafter that of the three systems of government now in existence on this continent, ours is the best. We have the despotic throne of the Montezumas filled by a foreign prince, and propped up by foreign bayonets; we brave the republican government of the United States, based on the principle that all men are free and equal

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and that the will of the majority must govern and be right; and we have the responsible government provided by the British Constitution, under which the English nation has existed so long, and beneath the protection of which her colonies have spread out, until upon their wide expanse the sun never goes down.

Some Hon. Members—*Cheers.*

John Cameron [Peel]—This latter form of government we believe to be the best we can adopt for present purposes, and for the purpose of transmission to our descendants upon this continent. Mr. Speaker, if we have institutions, population, wealth and territory of such extent and of such immense value to protect, and have the opportunity of uniting for their protection so freely given us, then is the end sought to be accomplished by the change that cannot but commend itself most clearly and distinctly to the mind of every one who desires to see a united and happy people inhabiting the territory of British North America, and stretching from ocean to ocean, under the protecting semis of the British Constitution, the British form of government, and the British Crown.

We have, in my own humble opinion, but two future states of existence to choose for ourselves. We have, on the one side, the opportunity to make ourselves a nation, able and willing to protect ourselves, with the aid of the Mother Country, and to grow wealthy and prosperous under that form of existence. On the other hand, we have the certain prospect of absorption, at no distant period, into the United States. There is no alternative.

Some Hon. Members—Hear, hear, *ironically*.

John Cameron [Peel]—We must either adopt the one or make up our minds to submit to the other. I have no doubt but that an immense number of the people would not be willing to remain and submit to the latter alternative, but like the led United Empire loyalists, would even abandon all they possessed rather than cease to have the protection of the British flag, and bear the name of British men—men in whom loyalty is not a mere lip sentiment, but in whom it forms as much a constituent element of the blood as the principle of vitality itself.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—I am satisfied, sir, that there is no other alternative—no choice for us between the endeavor on our part to concentrate British power and British feeling on this continent, and falling into the open arms of the republican government of the United States

Some Hon. Members—Hear, hear.

John Cameron [Peel]—And, Mr. Speaker, when we examine the extent of the domain open to us, when we reflect that we would rest with one foot upon the broad Atlantic and the other upon the Pacific, and remember the vast, fertile and salubrious territory that lies between us and the Rocky Mountains—those rich valleys of the Saskatchewan and the Assiniboine, the fertility of which are said to be far superior, and are certainly equal to any portion of this country—when we think of them and of the vast number of people that could be poured into them from the old world to developed their resources and bring their treasures down the lakes to our marts—I say when we see all these things, we see a future arising for us which is to me, and ought to be to others, so bright that no man should hesitate to accept that rather than the only other alternative—drifting in small provinces into the United States, where we can't but be borne down by their burden of taxation.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—But some people say

we will escape taxation by going over to the Americans; that they would take us in tomorrow, and agree to put no taxation upon us for their war debt; but is not that idea chimerical, when they entertain no doubt that they can overrun and conquer us at any time, and force us to share in their debt, as well as discharge our own?

With regard to our prospects in the way of settlement and the extending of our population and wealth, look at what we could do towards attracting emigrants from the old country to our lands. But here I must refer to one feature of the scheme that has been adopted by this House that I hope to see changed. I believe it is a fatal error to place the wild lands in the hands of the local governments, who may thereby enter into regulations for immigration that will be antagonistic, and that will tend to retard rather than promote the settlement of this country. All those lands ought to have been placed in the hands of the General Government, in order that one comprehensive system of immigration might be adopted.

When we look at Upper Canada, and ascertain that of her eighty millions of acres there are only thirteen and a half millions in the hands of proprietors—an average of nine arced to each inhabitant—when we see the vast quantity of land in this country available for cultivation, not yet turned to account, we cannot help coming to the conclusion that we have a vast field for immigration to fill up, and which ought to have been placed under control of the General Government—

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not left to be speculated upon by the local governments.

Now, sir, when one sees all that, and feels and knows that the great change which will be brought about by this union will give us so many things that are desirable, I say the magnitude of the interests that are involved ought to recommend to us, in the strongest manner, a change of the character of which I have been speaking—a change that would

tend to place this country on such a footing that none can fail to see that we would eventually become the members of a great community, and that in a much shorter space of time than many people imagine.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Allow me for a moment, sir, to allude to the history of the United States, to see the position in which that country once stood. In 1792, the United States, with a population, at that time, of nine millions of people, had a revenue of a little over four and a-half millions of dollars, while in Canada, in 1863, with a population to two and a-half millions, we had a revenue of fourteen millions of dollars. In 1821, when their population had greatly increased, the whole of their exports and imports amounted to ninety-eight millions of dollars, while ours, in 1863, with a population of only two and a-half millions, was no less than eighty-nine millions of dollars; that is, within nine millions of the entire imports and exports of the United States in 1821.

It is true that since that time all those facilities which have made the United States a great power on this continent—the construction of railways and telegraphs, the application of steam power to all kinds of machinery, and other inventions of the past two or three decades—have sprung into existence, and they have reached forward to greatness with railroad speed.

But, still, it is nothing against the argument to say that as we have, within the memory of man, risen so rapidly not only in population, but in everything that tends to place Canada on a footing that ought to be satisfactory to every well-wisher of his country, there is any reason to imagine, for one moment, that all the changes have been made that will be made, and that with the enterprise and exertions of a common and enlightened people, we will not be in a position to continue the prosperity that has sprung up within so short a time, and which has increased until within the last three or four years, when, from natural causes and the war in the United States, it received so

serious a check. We shall find ourselves, in my opinion, so soon on the highroad to prosperity, by means of the union now contemplated, that we shall not care to envy the progress of any nation whatever.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Now, sir, when I have stated my reasons for believing that there is a necessity for such a change, and having endeavored to show the nature of the change proposed, I shall now proceed to show why the resolution which I hold in my hand, and which I offer for the adoption of this House, is one that ought to be accepted.

I have said, sir that I, as an individual member of the Legislature of Canada, had not hesitated to take upon myself the responsibility of voting in favor of the resolutions respecting Confederation, although they had not been accepted by the people of this country in any constitutional manner. I said that I did so upon the same principle as I would have done if I had been voting upon them outside of the House instead of inside.

I would have voted for them as an elector, because I believe they form a just basis for the contemplated union; and, sir, I desire to offer exactly the same opportunity to every elector to pursue the same course that I would pursue, and I make the same claim on their behalf that I would make to this House on my own. I think that they are entitled to have this matter submitted for their consideration before the resolutions that have passed this House are finally acted upon by the Imperial Legislature.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Now, sir, it has been said that the effect will be to postpone the accomplishment of the union for an indefinite period, whereas the pressure of circumstances are such that no time should be lost in placing ourselves in such a position of defence that we should be able to meet and hold back any force that might be sent against us.

Well, sir, there is nothing in the resolution I have proposed that would, in my judgment, interfere with the immediate carrying out of

the project. The Government have told us that they propose to prorogue Parliament in a few days, and they have also told us that we are to be called together again in the summer. What is to prevent us from considering the subject at the summer session? It is to be presumed that the Imperial Government will endeavor to come to some conclusion upon the resolutions which have been framed by the Conference, and which have been laid on the tables of both Houses of the English Parliament, and I see nothing to prevent the Imperial

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Government from declaring their views upon the subject.

I think there would be nothing whatever to prevent our Government from going to England, and offering these resolutions for the consideration of the Imperial Legislature, allowing that Legislature to act upon them as they might think proper; but, at the same time declaring that the law to be passed ought not to come in force in the different colonies until it had been accepted by the legislatures of those colonies. There would be no time lost.

It would be as easy for this Parliament to be dissolved and to meet together again in time to take up the consideration of the measure, which Great Britain had in the meantime passed, as it would be to meet again in the summer, and go through the same process. Way is Canada to be treated upon an entirely

different rule from that which has been adopted in the other provinces? The Legislature of New Brunswick was dissolved in order that the people might be appealed to on this question⁷. [The Hon. Attorney General of Newfoundland has declared that it is the intention of the Government of that colony to appeal to the people upon it](#)⁸, and that nothing will be done until their opinion is obtained.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—In Nova Scotia, too, the Government do not, as I understand, make it a government question. It is not to be put in that position, and if a difficulty arises in having it adopted by the Legislature, the Government of Nova Scotia are prepared to dissolve their Legislature too. I do not say anything about Prince Edward Island—its acceptance or rejection of the scheme would be old very small account. But their Legislature will, no doubt, also be dissolved, in order that the people may have an opportunity of expressing their opinions upon it, if their House of Assembly is found hostile,—a step which, no doubt, our Government would have taken if this House had shown itself hostile to the measure. Because this House is not hostile, and because Ministers found themselves strong enough to carry it by a large majority, they declared they would take the course they have adopted, although in the other provinces the case has been put on an entirely different

⁷ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley's Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

⁸ [Newfoundland, House of Assembly \(Mar. 6, 1865\). Journals of the House of Assembly of Newfoundland \(1865\), pp. 37-38.](#) The resolution reads as follows, "RESOLVED—That having had under their serious and most deliberate consideration the proposal for the formation of a Federal Union of the British North American Provinces, upon the terms contained in the Report of the Convention of Delegates held at Quebec on the 10th October last,—the Despatch of the Right Honorable the Secretary of State for the Colonies, dated December 3, 1864—the observation of His Excellency the Governor in relation to this subject, in his opening Speech of the present Session—and the Report of the Newfoundland Delegates,—this Committee are of opinion, that having regard to the comparative novelty and very great importance of this project, it is desirable that before a vote of the Legislature is taken upon it, it should be submitted to the consideration of the people at large—particularly as the action of the other Provinces does not appear to require that it should be hastily disposed of, and as (the present being the last Session of this Assembly) no unreasonable delay can be occasioned by this course; and they therefore recommend that a final determination upon this important subject be deferred until the next meeting of the Legislature."

footing.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Now, sir, let us consider why we should be placed in the same position in which the legislatures and people of the Lower Provinces are placed. We hear it stated on all sides of this House that the whole country is in favor of this measure. If so, why should there be any hesitation about asking the country to confirm by an election that which is so clearly advantageous and which is so sure to be carried? But, sir, I hear it said, inside of this House and outside of this House, that the people of Lower Canada are opposed to this measure. If that be so then—if they are so strongly opposed to it as has been represented—is it a wise step for us to force it upon them against their will?

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We are arranging to adopt an entirely new state of governmental existence, and are proposing to embrace a large area of country under this new form of government. We are claiming for it, and desire that it shall have its best and safest foundation in the hearts of the people. And, sir, will you not find it stronger in the hearts and more deeply rooted in the estimation of the people, if you appeal to them and obtain their sanction to it and their support in carrying it out?

Some Hon. Members—Hear, hear.

John Cameron [Peel]—In proposing that it shall have the sanction of the people, I do not contemplate the absurdity, unknown to our form of government, of asking them for a direct yea or nay upon it. No such thing as that has ever been entertained in my mind. I propose to have it done in a constitutional manner. My whole political history would have shown any man acquainted with it, that there could have been no such democratic idea harbored by me as to go without the walls of the Constitution in order to do an act which could be better done within it.

Therefore, any one who had for a moment the belief, that while I was endeavoring to build up, I was at the same time putting forth what may be called a sacrilegious hand to pull down, was very much mistaken as to the course I was to pursue—the only proper and safe course that could be pursued. If you wish to erect this monument of a new nationality on the true feelings and hearts of the people, you must erect it upon an appeal to them. You should not be afraid of it. You may say that difficulties will arise—that other questions will be raised—that the elections will not always turn on the direct issue—for Confederation or against Confederation. But I tell you that it will, if the people are so much in favor of this project as you say.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—The merits or demerits of the candidates will be passed to one side, and the vote will be taken on the true merits of Confederation—otherwise the people are not worthy of

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having that appeal made to them. An appeal has been made to history, and it has said that appeals to the people on questions of this kind are unknown under the British Constitution.

The cases of [the union between England and Scotland](#)⁹, of [the union between Great Britain and Ireland](#)¹⁰, and of [the union of the Canadas themselves](#)¹¹, have been referred to; and it has been asked if in any of those cases an appeal was made to the people, and an answer given in the negative. I am not prepared to accept that answer as altogether correct in point of fact. In the first of those cases, where the resistance was perhaps the greatest, an appeal was made to the people. It was not until long after the matter was first mooted that the union between England and Scotland was brought about.

It was questioned at that time—just as afterwards, in 1799, with reference to the

⁹ [Union with Scotland Act 1706 \(England\)](#) & [Union with England Act, 1707 \(Scotland\)](#).

¹⁰ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

¹¹ [The Union Act, 1840 \(U.K.\)](#).

union of Ireland—whether the Scottish Parliament had power to deliver up the franchise of the people into the hands of the English Parliament. With reference to the union of Scotland with England, the matter was brought before the people—not in one, or in two, but in many ways. There were commissioners appointed, and conventions, and various attempts to bring about that union before it was finally consummated. It was attempted in James the First's time, in Charles the First's time, in Cromwell's time, and again in the reign of King William, and finally carried out in the reign of Queen Anne. [The proclamation summoning the Scottish Parliament of 1702](#) declared that among other things, it was to treat of the union of Scotland with England¹².

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We have still extant in the books the very words of that proclamation, which declared that that Parliament was summoned in Scotland for the very purpose of treating of this question. That Parliament did not finally decide upon the matter, but the following Parliament did, and the union was consummated. And that Parliament was in exactly the position of that of 1702, having been called together by precisely the same kind of proclamation.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—That matter of the union between England and Scotland was, I believe, the only subject that was discussed. And, although subsequently the greatest hostility was aroused, and troops had to be sent from the north of Scotland, it was not until after that Parliament had been for some time assembled that petitions came in from any of the burghs against it.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We have been told in this debate that there is now the satisfaction of content all over the province in reference to this measure. Allow me to tell you that in many localities, it is the deadness of apathy

and not the satisfaction of content. This has arisen, not because the people do not feel an interest in the question, but because there has been a pressure upon them from many causes, and that they have had to contend with a great number of difficulties of one kind or another, resulting in an unexampled want of prosperity.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—They are, therefore, looking out apparently for anything—they are not particular what—which they believe would tend to relieve them from the difficulties of their present position. I say this, although I should be glad that it was not apathy, or deadness, or death, but contentment, throughout the length and breadth of the land, which was leading to the general acceptance of this measure. I believe that in the western part of the country—I cannot speak for the eastern part, unless in so far as it is shown by the petitions which have been sent in, and the opinions which have been expressed in this House by honorable members from Lower Canada—but in the western portion of the country, I am satisfied, from my own personal knowledge of the feeling existing there, that a large majority, equal to if not greater than that which voted the other night on the floor of this House, would be returned at another election in favor of this measure.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—And it is because I believe that, and would not leave it for anyone to say that the people had not had an opportunity of expressing themselves, through an election, on a matter of such vital importance—that I claim that it should be submitted to them, in order that they shall declare by their votes whether they are in favor of this measure or not.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—In speaking of the [union of Scotland](#), of the [union of Ireland](#), and

¹² [Letter from Queen Anne to Privy Council of Scotland summoning Parliament to consider union \(Sep. 8, 1702\)](#).

the [union of the Canadas](#)¹³, we must recollect that the same circumstances to a great extent existed. In the case of the Scottish union, there were those desolating wars between England and Scotland in which the best blood of both lands had been shed, and there had long existed a perpetual feud and hostility which had left the border country—now a smiling and fertile territory—a barren and desolate waste.

Then again, when the union of Ireland with Great Britain took place, there was a rebellion just quenched—there were

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40,000 troops in the country—there were one hundred and sixteen placemen in the House—and there may have been good reasons for the fact that a majority of some six or seven in the Irish Parliament against the union had dwindled down and disappeared next session, being swallowed up in a majority of thirty-five. In this country the same thing had occurred. The union was consummated when the embers of [the rebellion of 1837-38](#)¹⁴ were still supposed to be slumbering in various parts of the land—and there were, therefore, strong reasons why, in the midst of disquiet and disturbance—when there might be a difficulty about elections being conducted with purity and freedom from Executive control—such a question should not be submitted to the people.

But now we have no such cause. We are told that the people are happy, contented and prosperous, though desirous of some change—and there is, therefore, no exciting cause to prevent a free and full expression of the mind of the people by a general election—nothing to prevent the whole matter being placed on a proper footing before the people, and men being chosen with reference to their

views on the subject of Confederation, and that alone.

You have nothing to prevent this new system being inaugurated on the true and proper basis on which it ought to be inaugurated, namely, on the popular will, and receiving therefore, from the outset, that strength which the popular will alone could give to it, in its endorsement by those who have a right to send representatives to this House.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—It has been said that a motion of this kind takes away, in point of fact, from the Legislature, the power which the Legislature has. By denying the right of the Legislature to make any such change. I do not say anything against the power of the Legislature. The Legislature has, within the limits that are assigned to it, all the rights which its charter gives it. But I cannot help feeling that when we are dealing with this question, we are dealing with it very differently from the manner in which it was dealt with, either by the independent Parliament of Scotland, or by the independent Parliament of Ireland. We are acting under a limited charter and constitution—having no right ourselves to deal with this matter finally by any act of our own—having only the right to deal with it by these resolutions, and not to enact it with the authority of law.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—We, therefore, stand limited in our powers at the outset—so limited that it has been decided in Newfoundland, that the privileges which belong to the House of Commons and the House of Lords in England do not belong entirely to our legislative bodies—that these have grown with time, until they have become incorporated with the very existence of the

¹³ *Supra* footnotes 9,10, and 11.

¹⁴ [Violent insurrections broke out in 1837-1838](#) in both Lower Canada and Upper Canada that later led to Lord Durham's proposed substantive constitutional reforms in 1839 and the development of the constitutional convention full responsible government in 1848. The conflicts in Lower Canada killed more than 300 people, and in Upper Canada, over 500 armed rebels claimed parts of Toronto. While their goals weren't fully aligned, they both were symptomatic expressions of deeper failures of the constitution.

Imperial Parliament—while we hold our privileges in a very different way, not having the same comprehensive grasp of them, as in the case of the House of Commons. It is clear that we have not the same power as the Imperial Parliament—otherwise we should not be obliged to go to that body for its sanction of these resolutions.

And there are limitations of the power of the Imperial Parliament itself, to which we also are subject. We cannot make any act of ours permanent, any more than we can make ourselves permanent, because another Parliament has the right to repeal what we have done. We cannot of ourselves enact this measure into a law. We can offer these resolutions—we have the power to do that—and the Imperial Government and Parliament have, no doubt, the power to act upon them as they choose.

But the question is—is it wise to give these resolutions the force of law; is it proper to do so; is it the most just course to take towards the people of this country, to declare that in a matter of this importance we will legislate for them, to the extent of introducing an entire change of the Constitution—of providing that the Upper Chamber, which [they have declared to be elective](#)¹⁵, shall cease to be elective, and shall be nominated by the Crown, without consulting them?

I do not mean to say, with regard to that change, that it is not a beneficial change. I was one of the few who stood on the floor of this Legislature battling against the change from nomination by the Crown to election by the people in the Upper House. I was one of those also who contended for resolutions, the effect of which would be to place the power of the people in the Lower House, by representation according to numbers in that body, with equal representation for the two sections of the province in the Upper House.

And I recollect that some hon. gentlemen now on the Treasury benches—the Hon. President of the Council [George Brown] among others, through the columns of the influential paper he controls—declared that the idea embodied in those resolutions was absurd, and

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could not be acted upon, although the very idea which the Government have now incorporated in this scheme, from a different point of view.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—And the Hon. President of the Council [George Brown] voted, as I did, against [the introduction of the elective principle](#)¹⁶, and in favor of the retention of the nominative principle—not, however, for the reasons I did, but for different reasons altogether, as he explained at the time. But the view he entertains now, in favor of a nominated Legislative Council, was the view he entertained then, and the change is one which I will be glad to see brought about. But it is a change of which the people at the last election had no idea. And the alteration in the minds of public men has been so great, within a short space of time, that I say we have a right to think and pause and reflect.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—Look at the programme which was brought down on this subject by [the constitutional committee moved for by the Hon. President of the Council \[George Brown\]](#)¹⁷. The part of [the report of that committee](#) which was most opposed was the Confederation of British North America¹⁸. And it is well known that what the Government offered, [at the time of its formation](#), was that the lesser scheme of a Federation of the Canadas should go first, and the larger scheme of a Federation of all the

¹⁵ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#).

¹⁶ [ibid.](#)

¹⁷ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

¹⁸ See, for example, [Legislative Assembly, Mar. 14, 1864, pp. 86-92](#) and [May 19, 1864, pp. 152-156](#).

colonies afterwards¹⁹. They were first of all to try to have a Federal Government for Canada alone, and then to extend that, as circumstances permitted, to the whole of the British North American Colonies.

Well, in the short space of little over three months, men's minds were so changed that the Federation of the Canadas ceased to be talked of, and the Confederation of the whole provinces came up in its stead. That scheme for the Confederation of British North America, which a short time ago seemed to have but very few supporters, was brought suddenly before us with a large number of supporters. How do we know that there may not be a change again in a short space of time—that the whole system with which we are now dealing, and, on which hon. gentlemen have placed their views before the country, may not be changed again, without the people, who are said to be so satisfied with this scheme, having had the matter placed before them for consideration, or the opportunity of voting for or against the scheme?

Therefore I believe it would be wiser, better, and more for the interests of the whole of this country—and that it would greatly strengthen the power which this Confederate Government would have—were it voted upon by the people in the constitutional mode of a general election, before it is finally resolved upon as the Constitution of these colonies. I believe that if you wish to root it in the minds of the people, you will remove the objection which may at any time spring up, and be made the means, in the hands of designing men, of creating dissatisfaction hereafter.

And I say that for the sake of carrying this

scheme in the Lower Provinces, it is desirable to take this course. What is the reason of the suspicion entertained with regard to this scheme by the Lower Provinces? They say that the Government of Canada is urging it so rapidly, that there must be some *arrière pensée*²⁰—that there is something in it which will place her in a better position—that they are therefore pressing it upon the people of Canada and of the Lower Provinces, without giving them an opportunity of considering it fairly.

One of the things made use of in the Lower Provinces is that our interest in the matter is so great, and we are entangled in so many difficulties, that we wish the other provinces united with us in order that, on their credit united with ours, we may be able to incur greater liabilities, and carry out our views as to public works, the benefit of which we will gain exclusively, although the Lower Provinces assume their share to the liability. For the present, therefore, unless by a great stretch of power on the part of the Imperial Parliament, it will be impossible to force it on the Lower Provinces.

They say that Canada, pressing it in that way, must have some ulterior object in view, which does not distinctly appear. Can we suppose for a moment that the position of the gentlemen going to England will be, that they will press the Imperial Parliament to pass this measure, *coûte que coûte*²¹, whether the Lower Provinces like it or not, urging that as Canada possesses the larger population—two-thirds of the whole—if she desires to have it the others must have it, whether they will or not. If that policy were pursued, it would be necessary, first of all, to deprive them of their

¹⁹ [“Memorandum—Confidential”, Legislative Assembly \(Jun. 22, 1864\), pp. 205.](#) The relevant passages are as follows, “*The Government are prepared to state that, immediately after the prorogation, they will address themselves, in the most earnest manner, to the negotiation for a confederation of all the British North American Provinces.*”

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

²⁰ i.e. “an ulterior motive.”

²¹ i.e. “at all costs.”

constitutions, and then to declare that they must unite with us—that the will of the majority should overrule the wishes of the minority, exactly as in the United States, where everything depends on the will of the majority, and the minority are presumed to have but few

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rights, if any at all.

But if you show that not only the majority of this Parliament, but the majority of the people also in Canada, are in favor of this scheme; and if you can show what the majorities in the Lower Provinces are at the same time—if you can in this way show what is the will of the majority of the whole of the people of these provinces, you will have your hands much strengthened, when you go to England, if you wish to say that because Canada asks it, and the majority of the whole people of these provinces asks it, the Lower Provinces must be compelled to come in. The passage of this resolution, in my judgment, would not imperil the passage of the scheme at all. It would not prevent the gentlemen who go home from taking such steps before the Imperial Parliament as they would think it desirable to take, or as they might be instructed here to take by the Government of which they are members.

Let the Imperial Parliament pass the measure, according to the views of the delegates, confirmed by the action of this Parliament—but let them say that the measure shall not come into force in all these colonies until each Parliament has voted upon it. And let each Parliament be elected by the people, with special instructions to declare whether this new Constitution shall be the Constitution of these colonies or not. Everyone who is a well-wisher of his country—who desires to see it go on and prosper—who believes that the concentration of power in one Executive over all these colonies will place us in a position to assume the name and status of a nation upon

the earth—will be glad to find our power in that way consolidated.

And if we base the structure, as it ought to be based, on the expressed will of the people themselves, then I think we will be offering to those who come after us, as well as to ourselves, a heritage which every man should be proud of—and which will bring to our shores, from Great Britain and other parts, people who will be desirous to obtain here, along with all the favorable circumstances attendant upon the settlement of our lands, the advantages of the free Constitution which we have made, as nearly as possible, a facsimile of that of the mother-land.

But though I am myself in favor of the Confederation resolutions, and anxious to see them carried out, I am desirous that they shall be carried out in a manner which will be conducive to the best interests of the country, based on a heartfelt expression of opinion by the people, by means of a general election. I promised I would not detain the House, and having presented such arguments as seem to me to require the passage of this resolution, I resume my seat.

Some Hon. Members—Cheers.

Matthew Cameron [Ontario North] said—I have great pleasure, sir, in seconding the resolution which is now before the House, because I think it is very desirable that before any such a change as that which is proposed should go into effect, the people, who are to be affected by the change, should have an opportunity of pronouncing upon it in a more decisive way than they can through their representatives in this House, who have been sent here for an entirely different purpose than that of making a change in the Constitution. It would not signify to me if the circumstances attending the [union of Scotland with England](#), or of [Ireland with England](#)²², had furnished no reason for contending that an appeal to the people was proper.

They were entirely different from those under which we are existing. If there had been

²² *Supra* footnotes 9 and 10.

no precedents whatever, I say that at this enlightened day, when the people interfere and have a right to interfere in the management of their own affairs, no such a change as this should take place without their having a voice in it I do not feel, with the proposer of this resolution, that it is absolutely necessary that a dissolution of this House should take place for the purpose of obtaining an expression of the popular will. I do not see why the taking of a direct vote—yea and nay—would be an unconstitutional proceeding.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I have found that by the legislation of this country a precedent has been established that the people who are to be affected should have the right of voting upon certain measures relating to their financial affairs. We find that in those bodies which the people are empowered to create, and which are as much representative bodies as we are, the township and county councils—whenever a debt is to be created over a certain amount, affecting the communities over which those councils exercise control, the question must first be left to the people to pronounce upon it before it can become law. The people send their representatives to those bodies to legislate for them in a similar manner

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to that in which we are sent here to legislate for the country at large.

The only difference is the difference between a small legislative body and a large one. They are just as much representatives of the people as we are. When we provide that they shall submit by-laws to a direct vote of the people, can it be said that it is a violation of the Constitution, or even an unjust or improper course to take a vote in a similar way, when so much larger matters are at stake? I do say, sir, that if there were no example for it—if our Legislature had not shown that it was the people's right to have a voice on all matters affecting them largely—we should now proceed to make that

precedent.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I do not mean to say, however, in speaking thus, that I am adverse in the slightest degree to there being a dissolution of the House; but it strikes me that we will have a great many side-issues in a contest of that kind, and cannot, therefore, arrive at the direct sense of the people so closely as we should be able to do by a square vote of yea or nay.

Nevertheless, it is of very great importance that before advancing to the end of the proceedings that we have contemplated by passing these resolutions, they should first be submitted to the country in some way. I am in favor of the resolutions going to the people in any way rather than the scheme should be carried out without such expression; and I am also desirous that the public should be awakened from that apathy which has been alluded to by the hon. member for Peel [John Cameron], and which I am also satisfied exists among the people upon this question.

The honorable member for Peel [John Cameron] has asserted that there could not be half a dozen gentlemen found on the floor of this House who would say that this country could go on and prosper—but I say it could prosper for the next decade as it has prospered during the past, without any change whatever. I believe I am one of those, few though they may be, who so think; but I am also one of those who thought that it would be very desirable to have a change in the representation of the different sections of the province, on the floor of this House.

I thought that Upper Canada contributed so much more towards the revenue of this country than Lower Canada that she ought to have a larger voice in the disposal of that revenue. Therefore a change of the Constitution, in this respect, has been agitated by men entertaining that opinion, but I never did feel that the people of Lower Canada considered themselves on the eve of a revolution, or that the people of Upper Canada had arrived at that point, that they felt

it absolutely necessary to resort to revolutionary measures to obtain justice.

While I feel that we have now arrived at that stage that we can have a union with the Lower Provinces that would give us a strength and a stability that we cannot acquire by the resolutions we have just passed, yet I do not desire that any change should take place without the people of this country having the fullest and freest opportunity of expressing themselves upon its desirability. I desire that the people should have this scheme presented to them, side by side with the proposal for a legislative union, that we may ascertain whether or not they would adopt a Federal union, in preference to a Legislative union.

I have been charged with having advanced arguments in discussing the resolutions, which were as applicable and favorable to a Federal as to a Legislative union, and that I said nothing more favorable to the one than to the other. Well I admit that if you take three or four isolated points of a man's argument, you can make them support exactly the opposite of that which his whole course of argument was calculated to uphold, and when you put all of my remarks together, you will find that they bear strongly in favor of the legislative form of union. This much will be found, that every argument which I advanced that could be said to favor Federation, was also an argument in favor of a Legislative union; and, in addition, I brought prominently to view the greater economy, connected with the working of the latter.

I consider that argument a strong one, in view of the circumstances at present existing in this country—the suffering in consequence of the failure of crops, and the depression of trade owing to the war in the United States, the position of this country is such that it is not able to bear additional heavy burdens; and if we are going to make a change in our Constitution, that change should be of a character that would lessen those burdens instead of increasing them, if possible. And if we must incur a heavy burden for defensive purposes, let us have as much saving, in other

respects, as we can effect, so that there will be as little expenditure as maybe for the mere machinery of government, and then we shall have a

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form of union that will meet the approval of the people, and be perpetuated.

Looking at this change that is considered so necessary, let us enquire what events have brought it about. Let honorable gentlemen on the Treasury benches answer for me, and we will find that it has been the cry that retrenchment was absolutely necessary—that if we did not have retrenchment, or give to Upper Canada that fair control over the expenditure of our income that she ought to have, in consequence of her contributing so much more to the revenue, there would be a revolution. That was the way in which the Hon. President of the Council [George Brown], for party and political purposes, chose to discuss this matter while he was in opposition. Not that there was really any danger of revolution, but because there was justice in the cry, they used strong language to give effect to their argument.

Now, I would like to understand and I have not yet been able to understand from any member of this House who has been advocating representation by population—whether there was any reason for believing that we could not have got that constitutional change just as well as we can get this one. It was party feeling that kept the people apart, yet that party feeling was swamped in a moment when the leaders of the parties brought their heads together, and declared that it should no longer exist. They united for the avowed purpose of remedying the difficulties under which the province labored, and for the purpose of giving the people of Upper Canada their rights; and they say this is to be accomplished by a Federal union. They might as well have formed a union for a more economical object—for the purpose of forming a Legislative union between the provinces.

It may be said that hon. gentlemen of French

extraction from Lower Canada were so determined to resist the demands of Upper Canada, that the rights of that section of the province could never have been obtained, unless by a Federal union of the colonies. I think, however, that they are men of intelligence, and that if they found Upper Canadians were true to their determination to contend for their rights until they should be obtained, the result would have been very different from what it has been. Hon. Gentlemen from Lower Canada, of French origin, must have seen that they were liable to be swept away at any moment that there should be a union between the British of Lower and of Upper Canada.

If the issue had been placed fairly and equally before them; if they had been brought to see that matters had arrived at such a state that it was absolutely necessary that some change should take place—the people of the Eastern Townships and of the eastern part of Upper Canada standing ready to be banded together against them—they would have seen that the elements on the floor of this House where such as would force upon them either a legislative union with the Lower Provinces, or representation by population in Canada alone. Whether a legislative union, with representation by population as a basis, could have been obtained from the Lower Provinces or not, I am not prepared to say; but I am given to understand that the people of the Lower Provinces advocated a legislative union as strongly as those of Upper Canada, and that they were about to carry out a legislative union among themselves.

Now, if Prince Edward Island and Newfoundland were willing to go into a legislative union with Nova Scotia and New Brunswick, I do not see why the proposal to bring in an additional province should have effected so complete a change in their views. I am satisfied that if the gentlemen who represented the interests of Upper Canada had set themselves about trying to get that which would have been best for their people, and had endeavored to enforce the lights of Upper

Canada, they would have accomplished that which would have been of more service to the people of the united provinces, and which would have placed beyond chance or possibility those contentions which will necessarily result so soon as you have individualized those provinces by giving each a Local Legislature.

By this scheme you will have increased the burdens of the people, and in so doing will have increased their opportunity for discontent. You have given to the general and local legislatures coordinate jurisdiction, or at least have given them the right to legislate on the same questions, and, in thus placing in their hands an element of contention, have shown that you are not building up a firm and stable government.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now it is said that one of the strongest reasons for union is found in the necessity of placing our common country in a position of defence, but I do not see why we cannot make arrangement for a defence under our present government. Let us be told what it is that is required of us, and see whether the different legislatures will not vote the

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money necessary. If we can get the money through the Imperial Government, then let us show them that we are prepared to make it good, that we are prepared to raise the money upon our own paper, if they will guarantee it for us. If they will do that, they will find that these provinces are willing and ready to make all due provision for their defence.

This province is only one of a number which are equally bound to defend themselves with us, as I believe they have the spirit and inclination to do. I fancy you will find as much loyalty in the Lower Provinces as in Canada, and you will find that when we are ready to aid the Mother Country in defence of this portion of her territory, they will be ready too; and as they are now united to the Mother Country as well as ourselves, we could be in

no better position for defence through the contemplated union.

The union cannot make us stronger, when we have to look to the Imperial power as the bond that keeps us together under any circumstances. It is to them we shall look for orders when the time comes to act. I am not one of those who like to look at the idea of the severance of the bond between this and the Mother Country, but yet I feel that if Upper Canada is burdened more heavily than she has been by the additional burdens which this Federal union must impose to sustain its costly machinery, there will be great danger of the same state of things being brought about which rendered some change necessary at the present time. It cannot but be felt that this scheme has not been brought forward with a view to more economical government, or with a view to providing the best means of union that could be obtained, but that it had its origin in expediency and compromise.

The people of Canada felt compelled to seek some change, and the people of the Lower Provinces, if they adopt the measure, will in a sense have it forced upon them by the people of Canada. A scheme has been adopted which it is thought will prove the most expedient for the time being, but which must be changed in the course of a few years, after leading us into contentions and strife, such as we have had for the past ten years.

Why not pause and discuss the measure more thoroughly, and have it weeded of its defects, so that we may accomplish at once the construction of a Constitution that shall be a lasting one, and not risk the formation of a union on a Constitution that will tumble to pieces, and drive a large portion of the people to look for relief in a union with the neighboring republic—a union that I for one should regard as the greatest curse that could befall this Canada of ours.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now, Mr. Speaker, that the measure should be submitted to the country before it is carried out, is a matter that is rendered the more necessary by an article that I will read from the *Globe* newspaper, which paper is the organ of the Government at the present time, and has always been understood to express the views of the honorable member for South Oxford (Hon. Mr. Brown), now the Hon. President of the Council. It is in reference to the Intercolonial Railway, which so many people now think may be built without detriment to the interests of the country, if we are to have all the benefits supposed to be derivable from this union.

Here is what was said by that newspaper when the former negotiations for building the Intercolonial Railway were in progress:—

Upper Canada has not, it appears, suffered enough in the estimation of Upper Canadian members of the Cabinet, from being tied to one poor eastern province—it must have three more added to its already heavy burdens.

One legislature is not a sufficiently cumbrous, unwieldy and expensive body, but we must add to it the representatives of three other communities, each section with varying local interests, and all pulling at the same purse. And to show what we may look for in the future, we are to pay four-twelfths of the cost of a railway to unite us to these new allies, and to keep the road running besides.

Truly a charming scheme to be proposed by a retrenchment government—

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—

—whose sole aim was to be the reduction of expenditure and the correction of abuses in administration!

Now, burdens of an enormous amount are to be imposed upon the people of Upper Canada, a railway job to be undertaken, likely to be as disastrous and disgraceful as the Grand Trunk, and an already unwieldy political system to be encumbered three-fold; all that Messrs. Sicotte and Sandfield Macdonald may get rid of the difficulties with which their Government is surrounded.²³

²³ Cameron appears to be quoting "[The Opinion of the People](#)," *The Montreal Herald* (Mar. 11, 1865). He claims the article appeared in the *Globe* about two years ago, while the *Herald* says three. It references Sicotte-Macdonald, which means it was probably published between May 1862-May 1863, but we were unable to find the corresponding articles in the *Globe*.

An Hon. Member—What paper is that in?
Matthew Cameron [Ontario North]—The Toronto *Globe*.

George Brown [Oxford South, President Executive Council]—What is the date?

Matthew Cameron [Ontario North]—I do not know the exact date; I find it as an extract in another paper. It was written about two years ago.

George Brown [Oxford South, President Executive Council]—Oh! That is out of

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date; it does not apply to the altered circumstances of the case.

Luther Holton [Chateauguay]—The extract speaks of that scheme having been proposed by a retrenchment government. It should be remembered that this Government is not a retrenchment government.

Matthew Cameron [Ontario North]—I will read [another extract from the same paper](#), of a similar date:—

There is a refreshing coolness in the demand that Canada shall pay for the construction of a road, which is professedly designed to draw away trade from its great estuary. We have been building up the navigation of the St. Lawrence at immense expense, and have had very hard work to compete with the Hudson and Erie canals. According to the views of the late Hon. Mr. Merritt, steamship lines were alone needed to secure the object we desire. The Ministry propose, however, to withdraw the steamships from the St. Lawrence! If this could be done, it would be an act of suicide in Canada to take part in the scheme. As it cannot be done, it is simply an absurdity.²⁴ ...It may be difficult to escape from pledges given to the representatives of the Lower Provinces, but the members of the Cabinet may rely upon it, that they will have their reward for the abandonment or postponement of the measure in the approbation of their constituents and of the province at large.²⁵

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now, Mr. Speaker, looking at that article, and assuming that the writer of it really was a man who had the interests of the country at heart,

and assuming that it expressed the sentiments of the Honorable President of the Council [George Brown], I would like to know what really has taken place within those two years which renders it so absolutely necessary that this road that would have been so disastrous to the interests of Canada, if built at that time, should be commenced now? Is the only change that has taken place the elevation of the editor to a seat at the Executive Council Board?

He found that it would not do for him to coalesce with that very respectable old corruptions who sits alongside of him, and who compared the Upper Canadians to so many codfish in Gaspé Bay, unless he had something as a basis of excuse for the Coalition that would make it look plausible and sound well; and so they got up the idea of a “new nationality,” which was to crush out all former cries and hide from the people of Canada their true interests, by declaring that no matter how extravagant a government may be, if you can get a union of this kind, you can afford to spend your millions annually in excess of your income in the construction and maintenance of a road calculated to injure our trade, and all for the sake of adding to our population some 800,000 inhabitants.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Under these circumstances, it strikes me that before a change so great as this is made—a change that has been condemned and its leading feature, the Intercolonial Railway, so strongly denounced by the Reform press generally of Upper Canada—before such a change as this is made, the people should be consulted. It may be that the reasoning then adopted and given expression to through the columns of the *Globe* has taken a deep hold upon the minds of the people, and that they have not, like the Hon. President of the Council [George Brown], obtained the new light which seems to have broken in upon his

The *Herald* may be paraphrasing.

²⁴ [“The Intercolonial,” *The Globe* \(Sep. 23, 1862\).](#)

²⁵ *Supra* footnote 23.

mind. We are now told—no railway, no union; but if this railway was so complete a curse that it was not to be built when we had only to contribute five-twelfths of the expense, we ought to have some greater reason given than has yet been furnished, why this union should take place, involving as it does the construction of that Intercolonial Railway, at a cost to us of ten-twelfths of the work.

What great difference is there in the circumstances of the country now from what there was then, to make up for the great mischief that the railway was to do if constructs two years ago? The Honorable President of the Council [George Brown] does not choose, to answer these questions. He finds that he has got an excellent body of followers in this House at the present time, who are carried away with the idea that some change is necessary, and they are prepared to run into anything where the Honorable President [George Brown] leads, for the sake of the novelty; for it is said that if you get a little novelty to tickle the people for a season, they may be kept quiet, little heeding the storm that will come after the calm.

When this House first met, I observed a great many opponents to this scheme; but somehow or other the opposition of a great many of them very soon subsided. Some people say that several hon. members had axes to grind, and they were only holding on to the handle until they were sure the edge was sharp.

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—Soon after the meeting of the House, it was observed that the Hon. President of the Council [George Brown] had taken a trip around among them, and the next thing we knew they had wheeled right about, Mr. Speaker,

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the breath of the Hon. President of the Council [George Brown] must have been exceedingly pestilential, for hon. gentlemen who had prepared themselves with speeches of two hours' duration, on standing up to deliver them, found themselves so weak in the knees

that they were only able to stand for a few moments, and what they uttered was totally different from what they had prepared, and all in consequence of the breath of the Hon. President of the Council [George Brown].

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—From the exceedingly detrimental character of that breath, I would strongly advise my hon. friends to keep at a safe distance, and not allow the Hon. President of the Council [George Brown] to come near them, for fear of a similar almost fatal result.

Some Hon. Members—Hear, hear.

It being six o'clock, the Speaker left the Chair until half-past seven.

The Legislative Assembly adjourned for dinner recess.

After the recess,

Matthew Cameron [Ontario North], *continuing his remarks*, said—When the House rose at six o'clock, I had remarked upon the singular effect the breath of the Hon. President of the Council [George Brown] had upon many hon. members of this House; and in connection with this matter, I would like now to observe that there seems to be a practice growing into favor, which, according to my judgment, is deserving of every condemnation. It is for hon. members of the Government to address themselves privately to particular members, and give them reasons for their action, which reasons are not made known generally to the hon. members of this House.

Now, I understand that every honorable member on the floor of this House represents a portion of the people of the country, and the portion of the people which one represents is as much entitled to consideration and to informed in in possession of the Government as the rest of the people or the constituencies of very other hon. member of the House. If the Government gives to some that information

which in certain cases it has not communicated to those hostile to certain measures, it places those hon. members in a false position, makes them act contrary to what they would, perhaps, if all the facts were in their possession, and is a proceeding that is opposed to the best interests of the country.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—If reasons were privately given by a Minister to which he withheld from other hon. members of the House, I would think he was endeavoring to deceive me; for, according to his oath of office, he is bound to preserve the secrets of the Cabinet, and if he betrayed them to me, I would conclude that he had some sinister end in view, and was endeavoring to make me proceed in a course contrary to that which would be dictated by my honest convictions.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now, in reference to the Hon. the President of the Council [George Brown], I had hoped that when he had cried a truce and buried the party hatchet, brushed off his war paint and smoked the pipe of peace with his political enemies—

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—we would have no more misrepresentations going to the country through the medium of the newspaper organ which he wields. I did not expect, therefore, to find that that organ would have devoted a whole column to a humble individual like myself, who happens to express views contrary to those now held by that hon. gentleman. That paper, in referring to the recent debate in this House on the Confederation resolutions, makes an attack on me, by representing that I have betrayed my constituents by acting, as it says, contrary to the pledges I gave them previous to my election.

Now, I presume my constituents know what pledges I did make to them, and it is not necessary that any communications should be made through the channels of the *Globe* to let them know that I have betrayed those pledges,

for they are as well able to judge as that paper whether I violated my promises or not. If any argument I used to justify the position I took in regard to that question was bad, it might have been pointed out; but it was quite unnecessary to tell them that I had broken my pledges, when they were as competent to judge upon that point as anyone else. Yet that is what the organ of the hon. gentleman is doing, showing that the old party leaven leavens the hon. gentleman still, and that all the elements of party discord and strife are just as rampant now in this House as they were before the present Coalition was formed.

Some Hon. Members—Hear.

Matthew Cameron [Ontario North]—Now, the Hon. Attorney General West [John A. Macdonald], in that amusing and interesting scene he had with the hon. member for Carleton [William Powell] the other day, made a declaration which, according to my sense of political morality, is not exactly one that should have been made by a Minister of the Crown holding the position of the hon. gentleman. He declared that it was the bounden duty of the members of his party to follow their leader in all things—not exercising their own judgment in reference to any matter that may come before the House, but submitting

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themselves to him, in the belief that when he made any proposition, no matter of what character, he had some good object in view.

John A. Macdonald [Kingston, Attorney-General West]—No, no.

Matthew Cameron [Ontario North]—When the motion for the previous question was sprung upon the House, the Hon. Attorney General West [John A. Macdonald] rather rated the honorable member for Carleton [William Powell], because that honorable gentleman chose to express an independent view on the matter, and then he stated that the follower ought always to obey the leader, because it was to be supposed the latter would not take any particular action without having

good reasons for it.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now, it seems to me that we have not been sent to this House by the people to follow the leaders of a party, but to represent the constituencies according to the best judgment we possess; and we are not, I think, required to give up that right of judgment upon all questions that come before this House, to the leader of a party or anybody else, but to exercise it properly ourselves.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—The leader of the Government, in introducing any measure, ought to be able to satisfy honorable members of this House of the goodness and wisdom of that measure, and he should not ask or receive support any further than his ability to give such satisfaction.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—The doctrine laid down by the Hon. Attorney General [John A. Macdonald] is, therefore, in my opinion—because it takes away the right of private judgment of honorable members of this House—pernicious and injurious to the best interests of the country.

John A. Macdonald [Kingston, Attorney-General West]—In what respect?

Matthew Cameron [Ontario North]—In inducing honorable members of this House to act in any matter contrary to their own judgment, because the leader of the party to which they belong tells them to do so.

John A. Macdonald [Kingston, Attorney-General West]—No, no. I did not say that.

Matthew Cameron [Ontario North]—I understood the honorable gentleman so, when the honorable member for Carleton [William Powell] and himself had that pleasant altercation the other day; and if that was not his meaning, I am sorry that I imputed it to him.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now,

I have contended that this measure of Confederation ought to be submitted to the people before its adoption. I have already given from the *Globe* newspaper reasons why it should. I do not, sir, bring forward these extracts from that paper for the mere purpose of placing the Hon. President of the Council [George Brown] in an awkward and unpleasant position; but my design in doing so is to lead honorable gentlemen to reflect and think upon the probable effect of the votes they may give.

If the *Globe* newspaper advocated measures formerly which met with the approbation of the people, and if its influence was so wide spread as is asserted, and as it undeniably is, the leaven with which it leavened the country by those articles advocating certain doctrines remains there still, and has not been removed by any new arguments it may now advance. It would be well for honorable gentlemen, therefore, to reflect well before making up their minds that the old leaven of the *Globe* has gone abroad—has still a hold of the public mind—and may affect them very seriously when they next present themselves at the polls. Now, I will read another extract showing what was [the opinion held by the *Globe*](#) on a subject which is viewed quite differently now by the Hon. President of the Council [George Brown] and the Government:—

We have a debt of seventy millions, and a deficiency of three or four millions, created by undertaking works which have failed to pay any return for the cost of construction. But no enterprise, the burden of which we have assumed, comes anything near the Intercolonial in the poverty of its promised results. It will not secure the profitable settlement of an acre of land; it will not help our trade; it will not pay its own running expenses....

The few barren acres at the east are to get \$50,000 a year of our money, while half a continent to the west is to get a few words addressed to the Colonial Minister.²⁶

Now, here is the doctrine, in reference to this matter, held by the *Globe* and the Hon. President of the Council [George Brown] only

²⁶ ["The Intercolonial Railway," *The Globe* \(Sep. 18, 1862\).](#)

two years ago; and if these views were correct then they ought to be correct now, and the people should have an opportunity of pronouncing upon them, and saying whether that railway should be built, especially when, under this Confederation scheme, we are to pay upwards of three millions annually for the maintenance of the local governments. If the railway was objectionable then, surely it is more objectionable now, when the annual expenditure in connection with it will be at least double what it would have been had it

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been carried out at that time.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Well, perhaps the people will see that this great scheme of Confederation, which has made the lion and the lamb lie down together, as the Honorable President of the Council [George Brown] has said, is something that has made them forget that prudent economy that had a large place in the feelings of the people of Upper Canada—a place created, perhaps, chiefly by the Hon. President of the Council [George Brown] himself; and if it is true, as that honorable gentleman urged in his paper, it is still more true and essential now that the people should have an opportunity of pronouncing upon it.

And, sir, I adopt the view of the hon. member for Peel [John Cameron]—although starting from it, he arrives at somewhat different conclusions from myself—if you force this scheme upon the people without asking for their consent, and if they wake from the apathy which they feel now, to find that they are saddled with burdens which they never contemplated, you make them opponents of the union, and worse opponents than if you asked them now whether they approved of it or not; and so you will have a dissatisfied people laboring under burdens which I fear will eventually create serious discontent throughout the length and breadth of the land.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And there is this additional reason for referring the question to the people, now that the other provinces have rejected the scheme, and I presume their governments will not dare to press it forward in opposition to the wishes of the people. Now, hon. gentlemen opposite, when they introduced this scheme, and said they could suffer no amendments to be made in it, put it on the plea that it was absolutely necessary, to keep faith with the Lower Provinces, that they should carry it in its entirety. I am glad to find that the Hon. President of the Council [George Brown] is not so willing and anxious to break faith with those provinces as he was two years ago in reference to one of the essential ingredients to thief scheme—the Intercolonial Railway.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I admire, sir, the principle of keeping faith in any engagement; but I do not think it was necessary, in order to keep faith in this matter, that it should be treated as the Government proposes that this House shall deal with it. All the Government had to do to carry out what it undertook with the governments of the Lower Provinces, was to bring the scheme before Parliament, as those governments have done, and allow Parliament to deal with it as it saw fit. There was no necessity for saying to the House that it must reject it or adopt it in its entirety.

All the Government had to do—its members not being delegates to the Conference chosen by the people at large, nor even appointed by Parliament for that purpose, but going there, as it were, with the tacit understanding on the part of the representatives of the people in this House, to see whether any arrangement of union might be made that would work beneficially for the interests of the whole provinces—all it had to do was to settle upon some plan which it would report to this House for action; but it had no power whatever to bind this Legislature absolutely and irrevocably to the scheme adopted by the Conference, so that it could not dissent from or

alter it.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Well, we find honorable gentlemen who advocate this scheme say that it is not a perfect measure, that it is not what any one of the provinces would desire or accept of itself, but that it is necessary to have this patch-work of a Constitution, because there are difficulties which it is necessary to get over and remove; and yet, while it is admitted to be imperfect, to tell us that we should not have an opportunity of saying whether its provisions are right or wrong, is, to my mind, to insult the intelligence of this House, and to commit a wrong which I think honorable gentlemen will have cause to regret hereafter.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Many honorable gentlemen have advocated this measure with great warmth, with a feeling of earnestness and truthfulness, and with what I believe to be a sincerely patriotic desire to accomplish something that will work for the best interests of this country. There is, for instance, the hon. member for South Lanark (Mr. Morris), who years ago, in one of those day-dreams of youth which most of us experience, conceived the idea that a union of these provinces would be exceedingly beneficial to the people of all of them; and having got that idea somewhat in advance of his fellowmen, he thought that it was absolutely necessary for our prosperity that it should be worked out; but he forgets that in order to secure its smooth working it is necessary to have perfect joints to the machinery, and instead of getting that which will work well for the people, he gets that which has the name only of union, and few indeed of its advantages. If that honorable gentleman had his choice, he would no doubt have chosen something strong and stable, and not

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something delusive and perishable; for, as the honorable member for Peel [John Cameron] and other honorable members who advocate this measure say, it is only a temporary expedient to tide us over our difficulties—a scheme of union to serve for the present, and not intended to endure for all time.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—We are not, in fact, building up the frame-work of a Constitution that is to stand for ever, but something that we will have to tinker up from time to time, till we at length succeed either in destroying it altogether or making it a passably fair erection.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—It appears to me, sir, that when this country was given responsible government²⁷—when the people of Canada were taught the lesson that they were henceforth to exercise the right of thinking for themselves—it is a sort of rude interference with that right when a certain number of gentlemen from Canada enter into a contract with certain other gentlemen from the Lower Provinces—thirty-three in number altogether—sign that contract, and then declare that the representatives of the people in these provinces shall first be bound by it, that the people themselves shall next be bound by it, that neither representatives nor people shall have the power to alter or amend it, and then that if we do insist upon our right to alter it, we shall be thrown back into that state of difficulty which has been held up by some honorable gentlemen as a bug-bear to frighten us into submission, the country being represented as having been bordering on revolution, into which it would assuredly be thrown if this measure were not accepted in its entirety.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I think that this proposal will not go down—that it will not meet with that full acceptance which honorable gentlemen imagine. The

²⁷ Canada was granted Responsible Government in 1848.

people have too much intelligence to intrust the arrangement of so important a subject as this, which so intimately affects their future prosperity and happiness, to the hands of any set of men, however able and talented they may be; and if this scheme is carried without giving the people a chance of pronouncing their opinion, honorable gentlemen will be told, when they go back to their constituents, that the people have rights to be respected, that they like to be consulted about the character of the Constitution under which they are to live, and that before it is adopted finally, they like to have a word to say in regard to it, as well as those who assume to speak for them.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—They have a word to say. They say ditto to our action.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Well, I should like them to have a full opportunity of saying ditto or not as they pleased, and I fancy if they had, the ditto would not be as strong as honorable gentlemen opposite seem to think.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I have been told that I have violated my pledges in opposing this scheme, and that my constituents sent me here because they thought me to be in favor of it. Well, I have that yet to learn from them; for I have heard no complaint from them against my action, and have had one letter fully approving of it, and it so happens that it was written by a warm friend of the Honorable President of the Council [George Brown] in the old time.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I am not aware that the people anywhere approve of the scheme and say ditto to it, as the Honorable Minister of Agriculture [Thomas D'Arcy McGee] tells us; and when the next election takes place, I presume we will have the ditto in some shape. Now, the Honorable President of the Council [George Brown] may think that I have some personal feeling against

himself.

George Brown [Oxford South, President Executive Council]—Not at all.

Matthew Cameron [Ontario North]—If the honorable gentleman does think that I am actuated by personal motives in my strictures upon him, he is very much mistaken. I have not the slightest personal feeling against him; and as far as I personally am concerned, he may remain in the Ministry and work through with his colleagues just as long as he can, and I promise he will find no factious opposition from me.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—If I understand myself at all, I desire to promote the interests and advance the prosperity of my country; but I do not believe those interests or that prosperity advanced by the adoption of this scheme.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I believe a scheme of union could be devised which would be serviceable to all of these provinces, but I do not believe that Confederation is that scheme. I do not think it is desirable to adopt this, and then trust to the chance of obtaining a change afterwards. Honorable gentlemen from Lower Canada are only postponing the time when they will stand like other men in the community, having voice for voice with the rest, and nothing more. But if we change the Constitution now, is it wise or prudent to make the change only of such a character as to require future amendment, and give rise to future agitation? And is it not better that we should endeavor to make the Constitution

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right in the first instance?

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And as there are elements by which a union of the provinces could be formed that would be lasting, and that would serve the best interests of this country, honorable gentlemen on the Treasury benches would have better shown

their patriotism by waiting a little longer to accomplish it.

John A. Macdonald [Kingston, Attorney-General West]—Accomplish what?

Matthew Cameron [Ontario North]—A legislative union of these provinces.

John A. Macdonald [Kingston, Attorney-General West]—I thought my hon. friend knew that every man in Lower Canada was against it, every man in New Brunswick, every man in Nova Scotia, every man in Newfoundland, and every man in Prince Edward Island. How, then, is it to be accomplished?

Matthew Cameron [Ontario North]—I did not understand anything of the kind; but I did understand that it was asserted here that that feeling existed in the Lower Provinces. I do understand, moreover, that there are enough members on the floor of this House—in the Parliament now assembled—who are ready and willing to give us representation by population.

William McDougall [Lanark North, Provincial Secretary]—Why have they not said so?

Matthew Cameron [Ontario North]—Because an opportunity has not been given them to do so. And I think I can show that the people of the Lower Provinces are in favor of a Legislative union, rather than a Federal union—

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—for they appointed delegates to meet at Charlottetown for the purpose of establishing [a Legislative union among themselves](#)²⁸.

George Brown [Oxford South, President Executive Council]—The hon. gentleman is, no doubt, sincere in the opinion he expresses. It is true there was a union of the Maritime Provinces proposed, but it was not stated what kind of union it was to be.

Matthew Cameron [Ontario North]—Well, all the sentiments and feeling I have seen

expressed on the subject leads me to the conclusion that it was a legislative union they proposed; and when the delegates to the Quebec Conference spoke to their constituents, they put forward the idea that a legislative union would have been better than the one proposed. At any rate this scheme has been rejected in one of the provinces, and if carried into operation, it will have to be forced upon the people of one or other of the provinces. Well, if you are going to force a Constitution upon any part of the people, it would be better to force upon them that which would, according to your own expressed opinion, be better and of greater service to the country than the scheme under consideration.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—The people of Lower Canada presented the appearance of being against representation by population; they thought that it would be the annihilation of their peculiar institutions—that by its adoption their laws would be interfered with, their language extinguished, and their religion destroyed; and yet how readily did they concede the principle in this Confederation scheme. They granted representation by population in the Lower House of the Federal Legislature.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And why had they done so? Because, they say, under the Local Government our local affairs and interests will be safe in our own keeping—our laws will be safe, our language will be safe, our religion will be safe. Now, if they were assured that all these interests would be equally as safe and well protected under any form of government that might be chosen for the good of the whole country, can any hon. gentleman assume to say that they would be opposed to that form of government?

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—It is well to understand that hon. gentlemen

²⁸ [“Maritime Provinces,” \[Appendix No. 24\] in *Journals and Proceedings of the House of Assembly of the Province of Nova Scotia \(1864\)*.](#)

representing Lower Canada constituencies and the people of Lower Canada have been educated to fear aggression on the part of Upper Canada, especially if representation by population were granted; and they have been so educated in consequence of the manner in which the Hon. President of the Council [George Brown], his organ, and the organs of his party, have agitated that question in times past; but when the people of Lower Canada understand that there is an opportunity of conceding that which they have hitherto refused, and at the same time of securing the enjoyment of those rights and privileges which they all hold dear, I cannot believe that they will longer oppose that which all of them cannot fail to see must come sooner or later.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—They must see that it is better for them to make terms now when they may; for I apprehend that they would not carry their resistance to a just principle to the length of a revolution; for it is quite clear that they could not be successful in any such movement, or set themselves up as an independent power in this country, while Upper Canada and the other provinces remain a part of the British possessions; nor could they become a part of the United

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States, for under that government their laws, their language and their religion would be far less secure than they would be if the government were entirely in the hands of Upper Canada.

I feel satisfied, therefore, that hon. gentlemen from Lower Canada would have yielded representation by population, if it had been shown to them by the representatives of Upper Canada that they could accept of no change which would increase our difficulties and add to the burdens we have to bear, as this scheme does; for that was the charge made over and over again at the polls in Upper Canada, that we were laboring under heavy burdens which had been cast upon us by

successive governments, owing to the influence of the Lower Provinces.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Sir, I cannot conceive it to be possible that anybody of men sent here by the people under the Constitution will make changes in that Constitution which were not contemplated by those who sent them here, without submitting those changes first to the people. They have not been agitated at the polls, and the people seem to think that they should be considered, and there is an apathy amongst them that does not prove that they are well disposed towards the scheme. It is true that the boast is made that they are all in favor of it, and a recent meeting at Toronto is pointed to as showing what their feeling is upon the subject. Well, of course, the hon. member for Lambton [Alexander Mackenzie] and the hon. member for Kent [Archibald McKellar] were at that meeting, and they said, and no doubt believed that those who composed that meeting were very distinguished individuals.

Some Hon. Members—*Laughter.*

Matthew Cameron [Ontario North]—And because these distinguished individuals were present, and resolutions were carried in favor of Confederation, then it was at once assumed that the whole country was in favor of the scheme. But it ought to be recollected that that meeting was got up by a number of young men—talented and able young men, no doubt, but still young and enthusiastic—associated together to form or reorganize a Reform association, and that it was attended only by them and those friendly to them and their views, and not by the citizens of Toronto, assembled for the purpose of determining whether the scheme should be adopted or not. It cannot be assumed, therefore, that a meeting of that kind truly reflected the opinion of the people of Toronto; nor would this conclusion be arrived at when it is remembered that when a gentleman got up and moved that the scheme of Confederation should be submitted to the people, he was laughed at. Is it likely that if the meeting was not composed entirely

of those in favor of Confederation, a proposition of that kind would be received with a laugh?

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—And if you read the reports of the speeches delivered at that meeting, you will find that hardly anything was said at all in reference to the true merits of the scheme, but that there was a great deal of that “highfaluting” talk which you hear in this House about the great and glorious results that this scheme is to bring forth.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—As to its probable actual working and the benefits it will confer upon the people, or as to its disadvantages, there was not a word spoken in sober language, and in this House you find hon. gentlemen debating in just the same extravagant style as was exhibited at that meeting.

Some Hon. Members—Hear, hear.

William McDougall [Lanark North, Provincial Secretary]—I have understood from the several speeches delivered by the hon. gentleman upon this subject that he feels quite convinced that a legislative union would be better, and that he would vote for it.

Matthew Cameron [Ontario North]—Yes.

William McDougall [Lanark North, Provincial Secretary]—Well, then, I should like to know what authority he would have to vote for that rather than a Federal union, and from what he draws the inference that the people are in favor of it?

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—When I said I would vote for a legislative union, I did not say I was ready to adopt it without submitting it to the people.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—Now, it has been said that the Lower Provinces are

not in favor of and would not accept a legislative union. A hon. friend has just put in my hand a report of a speech delivered by Dr. Tupper of Nova Scotia, in which that gentleman expresses himself in favor of a legislative union.

George Brown [Oxford South, President Executive Council]—I suppose it is exceedingly likely that at a meeting held in Halifax to consider a union of the Maritime Provinces, the people of that city were in favor of a legislative union, because Halifax was to be the capital, the central place of the proposed union, the other provinces giving up their individuality. I have no doubt that there may be some in all the provinces who are in favor of a Legislative rather than a Federal union.

Matthew Cameron [Ontario North]—Now, in the correspondence laid before this House on

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[the subject of a union of the Maritime Provinces](#)²⁹, the words used, as I recollect them, were a “Legislative union,” and you do not find that the people of those provinces desired a Federal rather than a Legislative, union. In the correspondence laid before the House on the subject, I think that the words used are those of a Legislative union. You do not find the words “Federal union” in it; and I think that is the kind of union which those gentlemen who desired the best interests of this country ought to have striven to have had.

But because some fifteen or sixteen gentlemen, who pitched up this Constitution with so many discordant elements in it, did not choose to give it to us is no reason why we should not have it. All that we desired was that we should have a strong government, and they should have been satisfied to have gone on with toil government of the country without any change.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—But

²⁹ “Return To an Address of the Honorable the Legislative Assembly, dated 13th February, 1865; for Copies of Correspondence with the Government of New Brunswick in 1857, 1858, and 1859, on the subject of a Political or Commercial Union of the British North American Provinces,” [No. 23] in [Sessional Papers \(1865\)](#).

hon. gentlemen who were brought together in this Coalition had said so many hard things of each other, that it was found necessary to make people forget these by putting before them some great scheme, and I hope it will be a lesson to the Hon. President of the Council [George Brown] not to say such hard things of people in future.

Some Hon. Members—Hear, hear, *and laughter*.

Antoine-Aimé Dorion [Hochelaga]—Mr. Speaker, I do not intend to discuss the motion proposed by the honorable member for Peel [John Cameron]; I merely desire to explain to Lower Canadian members that the object of that motion is to ask that any measure passed by the Imperial Government may not be put in force in Canada without being submitted to the people of this province. Those who are of opinion that the Legislature ought not to pass a measure of such importance—which is nothing short of a revolution in our Constitution—those who consider the measure of sufficient importance to induce them not to ask England to carry out that revolution without consulting the people must vote in favor of this motion.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Even supposing that the people were in favor of Confederation, it would still be of great advantage to submit the question to the electors. The question is not yet understood. The newspapers have said, on the one hand, that it was a good measure, and on the other that it was a bad one; but in reality there has been no serious discussion, and it is perfectly clear that the people are not yet acquainted with it.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Members of this House undertake a very serious responsibility in voting for this measure without consulting the people; and the advantage of an appeal to their electors—oven supposing the result to be favorable to the scheme—would be to relieve them of that responsibility.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—And if the measure be neither understood nor approved of by the people, you run the risk, by voting it in that position, of creating prejudices which would perhaps be removed by discussion. Therefore, in the interest of the measure itself, as well as of honorable members of this House, it ought to be submitted to the people before it is finally voted, and for my part I shall vote for the amendment of the hon. member for Peel [John Cameron].

Some Hon. Members—Hear, hear.

François Evanturel [Quebec County]—I should like to ask my friend the honorable member for Hochelaga [Antoine-Aimé Dorion], and all the honorable members of the Opposition, who constantly repeat that Confederation is now defunct, and that we have nothing more to do but to bury it, why they desire to submit it to the people? I fail to see the necessity, if it be true that the scheme is already defunct.

Some Hon. Members—Hear, hear *and laughter*.

Antoine-Aimé Dorion [Hochelaga]—My answer is, that we desire that it should be submitted to the people, in order to show that it is unpopular. The hon. member thought to place me in a dilemma, but he was mistaken. He thinks the measure will be passed in England as it stands at present, and it is to avoid that contingency that we desire an appeal to the people.

François Evanturel [Quebec County]—No, no.

Antoine-Aimé Dorion [Hochelaga]—The hon. member for Quebec [François Evanturel] is then in hopes that it may be amended?

François Evanturel [Quebec County]—I do not believe it will be passed in England as it now stands.

Antoine-Aimé Dorion [Hochelaga]—Well, if it can be amended in England to our advantage, it may also be modified in a contrary sense. But that is not the question. I say that we ought to submit it to the people, in

order that if the verdict should be favorable to the measure, it may go to the Imperial Government with the sanction of the people and of Parliament; and if the people are opposed to the scheme, the delegates must not be left in a position to say that public opinion in Canada is favorable to the measure.

Some Hon. Members—Hear, hear.

Paul Denis [Beauharnois]—I believe, Mr. Speaker, that the fears of the honorable member for Hochelaga [Antoine-Aimé Dorion] are entirely unfounded. In order that an appeal to the people may be of use,

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the scheme should be known as a whole, for how could the people form a sound judgment if we were to lay before them only a vague plan of Confederation, that is to say, the resolutions as they stand at present, unless they were also put in possession of the constitution of the local governments, and all the other details of the measure which most deeply interest them, and with which they are entitled to be made acquainted? Let us wait until the plan is known, and the people will be consulted when the proper time comes.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—Really, Mr. Speaker, if the honorable member for Beauharnois [Paul Denis] meant what he said, he has given us something new. But I do not believe he is really serious when he tells us that we should wait until the constitutions of the local governments are submitted to us, before judging of the merits of the resolutions now before us. However, supposing him to be perfectly in earnest, and that he had no intention of trifling, as he sometimes does, does he fancy for one moment that we are going to accept the reasons he brings forward to induce us to vote against an appeal to the people? If so, he is very much mistaken.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I can easily understand that he is embarrassed, and that he should shield himself even under weak arguments in voting against the motion in amendment, for he promised at two electoral meetings to vote for an appeal to the people.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—He says he will not vote for an appeal to the people, because he is not acquainted with the details of the measure; but why, then, does he vote on the main motion without knowing these details? He knows that the Government have told us that we must vote Confederation before they bring down the constitution of the local governments, and that they intended going to England to secure the new Constitution, without submitting to us the plan of the local constitutions. It will be too late when [the delegates return](#)³⁰, and after England has given us a new Constitution, to submit the present resolutions to the people.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—And if we can judge here of this grand scheme of Confederation—as the hon. member says—without having before us the details of the organization of the local governments, why should not the people, in like manner, be afforded an opportunity of recording their opinion of the scheme? The reasons advanced by the honorable member are utterly futile.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—Before the vote is taken on this motion, I feel it to be my duty to make a few remarks explanatory of the vote I intend to give. When I addressed the House the other evening, I stated that I had given a pledge to my constituents that when the motion came up in this House for submitting the scheme of a union of the Provinces of British North America to the

³⁰ The Canadian delegation would consist of John A. Macdonald, George-Étienne Cartier, and Alexander Galt. [Their report can be found later in the volume on Aug. 9, 1865, p. C:15](#), where they presented their discussions in London to the Legislative Assembly.

people of this province, I would feel it to be my duty to vote for it.

The language I used was something like this, that although I was in favor of the Federation of the British North American Provinces, yet that as the measure was to affect not only those now inhabiting these provinces, but others to follow us, I would insist upon it that the question should be submitted to the people before going into effect, while upon the canvass in my riding, I stated that I looked upon the resolutions submitted in the light of the basis of an agreement that might have been entered into by a number of individuals desirous of going into a partnership, which no one could alter without the consent of the others.

I was, therefore, not at all surprised to hear the Honorable Attorney General West [John A. Macdonald], at the opening of the discussion, say that we could not change that treaty, that we must vote on it in this way—either accept or reject it as a whole. It was said that if the people sent me to the House as their representative, I would be found voting for their resolutions as they were, without seeking to amend them in any respect. Although I believed that the resolutions would be presented and pressed as they stood, I did not believe that no amendment would ever be made to them; and although the Parliament of Canada has been told that it cannot alter the scheme, I am not without hope that when the delegation proceeds to England, certain necessary amendments will be introduced by the Government of Great Britain.

Now, sir, I consider that to a certain extent the members opposed to the details of the scheme, but who are disposed to favor the general principle, have put their political consciences in the hands of the honorable gentlemen on the Treasury benches; therefore I am in hopes that the resolutions will not pass into law exactly in the shape in which they have been presented to this House.

Being sent here to represent the people, and

feeling the matter to be a very important one, affecting very materially the Constitution under which they live, I consider it my duty to vote for such an amendment as that which has been submitted by the honorable member for Peel [John Cameron]. I was strengthened in that view of the case by the words of Lord Durham on the subject of

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the union of Upper and Lower Canada. [The noble lord had recommended](#) the adoption of a general legislative union of all the British North American Provinces, and also the submission of the question to the people of those provinces for their approval. He said, “But the state of the lower province, though it justifies the proposal of an union, would not, I think, render it gracious or even just on the part of Parliament, to carry it into effect without referring it to the ample deliberation and consent of the people of those colonies.”³¹

Now, sir, I take it that what is alluded to here is the consent of the legislatures of those provinces. If this House should be dissolved, and the measure passed in England be of a permissive character, it would, when returned, either be accepted or rejected by the House, and in the meantime the constituencies could be consulted in reference to it.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—The necessity for this has been proved by some of the remarks which have been made by honorable gentlemen who have addressed the House on the subject. Several honorable members, who advocated the measure, stated that they had already placed it before their constituents, and that they had their endorsement in voting for it as they intended to do. That is right as far as it goes, but it only shows that these honorable gentlemen deemed it necessary to take that course and consult their constituents, thus fortifying themselves by securing beforehand their approval.

³¹ [Earl of Durham, Report on the Affairs of British North America \[Durham Report\] \(1839\), pp. 103-104.](#)

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—It is said that doctors disagree, but I think the same may be said of lawyers; for we find the honorable member for Peel [John Cameron] saying that it would be unconstitutional to take the course advocated by the honorable member for North Ontario [Matthew Cameron]. But I concur rather in the mode of appeal to the people proposed by the honorable member for North Ontario [Matthew Cameron], “yea” or “nay,” than in that of the honorable member for Peel [John Cameron]. The principle has been acknowledged by the Parliament of Canada, and it has been introduced into our county councils, so far that any sum exceeding \$20,000 cannot be levied without the consent of the people having been first obtained.

I believe that we should support Federation, or the fears entertained by many may be realized, that its rejection may have a tendency towards annexation. I did not hesitate to give my adhesion to the resolutions of the Conference, believing as I do that their adoption is calculated to benefit these provinces, and also to strengthen the connection between this country and Great Britain. My attachment to British institutions is not mere sentiments, but a principle which has grown with my growth and strengthened with my strength.

Some Hon. Members—Hear, hear.

Thomas Gibbs [Ontario South]—I fear if this scheme be not adopted, and matters continue as at present—let the just rights of Upper Canada be denied her—let the [Reciprocity treaty](#)³² be abrogated—we may hear a cry throughout the province that will alarm if not astonish us. One thing has struck me as rather singular in passing through the country—that not one individual whose proclivities were supposed to be in favor of American institutions had expressed himself as in favor of the scheme now before the House. I look upon that as a strong argument in its favor. As I have already stated, sir,

although I am in favor of the measure, I think it but right that it should be submitted to the people, for their approval, before being carried into effect, and therefore I deem it my duty to vote for the amendment of the honorable member for Peel [John Cameron].

Some Hon. Members—Hear, hear.

George Jackson [Grey]—I have only a word or two to say, Mr. Speaker, before the vote is taken on this motion. I cannot reconcile the conduct of the honorable member for Peel [John Cameron] in voting that an Address should be presented to Her Majesty in favor of the scheme, and then move to have it submitted to the people. The honorable member for Peel [John Cameron] has made out a case for the resolutions which have been adopted by this House. He stated that the people of Upper Canada were in favor of it; he has no objection to it himself; it meets with his hearty concurrence.

I can easily conceive how my honorable friend from North Ontario [Matthew Cameron] can vote for this resolution; but I cannot understand how an honorable gentleman can vote that an Address shall be presented to the Queen, asking Her Majesty to submit the scheme to the Imperial Legislature, and, after that has been voted, turn round and vote that the scheme should be submitted to the people. I cannot understand that. If I voted for the motion now before the House, I should think I was acting in opposition to the vote I gave before.

Some Hon. Members—Hear, hear.

George Jackson [Grey]—I stated the other evening that my constituents were in favor of the House adopting this measure, and that they did not consider an appeal to the people necessary. In accordance with their decision I gave my vote, and I shall now vote in opposition to the motion of the honorable member for Peel [John Cameron]. If it was necessary, I think I could show to the House that if were submitted to the people, side issues would be raised, irrelevant altogether to

³² [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 1.

the main question, in order to

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promote some local object or interest, and we would have no united expression of opinion. I think that every honorable gentleman who supported the resolutions must vote in opposition to the motion of the honorable member for Peel [John Cameron].

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—I do not rise to detain the House from the division beyond a very few minutes. But I think it would not be desirable that the debate should close without a few words from this part of the House. And first, a word with reference to the speech of the honorable member for North Ontario (Mr. M.C. Cameron). That honorable gentleman, in the course of his remarks, said he had no personal feeling towards myself. I quite believe that, and I am entirely willing that the honorable gentleman should enjoy all the little relief he evidently obtains from his fierce assaults on myself and the Hon. Provincial Secretary (Hon. Mr. McDougall). I do not think that any of the other remarks of the honorable gentleman require notice—

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—as they were only a repetition of what had frequently come from other honorable members in the previous part of this debate. But as regards the honorable member for Peel (Hon. J. Hillyard Cameron), I do say that anything more extraordinary than the line of argument he took up here to-night, I never heard from any hon. member of this House. What was the position taken by the hon. gentleman from Peel [John Cameron]? He commenced by saying that justice to Upper Canada required the granting of parliamentary reform, and that this scheme gave that measure of justice to Upper Canada.

He said the province must be defended; that the question of the defence of this province

was the most urgent and the most important question we had to consider at this moment, and that this measure provided the best way of meeting that question of defence. He said that the threatened abolition of reciprocity with the United States required to be met—that the best interests of this province would be imperilled by the repeal of the [Reciprocity treaty](#)³³—and that he conceived that this measure supplied the very best way of meeting that difficulty.

He said also that we cannot go on as we are—that it was quite impossible that the state of things which has existed in Canada could continue—that there must be a change—and he conceived that what was proposed by this measure was a most desirable change. He said we had but one of two alternatives—a dissolution of the union, or the adoption of the Federal principle—and that for his part he considered that a dissolution of the union was the last thing to be adopted, and that the Federal system is the best remedy that can be applied under our particular circumstances.

John Cameron [Peel]—I said I preferred the legislative union.

George Brown [Oxford South, President Executive Council]—At any rate, the honorable gentleman voted in the constitutional committee for a Federal union, and signed the report in favor of it, as the only measure that could be carried, and as one desirable to be carried.

John Cameron [Peel]—After having voted first for the legislative union.

George Brown [Oxford South, President Executive Council]—I cannot speak as to that. Then the honorable gentleman went on to say that on all these grounds this measure commended itself “to every true lover of his country.” Yet, after having passed this high eulogium on the measure, what does he say? Why, that he won’t have it now—that he won’t have it until it has been sent to the country, and the opinion of the electors has been obtained upon it! He says there is danger of

³³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 1.

annexation to the United States if these difficulties are not met—that annexation is hanging over us—that this measure will deliver us from that dire fate—and yet he is not prepared to apply the remedy now!

And what are the reasons of the honorable gentleman for refusing to give effect to a measure of which he professes to be so enamoured? Does he, like the honorable member for North Ontario [Matthew Cameron], deny the power of Parliament to pass such a measure? Not at all; he admits we have full power to pass it. Does he personally entertain any doubt as to the benefit from passing it now? On the contrary, he is enthusiastically for the measure, and declares that he would vote for it, just as it stands, as an elector at the polls. Does he want delay? On the contrary, he demands that the measure shall be urged on with all speed.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—He says the sooner the members of Government are in England the better for the people of Canada—that this question of Federation, and the question of defence, and the question of [American reciprocity](#)³⁴, should be urged on the British Government without one hour's unnecessary delay. He protests that on the fate of this measure some of the most vital interests of the province depend, and yet he will not have it until months of valuable time have been lost, until the country has been forced to pass through all the turmoil and

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confusion and uncertainty of a general election, and until a new Parliament has been summoned and given its sanction to the measure. And the most curious part of it is, the honorable gentleman does not want the appeal now—he will take it by and by.

John Cameron [Peel]—My argument was entirely the contrary. I said there should not be

a day's delay in appealing to the country; that as the Government had told us they were to meet Parliament in July, there would be no reason to prevent this Parliament being dissolved, and a new Parliament being summoned by that time.

George Brown [Oxford South, President Executive Council]—Yes; but the honorable gentleman most inconsistently told us in the same breath that [the deputation of Ministers must go at once to England](#)³⁵. Does he fancy a general election would be brought on during the absence from the country of the leading members of the Administration? If he does, I tell him he is mistaken. But does the honorable gentleman pretend there is any doubt as to the feeling of the people of Canada on this measure? Not at all. On the contrary, he is quite confident that if submitted to the people there would be a vast majority in its favor—a complete sweep over the country. Nay, strange enough, he gives this very fact of the certainty of approval as the chief argument in favor of an election.

He says, "Send it to the people; there is no fear of the result. The very men who now sit here to-day, or others who think as they do, will come back and adopt it!" Could anything more absurd than this be imagined? Is not the argument clearly in the opposite direction? Should not the honorable gentleman have said—"The people approve of this measure; their representatives approve of it; if you had an election, the same men would be sent back, or others like them; a vast sum would be uselessly expended; much valuable time would be lost; partisan broils might be revived; don't, then, lose a moment, but put it through at once."

Some Hon. Members—*Cheers.*

George Brown [Oxford South, President Executive Council]—But I confess the honorable gentleman did suggest one argument in favor of an appeal to the people, and a very strange one it certainly was coming

³⁴ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 1.

³⁵ *Supra* footnote 30.

from such a quarter. The hon. member for Peel [John Cameron] says he has not a doubt as to the feelings of the people of Upper Canada; he is quite certain that an almost unanimous verdict would be rendered by them in favor of this measure. But he says he has some doubts as to what the people of Lower Canada might think about it; they might possibly like to give the measure a death-blow, and he is in favor of giving them a chance to do it! Now, sir, I did think that a very peculiar style of argument from one so enamoured of this measure, and from one, too, who has been supposed not to be very closely allied with the majority of Lower Canadians on matters of public policy, and especially on this particular question.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—Who could have expected to find the hon. member for Peel [John Cameron] assuming the *rôle* of an exponent of popular feeling in Lower Canada, and constituting himself the guardian of the rights of the French-Canadians?

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—It did strike me that the honorable gentleman might very properly have left the Lower Canadians to speak for themselves.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—In view of the vote recorded on this measure at our last sitting—considering the fact that a majority of twelve on the Lower Canada vote was then recorded in favor of the measure, I do think the hon. member for Peel [John Cameron] might have been well content to accept the votes of Lower Canadian representatives as the best index to Lower Canadian feeling.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—There were three Lower Canada members absent, on Saturday morning, from the division; but had they been here, there would have been a majority of thirteen on the Lower Canada vote in favor of

the measure.

Antoine-Aimé Dorion [Hochelaga]—No; Messrs. Dunkin, Abbott and Daoust would have voted against it.

George Brown [Oxford South, President Executive Council]—I believe Mr. Daoust and the Hon. Mr. Abbott have declared in favor of Confederation. Mr. Dunkin would probably have voted against it. As for the honorable member for Argenteuil (Hon. Mr. Abbott), I see he is now in his place, and can answer for himself. With Mr. Dunkin voting against the measure, there would have been a Lower Canada majority of thirteen in its favor.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—The hon. member for Argenteuil [John Abbott] would have voted against it.

Some Hon. Members—*Cries of "Ask himself!" and laughter.*

George Brown [Oxford South, President Executive Council]—The honorable gentleman is of ago, and can speak for himself. I could not pay him such a poor compliment as to fancy for a moment that he could vote against this measure. I have no doubt he would have voted on the right side.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I am sure he would, but not with you.

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—Ah! Repeat that in the face of that Lower Canada majority of thirteen, and a French-Canadian majority of

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five, the one argument of the honorable member for Peel [John Cameron] in demanding the turmoil and delay and expense of a general election was his tenderness as to the feelings of the Lower Canadians.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And yet, sir, the honorable member for Peel [John Cameron] has seen the sort of agitation that is being carried on against this measure in Lower

Canada; he has heard the way in which petitions against it have been concocted in this character, and sent broadcast over this country with urgent entreaties to have them signed by men, women and children; he has seen these petitions come back here with hardly a genuine signature appended to them; he has heard the arguments and the cries on which this agitation has been based.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—I ask him if it is to aid and strengthen such an agitation against this measure that he demands a general election? I ask him if there has been one argument against the scheme which, in his opinion, supplied any reasonable foundation for the agitation sought to be excited in Lower Canada; if there has been one cry attempted to be raised against it that honestly went to the true merits of the question? If there has been, I have yet to hear it.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—But, Mr. Speaker, the most curious part of the proposal of the honorable member for Peel [John Cameron] is the attitude he would have us occupy in addressing the Queen. We have already adopted an Address praying Her Majesty to pass an Imperial Statute giving effect to the resolutions of the Quebec Conference; and the hon. member for Peel [John Cameron] now asks that we shall pass a second Address praying that the said Imperial Act shall be subject to the approval, and shall not be law until it obtains the approval, of their high mightinesses the one hundred and thirty gentlemen who may happen to sit in the House of Assembly of the next Canadian Parliament.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—He would have us approach the Throne saying—"May it please Your Majesty—Here is the Constitution which has been adopted by the Governments of the five British American Provinces; we declare to

you that this is the new Constitution we want for British America; we pray Your Majesty to give effect to it; we pray that the Imperial Parliament may pass an act enforcing this new Constitution on all these provinces, and that Your Majesty will assent to it. But at the same time we ask Your Majesty to do this only on one condition, namely, that the Legislature of Canada—not the present one, but the next Legislature that may be chosen—shall have the opportunity of criticising and dissecting the work of the Imperial Parliament, and of kicking Your Majesty's Bill out of the chamber on the first day it meets."

Some Hon. Members—Hear, hear, *and great laughter.*

George Brown [Oxford South, President Executive Council]—The hon. member for Peel [John Cameron] will permit me to tell him that if he fancies this would be a decorous mode of approaching the Sovereign, he has a strange idea of the respect due from loyal subjects to the chief magistrate of the Empire which it is their happiness to form a part.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And I further tell this honorable gentleman and any other honorable member who may think with him, that if they expect honorable gentlemen to go to the Imperial Government and say—"We ask you to take all the trouble of preparing this measure—to assume it as your own—and to carry it through both Houses of Parliament against all opposition; but at the same time we ask you to put in a clause that the Legislature of Canada shall be above the Imperial Parliament, shall be above the Sovereign, and shall deal with your Act just as it pleases,"—then, I tell the House that parties must be found to convey that message, who are destitute of self-respect, and who have not a proper sense of the respect due to those holding the highest dignities of the realm.

Some Hon. Members—*Cheers.*

George Brown [Oxford South, President Executive Council]—I do say that a more direct insult to the Crown could not be offered

than that now proposed by the honorable member for Peel [John Cameron]. But another most singular part of the proposal of the honorable member for Peel [John Cameron], is that while he is trying to pass this vote of want of confidence in the Government—for if it is not that, it would, if carried, be at least a direct defeat of the policy of the Government—he professes at the same moment an immense desire to strengthen the hands of the Administration.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—He fancies, or professes to fancy, that if this motion of his were carried, the Government would take their dose placidly, and go meekly to England with the record of their defeat in their hands. He tells us in effect,—“I don’t want you, notwithstanding this vote, to hesitate about going to England—not at all. Your presence is wanted in England as quickly as possible. You ought to go immediately; you ought to talk strongly to the Imperial Government; you ought to tell them how they are to settle the defence question, how the reciprocity question, and so on. You must speak for the people of Canada in a bold and firm tone, that will do justice to the people of this country.”

It is the honorable gentleman’s idea that we should go very strong to England, and his way of strengthening us is by passing upon

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our policy a direct vote of censure the hour before we start.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—He wants us to go home strong—with an Address to the Sovereign in one hand, and a defeat by the people’s representatives in the other.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—If the hon. gentleman thinks he is sustaining the Administration by his present motion, I can only say that I for one do not thank him for his support.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The hon. gentleman may carry his resolution if he can, but I tell him that in that case no mission will go to England with any such insulting message from this Government as now constituted.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The House may perfectly comprehend that if any Address is to be carried to the Queen by the present Government, it must be the Address we have submitted to Parliament. The hon. member for North Ontario (Mr. M.C. Cameron) says that we are attempting to dictate to the House—that we are endeavoring to take away from them the rightful powers of the members of this Legislature. We do nothing of the kind. The members of the Legislature may act as they deem right; they may reject our Address, or amend it, or couple it with anything they please—all we say is, that we cannot be the bearers of a message shaped in the way the hon. member for Peel [John Cameron] proposes. But if this House says there shall be an appeal to the people, it will get an appeal to the people at once—to-morrow—

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—and that without the mockery of going home to the Imperial Government with an Address asking in one breath that the bill may be passed into law, and in the next that it may not be passed into law.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The hon. member for Peel [John Cameron] has said that the legislatures of the other provinces have gone, or are going, to the people—and why not we? The hon. gentleman ought to know that the other legislatures were in a different position from that which we occupied. As regards the New Brunswick Legislature, its term expired, I think, in May—they had not been for four years before their constituents—they were

going soon at any rate, and they came to the conclusion that it was well to go at once. And so also it was in Newfoundland—the period when a dissolution must take place was rapidly approaching, and they took the same course.

The honorable gentleman says that if the Legislature of Nova Scotia do not approve of the resolutions, the Government will advise a dissolution. So probably would we under such circumstances. If this Legislature had not approved of the scheme, we would undoubtedly, with His Excellency's [Viscount Monck] assent, have appealed to the country against the decision of this House. And otherwise what necessity is there for a direct appeal to the people? Here we have been discussing the question for years—

John Sandfield Macdonald [Cornwall]—Oh! Oh!

George Brown [Oxford South, President Executive Council]—The honorable gentleman may cry "Oh! Oh!" but I tell him that the people throughout the country generally understand this question just as well as the members of the Legislature. Those who are most difficult to be made to understand are those who don't want to understand. Even the honorable member for Cornwall [John Sandfield Macdonald] once understood this question, and if he does not now it is because he has forgotten it.

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—If there were any doubt about public feeling, there might be propriety in going to the people. But is there any doubt about it? I am not opposing the honorable gentleman's resolution on constitutional grounds. I am not denying the rights of the people; if I had any doubt whatever about what would be the verdict of the people, I should be the first to say that we ought to go to the people. But it is simply because I am satisfied there would be a sweeping verdict of the people in favor of the measure, that I think it unnecessary to take it to the country. What would be the verdict of the people may be

judged from what has been the vote of their representatives here, who are responsible to them. Never has there been such a verdict in this Parliament on any matter of grave importance as we have had in favor of this measure—in the Upper House a majority of three to one, and in the Lower House also a majority as nearly as possible of three to one.

And of the six honorable members who were absent from the vote—the Speaker, and the five honorable members who were absent—five would have gone for it and only one against it—the House being divided, 94 for to 36 against. And as regards those 36, more than one-half of them have risen in this House and declared themselves in favor of the general principle, and only opposed to some of the details. I say there never has been such a unanimous verdict from any Parliament in favor of any great constitutional change.

And since the policy of the Government has been announced, no fewer than 50 out of our 130 constituencies have been appealed to by elections, for the one House or the other—and in the whole of these, only four candidates offered themselves in opposition to this policy, and but two got elected—and I think one of those two did actually vote

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in favor of the measure.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—I am told that the hon. member for South Wentworth (Mr. Rymal) made a statement to which I would call his attention—as I certainly did not notice that he made it—while addressing the House. I was remarking that I had not heard one member from Upper Canada declare that a large majority of his constituents were not in favor of this measure, and I was told that the hon. member had stated so with reference to his constituents.

Joseph Rymal [Wentworth South]—I did not say whether they were or were not in favor of the measure. I believe there is a great diversity of opinion among them.

George Brown [Oxford South, President Executive Council]—Ah! Well, Mr. Speaker, we have two hon. gentlemen, one in this House and one in the other, who have just come from their elections—one from the city of Hamilton, situated in the county (South Wentworth) represented by the hon. gentleman (Mr. Rymal), and the other from the Legislative Council district, which includes the constituency of the hon. gentleman (Mr. Rymal)—and both of them declare that they have not the slightest doubt as to the feeling of their constituents—that it is strongly in favor of the measure. I repeat, then, that I have not as yet heard one hon. member declare that his constituency was opposed to this scheme.

Joseph Rymal [Wentworth South]—With reference to the testimony of the hon. member for Burlington division (Hon. Mr. Bull) and the hon. member for Hamilton (Mr. Magill), permit me to say that I know more of the South Riding of Wentworth than either one of those hon. gentlemen. Neither of them has ever had the confidence of the electors of South Wentworth. One of them was in a minority there, last fall, of 300. The other tried it some years ago, and had not the shadow of a chance.

George Brown [Oxford South, President Executive Council]—That may be true. But the hon. gentleman should have stated this also, that Dr. Smith, the opponent of Hon. Mr. Bull, declared he was in favor of the general principles of this measure, and that if the details were satisfactory, he would go for it. So that in fact both the candidates for that constituency, including the whole of Wentworth and the city of Hamilton, declared in favor of the policy of the Government.

Joseph Rymal [Wentworth South]—I beg to say that I have heard Dr. Smith say—not once, or twice, but on different occasions—that he did not believe this scheme would work well.

Alexander Mackenzie [Lambton]—That was the reason of his defeat, I suppose.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President

Executive Council]—It is quite possible that he may have said so since his defeat, but I can only say that I conversed with Dr. Smith myself while he was a candidate, and heard a very different opinion from him. But I think it ill became the honorable gentleman to speak so disparagingly of the testimony of gentlemen as to the feeling of the county, simply because they were not strong in a particular contest. When he remembers how hard a fight he himself had at last election, and that he was only elected by a very small majority, he was hardly in a position to throw discredit on such a score on the statement of hon. gentlemen who have just come from the people, and, after putting the measure fairly and squarely before the electors, have got an almost unanimous verdict in its favor. The hon. member for Hamilton [Charles Magill] polled an immense majority, and it was not right for my honorable friend to indulge in a sneer because he may have been in a minority on a previous occasion.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—Mr. Speaker, I might detain the House much longer in replying to what fell from honorable members who have spoken during this discussion. But I do not desire to keep the House from the vote. I would simply appeal to the members of this House, that if ever there could be a case made out for action—immediate action—it has been made out with reference to this measure.

Luther Holton [Chateauguay]—After its rejection below?

George Brown [Oxford South, President Executive Council]—That does not affect us.

Luther Holton [Chateauguay]—It affects the possibility of immediate action.

George Brown [Oxford South, President Executive Council]—The hon. gentleman will soon know whether or not we can get immediate action. He must recollect, that although the New Brunswick elections have apparently gone against Confederation³⁶,

³⁶ *Supra* footnote 7.

there is still a considerable number of members returned there in favor of Confederation, and that there is another large party who are not opposed to union, but only object to some of the details. And there is this to be considered also. It was presented there in a very different light from that in which it comes before us.

We have been considering this question for many years. There

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is not a point that can be taken against it which has not been thoroughly sifted before the country. We are, therefore, in a different position, and there is this hanging over us besides—as stated by the hon. member for Peel [John Cameron]—we cannot go back, we must go forward—we must have some decision on this question—we cannot let things rest as they are. It is of no use for the hon. member for North Ontario (Mr. M.C. Cameron) to tell us that matters can go on as they have been doing for many years past. That was not the opinion of the hon. gentleman when he came here in 1862.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—He came as a supporter of the Conservative Government then in existence, and yet the first vote he gave was in condemnation of his own friends, because they did not bring in a Ministerial measure to settle this question. If he looks at his own speech on that occasion, denouncing the Hon. Attorney General West [John A. Macdonald] and his colleagues, because they would not give representation by population, and because the feeling was so strong that not a moment should be lost in dealing with the question—he would find there an answer to his arguments now, when he tells us this thing may be shoved aside, and matters go on as before.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—I did not state at the time referred to that there was any danger of revolution, or anything of that kind. I urged the question as a measure of justice for Upper Canada against my hon. friends who were not in favor of it.

George Brown [Oxford South, President Executive Council]—He urged it upon his friends on that occasion to turn them out, because they would not move; and now he urges it in the very opposite direction—namely, to turn them out because they do move.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—If the hon. gentleman would allow me to make a remark, I would say it appears to me the fallacy he has fallen into is in assuming that this measure is identical with the measure of representation by population, for which he has been agitating the country for some year past. It is not the same question. The question of Federation or Confederation has not been before the country. It was not before the country at the last general election. He knows full well that the party, of which he is a distinguished member, has pronounced over and over again, and through his own mouth, against this scheme of Confederation. He knows that the [Reform Convention of 1859](#)³⁷ did so.

George Brown [Oxford South, President Executive Council]—No, it did not.

Luther Holton [Chateauguay]—I say it did.

Alexander Mackenzie [Lambton]—Get the resolutions, and prove it if you can.

Luther Holton [Chateauguay]—What were the facts? The Government of that day had proposed a Confederation of all the provinces as their remedy for the Canadian difficulty. The Liberal party did not accept that. If they had done so, the probability is that you would have had Confederation long ago, with the

³⁷ The Reformers of Upper Canada met in Toronto on Nov. 9-10, 1859. "[Meeting of the Liberal Convention of Upper Canada,](#)" [The Globe \(Nov. 10-11, 1859\),](#) "[The Convention Yesterday,](#)" [The Globe \(Nov. 11, 1859\),](#) "[Meeting of the Liberal Convention of Upper Canada,](#)" [The Globe \(Nov. 12-16, 1859\),](#) and [Constitutional Reform Association of Upper Canada, Address of the Constitutional Reform Association to the People of Upper Canada \(1859\).](#)

consent of the Lower Provinces. But the Reform Convention declared it was no remedy. It is true they put in [a saving clause](#), that at some future day, in some remote contingency, after the settlement of the Canadian difficulty, but not as a means of settling it, the Federation of all the provinces might be taken up³⁸. But I merely rose to point out to my hon. friend the fallacy into which he has fallen—and it is a very close one—in assuming that this measure is identical with the measure for which he agitated the country so long, and which the hon. member for North Ontario [Matthew Cameron] advocated on the occasion to which he refers.

George Brown [Oxford South, President Executive Council]—I think the hon. gentleman has risen for a very poor purpose. And in place of accepting his explanation as correct, I dissent from it *toto coelo*³⁹. The position of the matter is quite the opposite of what he states. He says this is a different thing altogether. I totally deny that it is. I say this is simply what we asked for, only in another form. The measure we asked for was representation by population. We got that.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And the hon. gentleman is the last man to object to this, which is the very basis on which he agreed to go into the Brown-Dorion Administration⁴⁰—representation by population being the basis, accompanied by such checks and guarantees as might be shown to be necessary.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—The hon. gentleman has stated that I have spoken against Confederation of the provinces. He will turn to no speech of mine since I entered Parliament in which, when I made any allusion to the

matter, I did not take care expressly to state that I regarded a union of all the provinces as the grand future destiny of these provinces. But to those who offered us Confederation of the provinces a present remedy for all the evils we suffered, I said I would not accept that. But I took care to say nothing directly against it, whatever

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others may have said or written. In the first place, I doubted whether we had strength enough to assume the burdens it would throw upon us. In the next place, I knew little about the sentiments of the Lower Provinces, how they would regard it. And I thought it likely that it would take years to accomplish. I would not consent, therefore, that any party should make this a stalking horse, and waste time in keeping us negotiating between the Imperial and the Provincial Governments, so as to stave off the practicable remedy which we sought.

Luther Holton [Chateauguay]—That is what you are doing now.

George Brown [Oxford South, President Executive Council]—The hon. gentleman is entirely mistaken. He will find there is no member of this Government who has any idea of shirking this question for an hour.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And he will see that that is the very basis of our present policy. In the [original negotiations for this Coalition](#)⁴¹, while I admitted that it was a good thing and a desirable thing that we should look for the future of these provinces in the direction of provincial union, yet I contended there was a present remedy which we should have and could have of our own motion, until the other was obtained. The hon. gentleman will admit that we have been wonderfully, unexpectedly

³⁸ *ibid.* The resolution Holton is referring to is as follows, “*That without entering on the discussion of other objections, this assembly is of opinion that the delay which must occur in obtaining the sanction of the Lower Provinces to a Federal Union of all the British North American Colonies, places that measure beyond consideration as a remedy for present evils.*”

³⁹ i.e. “utterly.” Lit: “by the whole extent of the heavens.”

⁴⁰ Led by George Brown & Antoine-Aimé Dorion (Aug. 2-Aug. 6, 1858).

⁴¹ [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\), pp. 205-206.](#)

successful in the policy we initiated in July last; and I am prepared to say, as I have always been prepared to say, that if practicable, this measure is a better one than the smaller scheme. But so far from its being a different remedy from ours, I say it is but an extension of our plan—that we who have contended for representation by population for so many years, are getting all that we asked and something more.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—It is true that our Lower Canada friends have obtained security for their local institutions. For my part, I am glad they have got it.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—I have always been willing they should have it. I can appeal to my hon. friend from Kamouraska (Hon. Mr. Chapais) whether I have not always yearly, for thirteen years past, said to him that I was willing to consider the position of Lower Canada with reference to her local institutions, and to give any protection for them which might be thought to be reasonable.

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And I say this is an admirable compromise under the circumstances—and I say it will be a sad day for the people of Canada if anything should happen to defeat this measure. I do say that the man who looks back upon the last twelve or fifteen years, and the agitation we have gone through, and who would risk throwing us back into that state again, is not—to use the language of the hon. member for Peel [John Cameron]—a true lover of his country.

Some Hon. Members—*Cheers.*

George Brown [Oxford South, President Executive Council]—After such an immense vote—three-fourths of both branches of the Legislature—in favor of the measure, I look upon it as a most wanton attempt on the part of the minority to endeavor to have it brought into jeopardy by the sectional issues, and the

various side issues which might be raised in different parts of the country, so as to make the result of a general election falsely appear to be a disapproval of the measure on the part of the country.

Had any one risen in this House at the beginning of last session, and proposed this measure—and if it had been found that all the Upper Canadian members of this Chamber were in favor of it but eight, while the Lower Canadian members were in favor of it by a majority of thirteen, and that three-fourths of the Upper House were in its favor—I ask hon. gentlemen if the man would not have been regarded as insane who would have proposed that it should not be put through at once, but deferred for a general election?

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—And when the House gave its sanction last session to the Government going on with this project, and submitting a scheme worthy of adoption—I ask hon. members if they ever expected we could present a measure which would carry a vote of three-fourths of both branches of the Legislature?

Some Hon. Members—Hear, hear.

George Brown [Oxford South, President Executive Council]—We have been unexpectedly successful. And as to consulting the people, I tell hon. gentlemen that the people will laugh to scorn their pretended zeal for popular rights. The people want the kernel and not the shell. They want not, for the sake of a constitutional form, to risk the success of this measure—to risk the breaking up of the combination formed to carry it—and to risk the bringing back of all those discords and difficulties from which, by the maturing of this scheme, they thought we had happily escaped.

Some Hon. Members—*Cheers.*

John Cameron [Peel]—The honorable gentleman has misrepresented my position in this matter. I have voted for the resolutions on which an Address is to be based, and this resolution is simply in amendment to the motion for the appointment of a committee to

draft that Address, and conveys no insult to any one. It does not interfere in

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any way with Ministers going home with those resolutions—a copy of which is already before the Imperial Parliament—in their hands. The hon. gentleman must have misunderstood what I stated. I ask only that the people have an opportunity of doing that which I have done myself—that is, to vote for the measure.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—The hon. gentleman says he does not thank me for my support. Sir, that hon gentleman personally has never had my support. It is not to him I give my support, but to the Government as a whole, and to the cause which has called it into existence. The hon. gentleman knows well my political views have been so little in accordance with his, that nothing but the importance of this movement would have put it in his power to make me such a taunt, and that he has no occasion whatever to thank me for my support, which

is given not because he is in the Ministry, but in spite of his being in that position.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I propose confining my observations to the motion now in your hands, Mr. Speaker. First, as to the point on which the hon. member for South Oxford [George Brown] allowed me to interrupt him I charged the hon. gentleman with assuming that the question now before the House was specifically the one on which he agitated the country for several years, and upon which the hon. member for North Ontario [Matthew Cameron] voted in 1862⁴².

I happen to have placed in my hands the report of what took place when the subject of a Federal union was before the House, in 1858. [Hon. Mr. Galt having put the resolution before the House](#)⁴³, respecting the Federation of the British North American Provinces, [Hon. Mr. Brown moved his standing motion respecting representation according to population, as an amendment to it](#)⁴⁴. There he put the two propositions in distinct juxtaposition, and yet

⁴² Meaning Representation by Population. For a complete list of the motions on the subject from 1862, please see [Journals \(1862\), p. lxi](#).

⁴³ [Galt introduced resolutions for the Federal Union of the British North American Provinces to the Legislative Assembly on Jul. 7, 1858. Journals \(1858\), p. 815](#). Galt's resolutions were as follows,

"1. That in view of the rapid development of the Population and resources of Western Canada, irreconcilable difficulties present themselves to the maintenance of that equality which formed the basis of the Union of Upper and Lower Canada—and require this House to consider the means whereby the progress which has so happily characterized this Province may not be arrested through the occurrence of sectional jealousies and dissensions: It is therefore the opinion of this House that the Union of Upper and Lower Canada should be changed from a Legislative to a Federative Union by the sub-division of the Province into two or more Divisions, each governing itself, in local and sectional matters, with a general Legislature and Government for subjects of national and common interest; and that a Special Committee be now named to report on the best means and mode of effecting such constitutional changes.

2. That considering the claims possessed by this Province on the North Western and Hudson's Bay Territories, and the necessity of making provision for the government of the said Districts, it is the opinion of this House, that in the adoption of a Federative Constitution for Canada, means should be provided for the local Government of the said Territories under the General Government, until population and settlement may from time to time entitle them to be admitted into the Canadian Confederation.

3. That a General Confederation of the Province of New Brunswick, Nova Scotia, Newfoundland, and Prince Edward's Island, with Canada and the Western Territories, is most desirable, and calculated to promote their several and united interests, by preserving to each Province the uncontrolled management of its peculiar institutions, and of those internal affairs, respecting which difference of opinion might arise with other members of the Confederation, while it will increase that identity of feeling which pervades the possessions of the British Crown in North America; and by the adoption of an uniform policy for the development of the vast and varied resources of these immense Territories, will greatly add to their national power and consideration;—and that a Special Committee be appointed to report on the steps to be taken for ascertaining, without delay, the sentiments of the inhabitants of the Lower Provinces, and of the Imperial Government, on this most important subject."

⁴⁴ Brown's amendment to the resolutions was as follows, *"That all the words after 'that' to the end of the Question, be left out, and the words, 'it is expedient that the Representation of the people in the Canadian Parliament should be based on population, without regard to a separating line between Upper and Lower Canada,' inserted instead thereof."* [ibid.](#)

to-night he endeavors to convince the House that this measure is substantially the measure which he was then contending for—endeavors to show insincerity on the part of the honorable member for North Ontario [Matthew Cameron], because he voted against his own friends, in 1862⁴⁵, on representation by population, and now votes against this measure.

George Brown [Oxford South, President Executive Council]—I am sure my hon. friend does not wish to misrepresent; but I think he will find that that motion was proposed, and that there were two other amendments which were voted down. I recollect that at the close of my speech I said I wanted representation by population—I am willing to take it alone; I am willing to take it with a Federal union; I am willing to take it any way so that we get it.

Luther Holton [Chateauguay]—The honorable gentleman is confounding what occurred in 1856 with what occurred in 1858. In 1856 he did signify his willingness to accept the proposition of a Canadian Federation, if it was concurred in by any considerable number of the representatives from Lower Canada. But what I now allude to is what took place in 1858, when, instead of accepting Hon. Mr. Galt's proposition to Federate all the provinces, [he put a motion in amendment to it](#)⁴⁶, showing that in 1858, as in 1859, he was not willing to consider that question as a means of settling the Canadian difficulty.

But I think the honorable gentleman, though he was more or less successful in answering the honorable member for Peel [John Cameron], utterly failed to meet the very cogent reasoning of my honorable friend from North Ontario [Matthew Cameron]. I hold as strongly as any member of this House to the doctrine of representation as contradistinguished from the doctrine of delegation. We are here commissioned by our constituents to do all that may be done under the Constitution under which we are sent here

to legislate. But I hold that the change of the Constitution is something beyond our functions; that the representative elected to administer the existing Constitution has no right to vote for the subversion of that Constitution.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—That is the doctrine which I hold, and I think honorable gentlemen will find it exceedingly difficult to controvert it. Then it has been said that there can be no possible occasion of appealing to the people, for they have already been appealed to and expressed their approval of the scheme. I do not know how many constituencies have been appealed to since June last.

An Hon. Member—Fifty or sixty.

Luther Holton [Chateauguay]—Well, fifty or sixty. But the Honorable President of the Council [George Brown] has referred to the Hon. Mr. Bull as being elected to support this measure, and a little further on he spoke of his opponent, Dr. Smith, and said that he too was in favor of the scheme generally, but that there might be some of the details of which, when it came out, he could not approve, thus letting out that the details of the scheme were not

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before the people at all. When my hon. friend from South Oxford [George Brown] went to his own constituency for reelection, were any of the details before the people?

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—The general project of Federation was before the people, though prominence was then given chiefly to the lesser scheme of a Canadian Federation, but none of the details were known. He surely will not argue from the result of that election or of any of the elections, including those for the Legislative Council, except perhaps that for the city of Hamilton and that of the Hon. Postmaster General [William Howland], which occurred after the publication of the

⁴⁵ *Supra* footnote 42.

⁴⁶ *Supra* footnote 44.

resolutions, that the people have voted with a knowledge of the details of the measure.

These elections, therefore, prove no more that the people are in favor of the scheme, than the election of the Macdonald-Sicotte Government⁴⁷ in 1862—a Government formed upon the principle of retrenchment, pledged to the double majority system⁴⁸, and who made opposition to representation by population a closed question⁴⁹, proved that the people were in favor of that system, or of making opposition to representation by population a close question. Then, sir, there is one other point to which I wish to refer. The Honorable Attorney General West [John A. Macdonald], in the course of his conversation with the honorable member for North Ontario [Matthew Cameron], said that the people of all the provinces were against a legislative union.

John A. Macdonald [Kingston, Attorney-General West]—I did not say so. The hon. gentleman was speaking of the different provinces as represented in the Quebec Conference. The delegates were all opposed to it.

Luther Holton [Chateauguay]—The hon. gentleman, at all events, said this, that a legislative union could not be carried. I should like to ask him what position it places him in as to political sagacity, to confess to night that he has been wrong for the last twenty years. He has declared over and over again that he was in favor of a legislative union. At the very [last meeting of the constitutional committee, or of the Brown Committee](#)⁵⁰, as it has been called—a committee to which great importance has been attached, but which

really possesses very little significance—last session, upon a motion for the adoption of [the report](#), that hon. gentleman [voted against Federation in every form](#)⁵¹.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—How does the hon. gentleman know that?

Luther Holton [Chateauguay]—It was reported to the House, on the very day of the crisis which eventuated in the formation of this Coalition, that honorable gentleman voted in committee against the Federal principle, whether as applied to Canada or to all the provinces, he being in favor of a legislative union. He, the leader of this House, who sets himself up as the most sagacious politician of the country, who claims to be a leader of them, now admits that down to [the 14th of June last](#)⁵², he himself was mistaken as to the possible mode in which a change of government could be effected in this province.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—He was opposed to a Federal union, yet he now comes down as the leader of the Government, and says that it is absurd to talk of a legislative union; that he has been altogether wrong, and that it is utterly impracticable to carry out [the views he held down to the 14th of June last](#)⁵³, and affirmed down to that very day.

Well, sir, that is all that I rose to say—to say that the Honorable President of the Council [George Brown] has not really met the point raised by this motion; that there had been no appeal to the people in these elections on the details of this scheme; that it was not in the

⁴⁷ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863). The administration was formed on May 24, 1862.

⁴⁸ The "double majority" principle advocated that the Ministry should be supported by two sectional majorities, one for upper and another for lower Canada, in the legislature. J.S. Macdonald believed this principle was not only necessary but already inherent in the sectional nature of the united Canadas. The Macdonald-Sicotte ministry in 1862 in fact practiced the principle. See [Bruce W. Hodgins, John Sandfield Macdonald, 1812-1872 \(University of Toronto Press, 1971\)](#).

⁴⁹ William McDougall, a Reformer, disavowed representation by population as a condition to join the Liberal Macdonald-Sicotte administration.

⁵⁰ George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

⁵¹ John A. Macdonald voted against the report on Jun. 14, 1865. [ibid., p. 384](#).

⁵² *Supra* footnote 51.

⁵³ *ibid.*

contemplation of the electors at the last general election; that the whole Liberal party were opposed to it as a means of settling the Canadian difficulty; that it was never brought forward until [the crisis of June last](#)⁵⁴; that the people have consequently had no opportunity of pronouncing upon it; and that we have no right to dispose of it finally without an appeal to the people, involving, as it does, a subversion of the Constitution.

Some Hon. Members—Hear, hear.

Charles Magill [Hamilton]—I had no intention of speaking on this subject, had my name not been mentioned to-night by some of the hon. gentlemen who have addressed the House. I have only to say that when the subject was brought before the electors of the city of Hamilton, there appeared to be but one opinion concerning it—they all seemed to be in favor of carrying out a Federal union.

Some Hon. Members—Hear, hear.

Charles Magill [Hamilton]—I believe that the people were in favor of any change, and I think I would not be discharging my duty to my constituents if I did not stand up in this House and state my opinions as I expressed them a short time ago to the electors. I think that the people of Canada were highly satisfied with the conduct of the public men of this country; that they were proud of the manly, straightforward and self-denying spirit evinced by them in showing their willingness to set

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aside personal or party interests, and unite as one man for the common good of this country.

Some Hon. Members—Hear, hear.

Charles Magill [Hamilton]—They were willing to bury all past differences for the welfare and prosperity of the country at large.

Some Hon. Members—Hear.

Charles Magill [Hamilton]—My honorable friend from South Wentworth (Mr. Rymal) has spoken of the feeling among the people there. That honorable gentleman may perhaps know more of the people in that county than I do; but from what I know of them, I can say without any hesitation that the people there are strongly in favor of a union of all these provinces.

Some Hon. Members—Hear, hear.

Charles Magill [Hamilton]—Then, as to the election of Hon. Mr. Bull, I think that nothing so much helped to secure his return as his promise to support the Government in this scheme. And I think that it ill becomes the honorable member for South Wentworth [Joseph Rymal], one of the eight Upper Canadians who oppose this scheme, to get up in this House and speak as he has done to-day. I believe that this scheme will be attended by the very best and most beneficial results.

My honorable friend from South Wentworth (Mr. Rymal), in furnishing an illustration to prove the impropriety of the scheme of union, compared it to adding joints to a fishing rod; but the comparison did not bear him out in his conclusions, as the people of Canada have at all times, and in every emergency, shown themselves to be possessed of that indomitable spirit which will never quail before a foe—and the union of such material cannot fail to give them increased power to resist aggression, and to maintain and hand down to posterity the rights and privileges which we so happily enjoy.

Some Hon. Members—Hear, hear.

Charles Magill [Hamilton]—The fact of uniting strong men together is not going to make them any weaker. What is it that has

⁵⁴ The Taché-Macdonald administration was defeated by two votes on Jun. 14, 1864 regarding alleged financial misdealings of the previous 1858-1862 incarnation of the administration. The motion tabled by A.A. Dorion, and seconded by William McDougall, brought a censure of the government for a \$100,000 transaction that occurred without sufficient parliamentary oversight – an advance of sum authorized by the also then Minister of Finance A.T. Galt. The motion was a “much-delayed act of retributive justice” for the previous Cartier-Macdonald conservative ministry that had not been in power since it lost the 1862 election. See [Donald Creighton's *The Road to Confederation* \(University of Toronto Press, 1964\)](#), and the [Journals for the Legislative Assembly \(Jun. 14, 1864\)](#), pp. 387-390. Instead of dissolving the parliament and going to new elections, the Great Coalition was hashed out. See [“Memorandum—Confidential,” Legislative Assembly \(Jun. 22, 1864\)](#), pp. 205-206.

given rise to the name England possesses all the world over? Why, it is union. That is the glory of the British Constitution. "Union is strength" the old maxim says, and I believe that it will prove so as regards the united Provinces of British North America.

Some Hon. Members—Hear, hear.

Henri Joly [Lotbinière] said—Mr. Speaker, I regret that this resolution was not brought up sooner; however, I am glad that it is brought up now, for it will explain to outsiders the manner in which this Confederation scheme has been carried through this House. When the people of the Lower Provinces and of England observe the reluctance which the Government has to allowing the people an opportunity to express themselves, by means of general elections, it will let them into the whole secret of the manner in which the Government have obtained so large a vote for their scheme in the present Parliament.

Some Hon. Members—Hear, hear.

Henri Joly [Lotbinière]—Now, this is all the more important, because people who do not live in Canada cannot be expected to understand our affairs any better than we understand theirs. As an instance of how a people may be misunderstood abroad, [we heard the Honorable Minister of Agriculture \(Hon. Mr. McGee\)](#), who professes to be well acquainted with the Lower Provinces, prophesying that the result of the elections in New Brunswick⁵⁵ would be largely in favor of Confederation; but when he found his fine prediction destroyed, we then heard him trying to explain the result as being due to annexation tendencies and Americanizing influences⁵⁶.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Not all, but a good deal of it.

Henri Joly [Lotbinière]—Now, in Canada, all those who oppose the Confederation

scheme are accused of having the same annexation feeling as the people of New Brunswick are said to be tainted with. It is extraordinary how different people on the same side of politics will look upon things. I have just noticed in the *Daily News* of this city, a few lines of a rather startling character.

[Having read a passage from the News of the 10th of March, with reference to the abolition of the passport system, Mr. Joly proceeded:]

There are two ways of looking at this. Here is a newspaper, supporting the Government, which says that if the Lower Provinces have not been relieved from the passport system, as Canada has been, it is certainly because their relations are not as friendly with the United States as ours. It is only since our relations became friendly with the United States—since we passed that [Alien Bill](#)⁵⁷, and voted that money stolen by the St. Alban's raiders—it is only since we have bowed down before them that we have obtained relief from the obnoxious system.

The Lower Provinces having taken a firmer stand, the United States Government have refused to make the same concession to them as has been made to us. I think, therefore it is a mistake to say that it is American influence or annexation proclivities that have caused the defeat of the friends of Confederation in New Brunswick. The only transactions that we have taken upon ourselves to make, affecting any foreign state, have been the passing of the Alien Bill and the granting of that money for the St. Alban's banks. In this instance, it appears most clear that this province stands in a better, closer and more friendly relation with the United States,

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through such action, than the Lower Provinces. Therefore it seems to me more

⁵⁵ *Supra* footnote 7.

⁵⁶ [Thomas D'Arcy McGee, Legislative Assembly \(Mar. 6, 1865\), p. 669.](#)

⁵⁷ [An Act for the prevention and repression of outrages in violation of the Peace on the frontier of this Province, and for other purposes \(Province of Canada, 1865\).](#)

reasonable to suppose that the American sympathizers in New Brunswick have been defeated at the polls, instead of triumphant. The Hon. President of the Council [George Brown] explains the difference between Canada and New Brunswick, as to the desirability of having new elections, by saying that there was a new election there because the term of the Legislature was about to expire.

Well, this would have been our last session too, if the Confederation scheme had passed, and therefore supposing the Confederation scheme to have gone into operation as soon as the Government anticipated it would, we should have been exactly in the same position as New Brunswick⁵⁸ in relation to a new election. The same reasons for having a new election there exist here, and there is no better reason to be assigned for refusing to allow the people of Canada to express themselves on this project, than there was for the Government of New Brunswick to refuse a dissolution of the Legislature of that province. But while we see the Government of that province willing and anxious to give the people an opportunity of expressing their will, how differently are the people of Canada treated!

Some Hon. Members—Hear, hear.

Henri Joly [Lotbinière]—The Hon. President of the Council [George Brown] has alluded to a majority of the French-Canadians being in favor of the Confederation scheme. I find by the vote that twenty-six voted in favor of it, and twenty-two against. Among the twenty-six were three members of the Administration who propounded the scheme, and were so interested in the result of the vote, that in all fairness they ought not to be counted. Deducting these, the figures would stand twenty-three to twenty-two.

George-Étienne Cartier [Montreal East, Attorney-General East]—Well, if you deduct the members of the Government, you ought also to deduct the leaders of the Opposition.

Some Hon. Members—*Laughter.*

Henri Joly [Lotbinière]—I think not, because they were not more deeply interested in the vote than other members on the floor of the House. Out of the twenty-six, they are at least half a dozen whose conduct has been condemned in the most direct manner by their constituents, in public assemblies duly held for the purpose of considering the Confederation question. I can instance the counties of Joliette, Rouville, Chambly, L'Assomption, &c. So if we take the French-Canadians and place the matter in a fair and equitable footing, we will find that they are about equally divided in this House, and that it is hard to tell whether the majority of the people are for or against it by their representatives in Parliament. It is impossible to know what the opinions of the French-Canadians are at this moment, or to find out, except by giving them an opportunity to record their votes by means of the elections.

The French-Canadians are nearly a million of people, and I think they are entitled to be heard on this scheme as much as any of the Lower Provinces; and if for no other purpose than to give them an opportunity of expressing themselves, there ought to be a general election. I say that we have been taken by surprise through the rapid manner in which this scheme has been introduced and carried through this House. We have been told that because our leaders would not agree to any arrangement by which the demands of Upper Canada could be met, either in whole or in part, the scheme has been imposed upon us.

If that alternative had been presented to us at an earlier day, I think it would have been possible for us to have met our Upper Canadian friends in a scheme of conciliation, agreeing upon a measure which, if not satisfactory to all, would, at all events, draw us more closely to one another. For instance, the principal complaint is that Upper Canada pays two-thirds of the taxes, and is allowed to have control of only one-half the money

⁵⁸ *Supra* footnote 7.

contributed by those taxes.

I will not say that I would grant representation by population rather than be forced to accept the Confederation scheme; but I can say that I find the claim of Upper Canada, in reference to the finances, perfectly fair and just, and I only rise to express my opinion, as one of the members of this House, to that effect. I would be quite willing to enter into some arrangement that would give to Upper Canada a greater proportion of the expenditure, in proportion to its population, and stake my chances of re-election upon that declaration.

Some Hon. Members—Hear, hear.

Henri Joly [Lotbinière]—I dare say that many in Upper Canada would not be quite satisfied with that; but for my part, I do not feel that I have a right to offer more. I merely wish to show that Lower Canadians are not as lost to all sense of justice as not to recognise the correctness of that principle, and are not so much opposed to the making of some concessions as many of the people of Upper Canada seem to imagine. If we had been informed as to what was coming, I think we certainly should have gone into some arrangement towards suiting the views of Upper Canada, by increasing her share of control on the revenue, rather than be compelled

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to accept this Confederation scheme.

The most pressing reason given for passing the measure now is, that the relations between Upper and Lower Canada have reached such a stage, that the Government of the country cannot go on in peace and quietness any longer. I do not think anything of the kind is the case. I do not think any honorable gentleman from Upper Canada is ready to rush into civil war. I do not think any number of people in Upper Canada has given up the hope of obtaining, by constitutional means,

what they think is fair. I do not think any of them would think of coming down here and obtaining the rights of Upper Canada by murder, bloodshed and civil war. I think it is most unfortunate that the Hon. President of the Council [George Brown] should have attempted to frighten us by the use of such terms.

George Brown [Oxford South, President Executive Council]—The hon. gentleman must be mistaken. I never used such words in connection with the advocacy of Upper Canadian rights.

Henri Joly [Lotbinière]—I beg the hon. gentleman's pardon, but I have heard him use those terms several times on the floor of this House.

George Brown [Oxford South, President Executive Council]—Then it must have been of speaking of the war in the United States.

Henri Joly [Lotbinière]—The hon. gentleman certainly told us in his speech at the opening of this debate, that our country was in danger of being plunged into civil war.

George Brown [Oxford South, President Executive Council]—It certainly was not me; the hon. gentleman is mistaken in the person. It was the honorable member for Richelieu [Joseph Perrault] who used words of that character. I have never used such language in this House in relation to our constitutional difficulties.

Joseph Perrault [Richelieu]—What I said was that the Constitution, as it stood, was sufficient to enable us to live under it for centuries to come, without civil war.

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—Now the hon. member ought to withdraw that statement with regard to myself, until he can prove it. It was not the Hon. Premier [Étienne Pascal Taché] of the Government⁵⁹, but myself whom he charged with using the words "civil war" in relation to

⁵⁹ Perrault incorrectly associates this term with Brown, but it was Taché who said the term. [Étienne Pascal Tache, Legislative Council \(Feb. 3, 1865\), p. 9](#). The English version uses the term "civil strife," while the French version of same speech, uses the term "guerre civile". [Débats parlementaires sur la question de la confédération des provinces de l'Amérique du Nord \(1865\), p. 9](#).

Canada.

Henri Joly [Lotbinière]—I understand what is due from one hon. member of the House to another, and I very cheerfully withdraw the statement, because I cannot find the words just this moment in the report of the hon. gentleman's speech; but I will call his attention the matter again, so soon as I am in a position to prove the statement I have made. But I certainly was always under the impression that he had used those words.

Some Hon. Members—Hear, hear.

Henri Joly [Lotbinière]—Well now, having withdrawn those words with reference to one member of the Administration, I have to make the same charge against another member, occupying even a higher position in the Cabinet. Here are the very words employed by the leader of the Administration, in addressing the Upper House. On page 9 of the *Parliamentary Debates on Confederation*, I find this passage in [the speech of the hon. and gallant knight at the head of the Government \[Étienne Pascal Taché\]](#):—"At the time these measures were resolved upon, the country was bordering on civil strife, and he would ask if it was not the duty of both sides to do all they could to prevent the unfortunate results which would have followed."⁶⁰ Well, I see it is the term "civil strife" that is used instead of "civil war."

Some Hon. Members—*Laughter.*

Henri Joly [Lotbinière]— But it is used in the same sense as the term "civil war." [The French version of our official reports](#) has "*guerre civile*."⁶¹ I think it is most unfortunate to hear hon. members of the Government, who have in their keeping the fair fame of the country, letting it go to the world that Canada, which was always looked upon as such a happy, free and prosperous country, was on the eve of civil strife. It is all the more unfortunate that I was mistaken in reference to the person who uttered those words, for I find

now that it is the Prime Minister of Canada [Étienne Pascal Taché], instead of the Honorable President of the Council [George Brown]. If that honorable gentleman had said anything approaching to what I charged him with, I am sure he would not have denied it in the manner he has, for I think he would have been willing to have considered the spirit of the charge more than the mere letter. I will not now take up the time of the House any longer. I simply wish to show the unfair means that had been used by the Government in carrying their Confederation scheme through this House.

Some Hon. Members—*Cheers.*

John A. Macdonald [Kingston, Attorney-General West]—I think, sir, that my hon. friend who spoke last made a mistake in the construction of the English language, when he charged my hon. friend the Hon. President of the Council [George Brown] with alluding to civil war, and that his remarks were rather unparliamentarily in so far as they alluded to the debate in the other branch of the Legislature.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—He charged my honorable friend with stating that the

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country was on the eve of revolution and warfare; but on trying to hunt up the proof, he finds that the words on which he based the charge were used in [a speech delivered by somebody else in the other branch of the Legislature](#)⁶². The passage he quotes alludes to the country being in a state of civil strife. Well, Mr. Speaker, that is quite true. Sir, we have been in a state of strife for a great many years. An election is a civil strife, and a lawsuit is a civil strife, but warfare is a most uncivil strife.

John Sandfield Macdonald [Cornwall]— Does my hon. friend mean to class lawsuits under the head of civil strife?

⁶⁰ *Supra* footnote 59.

⁶¹ *ibid.*

⁶² *ibid.*

John A. Macdonald [Kingston, Attorney-General West]—Well, perhaps they are a little uncivil at times, but my hon. friend knows all about it, for he fattens on that kind of strife.

Some Hon. Members—*Laughter.*

Henri Joly [Lotbinière]—Well, I would like to ask what the hon. gentleman calls the war in the United States; is that not civil strife?

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—No, no, no; that is civil war, because it is a war among the people themselves.

Henri Joly [Lotbinière]—Well, I do not think there is anything wrong in calling it civil strife, and I consider the terms synonymous.

John A. Macdonald [Kingston, Attorney-General West]—The war in the United States is a most disastrous, and even barbarous civil war; but the word civil strife is not applicable to it. I have already explained the meaning of the term, and I hope now that my hon. friend sees the evil of his ways, he will abandon his opposition to the Government.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Mr. Speaker, for the sake of the character of this House, and for the sake of the public purse, I must protest against the current of the debate which has arisen from the motion of the hon. member for Peel [John Cameron]. I thought we had got through with the discussion, and that as every hon. member had had the opportunity of speaking not only once or twice, but three or four times, we had finished the debate, and taken a vote which was rather satisfactory to the Government, by which the question had been introduced into the House, and that it was generally understood that the discussion of the propriety of the Confederation of the provinces was to end there.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—But I find in the remarks of hon. gentlemen opposite a tendency to reopen

the whole question, after it has been decided by this House, upon a motion made by myself for the appointment of a committee to draft an Address in which the resolutions should be embodied. I say, sir that this is an abuse of parliamentary privilege, a waste of the time of this House and of the public money, while it serves no good purpose, and I am sure that the good feeling and common sense of this House will not allow anything of this kind to go on. One thing connected with this subject I greatly regret. I very much regret that although the debate has been so long protracted, and although we have had an expression from almost every member of this House, we have hitherto failed in getting the arguments promised in the speech of my hon. friend from Chateauguay [Luther Holton].

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—For some reason or other we cannot get that speech out. Just as Moses went up to Pisgah's top and viewed the Promised Land in the distance, just so the hon. member gives us an occasional glimpse of the promised speech, but we have thus far been disappointed in our expectations of hearing it delivered. We have been promised it two or three times during the past month. The honorable member ought to remember that "[hope deferred maketh the heart sick.](#)"⁶³

I am sure I desire to have the pleasure and satisfaction of hearing from the honorable gentleman, and having the advantage of the information which the honorable gentleman is well known to be able of giving this House; for though young in years, he is old in political wisdom and in that political sagacity of which he denies me the possession. I say I am sorry, and this House must be sorry, and the country must be sorry, that the hon. gentleman has practised so much self-denial as to re I use to allow his radiance to shine forth upon this great question. The thing which so utterly destroys the hon. gentleman's utility is his extreme modesty.

⁶³ [Proverbs 13:12.](#)

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—Why, when he had to rush to the rescue of the disordered finances of this country, at great personal sacrifice, for the sake of saving the country from the ruin that hung over it through the lavish extravagance of my hon. friend the present Hon. Finance Minister [Alexander Galt], he looked, with the exercise of his great financial ability, down into the recesses of the public chest and speedily discovered the source of all the evils that had fallen upon the country, and yet the modesty of the hon. gentleman prevented him from making known the remedy.

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—And so it is even now. He has been promising to give us his views upon this great question; but four weeks have passed, and his speech yet hangs fire. And

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to-day he told us, after drawing himself up with that righteous indignation which he can so well affect, that the Honorable Attorney General West [John A. Macdonald] had tried to stop the publication of the debates, and that he himself had yet to fire his speech on this great subject, because it was too late to do so on Saturday morning; and yet, when the honorable gentleman gets up, he says he will confine himself to this resolution. He did so, and confined himself very narrowly to it.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—The hon. gentleman has somehow or other become the guardian of my political reputation. He has, on two or three occasions, warned me that although the course I took was, perhaps, that of a practical man—that of one who desired merely to keep office and become famous for political acuteness—yet it would never secure for me the fame of being a great statesman. Well, sir, I am satisfied to confine myself to practical things—to the securing of touch practical measures as the country really wants.

I am satisfied not to have a refutation for indulging in imaginary schemes and harboring visionary ideas that may end sometimes in an annexation movement, sometimes in Federation and sometimes in a legislative union, but always Utopian and never practical I am satisfied to leave the imaginary, the poetic and the impossible to the hon. member for Chateauguay [Luther Holton]. The other day the honorable gentleman paused to say, in the course of one of his little, numerous, by the by speeches, that in taking the course I have done on this question—that of advocating a Federal instead of a Legislative union—I violated all the principles of my former life having a bearing on this subject.

Mr. Speaker, it is quite true that alter a careful examination of the Constitution of the United States, in connection with its practical working, and the civil war that has grown out of it, I saw many weaknesses in connection with the Federal system, as operated in that country, and I was as desirous as any min could be in taking part in the Conference relating to union between the Provinces of British North America, that as much as the legislative form of government as possible, and as few of the weaknesses which experience had shown to exist in the American Constitution, should be incorporated in ours.

I do not like to refer to any remarks of mine in times past; but as this charge has been brought against me, I will read, by permission of the House, a passage from a speech of mine, in relation to representation by population. And I might here say that it is the only speech I ever delivered in my life, which I have ever taken any particular trouble to revise. The hon. gentleman will see, from [this passage](#), what my sentiments were, in 1861, on the subject, while taking part in a debate on representation by population. I was replying to a speech made by my present colleague, the Hon. Minister of Agriculture [Thomas D'Arcy McGee]. I said:—

| The only feasible scheme which presented itself to his

(my) mind, as a remedy for the evils complained of, was a Confederation of all the provinces. (Hear, hear.)

But in speaking of a Confederation he must not be understood as alluding to it in the sense of the one on the other side of the line. For that had not been successful. But then he did not say so from any feeling of satisfaction at such a result. Far from him be any such idea.

He heartily agreed with the junior member for Montreal (Hon. Mr. McGee) in every word of regret which he had expressed at the unhappy and lamentable state of things which they now witnessed in the States, for he remembered that they were of the same blood as ourselves. He still looked hopefully to the future of the United States. He believed there was a vigor, a vitality, in the Anglo-Saxon character and the Anglo-Saxon institutions of the United States that would carry them through this great convulsion, as they had carried through our Mother Country in days of old. (Loud cheers from both sides of the House.)

He hoped with that honorable gentleman (Hon. Mr. McGee), that if they were to be severed in two—as severed in two he believed they would be—two great, two noble, two free nations would exist in place of one. (Hear, hear.)

But, while he thus sympathized with them, he must say, let it be a warning to ourselves that we do not split on the same rock which they had done. The fatal error which they had committed—and it was, perhaps, unavoidable from the state of the colonies at the time of the revolution—was in making each state a distinct sovereignty, and giving to each a distinct sovereign power, except in those instances where they were specially reserved by the Constitution and conferred upon the General Government.

The true principle of a Confederation lay in giving to the General Government all the principles and powers of sovereignty, and that the subordinate or individual states should have no powers but those expressly bestowed on them. We should thus have a powerful Central Government, a powerful Central Legislature, and a decentralized system of minor legislatures for local purposes.⁶⁴

These, sir, were the opinions I uttered in a

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speech delivered in 1861; and I say that the Constitution which this House, by a majority of three to one, has carried out as far as it is concerned, is, in spirit and letter, that which I then pointed out; and that was not the result of my experience, my thought and my opinion

alone, but of the experience, thought and opinion of every man who had studied and taken into consideration the character of the Constitution of the United States. I know that in making that quotation I am committing the error which I have charged upon other hon. members of the House of going back in the debate; but I thought that it was due to myself to read it to the House, because the hon. member for Chateauguay [Luther Holton]—not in that blunt, plain-spoken style which characterises some hon. gentlemen, but with that soothing, soft language that is so grateful to one's feelings—

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—stated that in proposing a Federal union of these provinces I belied the whole of my political life, and that it was for this reason I made so feeble and ineffectual a speech when I offered these resolutions to the House. As to the feebleness and ineffectiveness of my speech, that, sir, I admit; but as to my sentiments on Confederation, they were the sentiments of my life, my sentiments in Parliament years ago, my sentiments in the Conference, and my sentiments now.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Mr. Speaker, I submit, with all due deference to your decision, that the motion proposed by the hon. member for Peel [John Cameron] is in order; and it is a point, I am free to admit, of such doubt that I ought not to see up my opinion against that impartially given by yourself, for one is very apt to decide in his own favor in a doubtful case. It would have been very convenient for the Government to have it declared out order, and our feelings may therefore have caused us to take a less impartial view than that taken by yourself; and it became our duty to submit to your ruling, unless we believed in our conscience that beyond all doubt you were

⁶⁴ [John A. Macdonald, Legislative Assembly \(Apr. 19, 1861\) in Toronto Leader \(Apr. 30, 1861\) in Canada Transformed: The Speeches of Sir John A. Macdonald \(McClelland & Stewart, 2014\), pp. 129-130.](#)

wrong. Having been declared to be properly before the House, I must say that the motion of the hon. member is altogether inconsistent with his votes upon the question of Confederation.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I cannot understand how a hon. member who gave the two votes he did last week upon that question, could make the motion in amendment now under consideration.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Indeed I understood him to say that he did not design this as an amendment, but as a separate and independent motion; and I think it is to be regretted that having made up his mind to support the resolutions I proposed, he did not also support the formal machinery necessary to give them effect; that he did not accept my invitation to propose his views in a separate and distinct motion, instead of in the shape of an amendment to an Address for which he himself voted.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—When I say that I regret that my hon. friend has taken this course, I must at the same time congratulate him upon the sound doctrine he has laid down in his speech; for if I wanted, if the House wanted, an argument in favor of the measure which the Government has laid before the House, we could not have had it in more eloquent and convincing language than that contained in the speech of my hon. friend. My hon. friend is always eloquent and always convincing, but he could not have been more eloquent or more convincing than when he spoke on this question of Confederation.

John Sandfield Macdonald [Cornwall]—What a compliment!

John A. Macdonald [Kingston, Attorney-General West]—It may be a compliment, but it is not flattery. A compliment is the statement of an agreeable truth; flattery is the statement

of an agreeable untruth. Now, were I to state that the hon. member for Cornwall [John Sandfield Macdonald] delivered an eloquent and convincing speech, that would be flattery—

Some Hon. Members—*Great laughter.*

John A. Macdonald [Kingston, Attorney-General West]—but when I state, in all sincerity, that the speech of the hon. member for Peel [John Cameron] was an eloquent and convincing one, I may compliment, but I do not flatter.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—But what struck me as strange was that while my hon. friend stated to the House that he was not a man to make an unconstitutional motion, or to make a motion committing in any way a breach of constitutional usage, or to propose anything less than a constitutional appeal to the people, he should oppose the motion before the House; for I know that my hon. friend is not the man to commit a fundamental error against constitutional and free institutions.

He knew well, and it is much to the credit of my hon. friend as a sound constitutional lawyer, that although he drew his notice of motion hurriedly, it was necessary, when he presented it to the House, to guard against mistake; and he took care that the appeal he proposed to make to the people on this question should be a constitutional appeal by the members of this House going to the polls.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—But my hon. friend the seconder of

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the resolution, who called upon the House to support it, says he does not believe a word of it.

Some Hon. Members—*Laughter.*

John A. Macdonald [Kingston, Attorney-General West]—The very first sentence that he uttered was that he did not believe in the resolution; for he said that he was in favor of

submitting yes or no to the people, but not in the mode proposed by the resolution, the only mode known to our Constitution.

Matthew Cameron [Ontario North]—I do not wish my language to be misrepresented by my hon. friend. What I stated was that I did not consider that to be the only way of ascertaining the views of the people, and did not think it wrong to take a vote, yea or nay, upon the question.

John A. Macdonald [Kingston, Attorney-General West]—Well, my hon. friend from Peel [John Cameron] submitted that the appeal should be made in one way, the constitutional way, and that was the way my hon. friend from North Ontario [Matthew Cameron] did not like. How could my hon. friend suppose that a vote like that could be taken in a country whose Constitution is modelled on the Constitution of England? By what contrivance known to our Constitution could we take such a vote? There is none such. There is no means, no system, by which we could make an appeal of that kind, and in order to do it we should have to subvert the principles of the British Constitution.

The hon. gentleman knows there is no means of doing it. We might, indeed, pass a law declaring that the people shall vote yes or no on this question; but such a law would in itself be a change in our Constitution, and I would like to see any man representing Her Majesty in this country give his sanction to a measure of that kind, which would be a subversion of the first principles of British constitutional government.

Sir, we in this House are representatives of the people, and not mere delegates; and to pass such a law would be robbing ourselves of the character of representatives, and be a proceeding which even the honorable member for Chateauguay [Luther Holton] himself denounces in language, although he supports it in countenance when pressed by others. That hon. gentleman is too familiar with the principles of British constitutional government to support such a proceeding himself, but still he encourages others to do it,

and to say that which he would not advance himself.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, a reference to the people—a direct reference to the people—of a question of this kind may be the means by which a despot, an absolute monarch, may get that popular confirmation and approval which he desires for the laws necessary to the support and continuation of his usurpation. It may be the means by which a despot, at the point of the bayonet, may ask the people to vote yea or nay on the measure he proposes; but in every free country where there is a Constitution at all, the vote must be taken by the constituted authorities, the representatives of the people, and not become a mere form and cover to tyranny, but a measure which accords with the calm and deliberate judgments of the people, as expressed through their representatives.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I was rather alarmed when I first read the notice given by my hon. friend from Peel [John Cameron], and feared that he was going to take the course advised by the hon. member for North Ontario [Matthew Cameron], because the language of his notice was undefined upon the subject. I, however, had every confidence in the constitutional principles—the conservative principles—of the hon. gentleman; but as the language of the notice was not clear, I was exceedingly relieved when he read the motion to the House in its present complete shape.

I admit that it was quite open to any member of this Parliament to move either that the House be dissolved or not dissolved. I admit that the hon. member had a constitutional right to move that the House be dissolved, with a view of referring this question to the people, and therefore it was that I felt relieved when I found that this was the course he proposed, and regret, on the other hand, that the hon. member for North Ontario [Matthew Cameron] has so far fallen away from his old

conservative principles as to take the other ground. Now, what is the opinion entertained upon this subject in England?

I was exceedingly pleased to read lately the report of a speech delivered to his constituents, at Huddersfield, by Mr. Leatham, a member of the Imperial Parliament. He is, I believe, a brother-in-law of Mr. John Bright, and belongs to the advanced Liberal school of English politicians, known as the [Manchester school](#)⁶⁵; and although educated in the political doctrines of that school, he yet had the courage to get up before the people of Huddersfield, as Radical a constituency as any in all England, and spoke in strong language against the [Permissive Bill](#)⁶⁶, a temperance measure which resembles that passed through this Legislature by the hon. member for Brome [Christopher Dunkin], because he held that it was unconstitutional

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to hand over to the people the power of voting directly upon a law before it came into effect.

He contended that the responsibility of voting for a measure must rest upon the Legislature alone, and that it could not refer this responsibility to the people. When you find an advanced Liberal like Mr. Leatham taking that ground, and going to the length he did in support of it, you can well understand the principles that actuate the great majority of the people of England. Allow me to read to the House the language employed by Mr. Leatham on this point. It is not long, and it seems to me exceedingly instructive *The Times*, in an article on the speech, says:—

Mr. Leatham's argument on this subject is well worthy of attention, not only for its bearing on the question of compulsory temperance, but from the much wider range of subjects to which it is applicable.

"It is," he says, "the essence of representative government that the electing class, which is analogous to the class

paying rates, shall possess no direct legislative power; and the principle of parliamentary representation is that not even the representative principle shall alone legislate. We have taken the precaution to protect the rights and property of Englishmen by the prerogatives of the Crown, the privileges of the Lords, and the authority of a representative Assembly.

All these constitute the threefold and invaluable shelter which we have raised over the rights and property of the meanest subject in the realm. But here is a proposition which, with naked and revolutionary simplicity, proposes to intrust the property and maintenance of the rights of a large class of persons to diminutive, homogeneous, democratic, and irresponsible parliaments set up all over the country, in place of a central, responsible, compound, and constitutional one. It seems to me that this strikes at the root of a constitutional and representative system."⁶⁷

These, sir, are the words used by an advanced reformer, a member of one of the most advanced schools of politicians in England. They are words of wisdom, and ought to rest with weight on the mind of every admirer of representative institutions, who does not wish to see those institutions degraded in this country, and representation become mere delegation.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Why, sir, for what do we come to this House, if it is not because we are supposed to be convinced by argument, if it is not that we are to sit down together and compare notes and discuss the questions that may come before us, and to be convinced according to the force of the reasons that may be advanced for or against them? And if we are honest, conscientious men, we change our opinions as we become convinced that that which we held before was wrong and the opposite right. But if the other doctrine obtains, that we are not representatives but delegates, we might as well meet here and pass measures without any discussion whatever, every man voting according to the instructions of the commission which he holds in his pocket from his constituents.

⁶⁵ *Supra* footnote 2.

⁶⁶ [Permissive Prohibitory Intoxicating Liquors Bill \(U.K., 1864\)](#).

⁶⁷ *The Times* [of London]. Unconfirmed reference.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—What was the previous question?

John A. Macdonald [Kingston, Attorney-General West]—Well, that was not voted upon without argument; for full opportunity was given to discuss it before hon. members were required to vote. I was saying, sir, that the hon. member for Peel [John Cameron] committed an act of inconsistency in voting for these resolutions, and then proposing this amendment what did the resolutions amount to?

The honorable gentleman voted for an Address to the Queen, praying that she may be pleased to lay before the Imperial Parliament a measure for the union of these colonies, on the basis of the resolutions of the Quebec Conference. He voted for it because he approved of the proposition; and if we had followed the practice of the Imperial Parliament, the Address would have been adopted by the vote which he and a majority of hon. members gave, and probably would be on its way to England now for presentation to Her Majesty.

It is a practice lately adopted to refer the Address formally to a committee, to report it back again to the House. Well, my hon. friend, by his vote, affirmed that this Address should be sent to Her Majesty; but what does this motion proposed by him declare? Why, that the Address which he declared by his vote should be presented to the Queen, should not be sent. That in the plain meaning of it, and—I was going to say that it gives the lie to his former action, but—is the very opposite to the previous vote of the hon. gentleman.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—That is the course which my hon. friend has taken, and I must say that it is an extraordinary and inconsistent one.

John Cameron [Peel]—It is strictly parliamentary.

John A. Macdonald [Kingston, Attorney-General West]—It is parliamentary because the Speaker ruled it so; but I maintain that the motion of my hon. friend is entirely inconsistent with his vote on my resolution.

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John Cameron [Peel]—My hon. friend, says that it is merely a matter of form to refer an Address adopted by the House to a committee, and is so regarded in England. But I wish to point out to my hon. friend that in the Imperial Parliament, on the 7th of February last, [the Address in reply to the Speech from the Throne](#) was moved and unanimously assented to by the House; that it was then referred to a committee of the House⁶⁸, which committee reported it back, and that on [the Address coming up for a second reading](#), Mr. Scully moved an amendment in reference to the state of Ireland, in opposition to the Address for which he had himself before voted.⁶⁹

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I quite agree with hon. gentleman as to the fact stated, but in the first place there was no vote of the House upon the Address.

John Cameron [Peel]—Yes, the vote was unanimous. I can give another case if my hon. friend desires it.

John A. Macdonald [Kingston, Attorney-General West]—Well, if Mr. Scully was present when the Address was first voted, he would no doubt have voted against it. But this is the first case I have yet heard of an honorable member voting to carry a certain motion, and then proposing an amendment to upset it; and when he did propose it, I myself thought it was unparliamentarily, but the Speaker ruled it in order, and to his decision I bow.

Now, if the hon. gentleman thought that from the circumstances of the country or for

⁶⁸ [UK, House of Commons, "Address to Her Majesty on the Lords Commissioners' Speech" \(Feb. 7, 1865\), vol 177 cc40-83.](#)

⁶⁹ [UK, House of Commons, "Lord Commissioners' Speech—Report of Address" \(Feb. 8, 1865\), vol 177 cc84-92.](#)

any other cause, no Address of the kind should go to the Queen, he should have said so by voting against it. But he did not say that; on the contrary, he said that there should be an Address to the Queen, praying Her to lay a measure before the Imperial Parliament—that measure to contain a Constitution for these colonies, and that Constitution to embrace all the resolutions adopted by the Quebec Conference; and the very next moment the hon. gentleman gets up, and like the boy who builds up and then knocks down a house of cards, moves an Address to the Governor General [Viscount Monck], praying him not to send that Address to the Queen, and thus defeats the very motion for which he voted.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—He voted first that this House should address the Queen, and then by his motion says that it shall not address the Queen at all, but that this House shall be dissolved, and that there shall be an election, and then that another House shall address the Queen.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—After voting that this House shall address the Queen, it seems to me to be little less than an insult to Her Majesty to say that the House shall be deprived of all possibility of passing the Address, and that a future, not this Parliament, shall do so. It seems to me that my hon. friend's inconsistency is clear, palpable, and beyond all doubt.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, I shall not enter into the question as to the reference of this subject to the people. The small paragraph I have read from Mr. Leatham's speech contains very shortly the wisdom of ages, and I might appeal, if further testimony were required, to all the great men who have acted on the

political stage of England. Mr. Pitt scouted at the idea; and it was never countenanced by any of the great public men of England.

My hon. friend says that at the time of [the union of England and Scotland](#)⁷⁰, there was a distinct reference to the people of Scotland. It is true that proclamations were issued, calling upon the people to elect representatives from the boroughs on the question of union with England; but the hon gentleman, knows very well that Scotland had no creed representative institutions at that time—he knows that until the passage of the [Reform Bill](#)⁷¹, elective institutions were only a mockery in Scotland. The boroughs were in the hands of close corporations, who elected whom they pleased, and it was quite impossible to obtain, by such means as an election afforded, a true expression of the opinion of the people of that country.

George Brown [Oxford South, President Executive Council]—The counties were the same.

John A. Macdonald [Kingston, Attorney-General West]—There was no country—although the people had a free and manly spirit—that had a more restricted constitution than Scotland till the year 1832. But the hon. gentleman ought to have looked upon the other side of the question, and told the House whether there was an election in England on the question of the union with Scotland. There was not, sir, and the idea would have been scouted by the leading minds of England had it been proposed.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—Sir, when the Imperial Parliament passed the [Septennial Bill](#)⁷² to save England from the disastrous consequences of the reign of the Stuarts—for although a Highland man, I say they were disastrous—when the members who were elected for three years declared themselves elected for seven,

⁷⁰ [Union with Scotland Act 1706 \(England\)](#) & [Union with England Act, 1707 \(Scotland\)](#).

⁷¹ [Reform Act \(U.K., 1832\)](#).

⁷² [Septennial Act 1715 \(U.K.\)](#).

without going to the people; and when [the union with Ireland](#)⁷³

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was accomplished without a reference to the people, did anyone say that these things were unconstitutional? Has my hon. friend not shown that Sir Robert Peel, who was the great protector of the liberties of Parliament, quoted these proceedings with approbation, as showing what the House of Commons could do if it chose?

And so [the honorable member for Montmorency \[Joseph Cauchon\]](#) quoted the language of [William Pitt](#)⁷⁴, who, although his name in late days was connected with some things which did not meet the approbation of his party, was the leader of the Conservative party, and carried through to his deathbed the principles of his father the Earl of Chatham. He was supported by his party and by all the leading Whigs when he made his speech on the Irish union, in which he alleged that the Irish Parliament had full power to vote away those rights which it was elected to preserve.

His language was quoted by the honorable member, and did time permit, I would read it again to the House, for it is the language of wisdom and truth. My honorable friend from Peel [John Cameron] says—"Oh, that is all very well, but this is quite a different thing from the Irish union, because we have only a limited Constitution under our Constitutional Act." That is quite true, but Ireland as well as this country had only a limited Constitution, under which not even a measure of supply could be laid before the Irish Parliament unless it had previously been sent to the English Government, approved, and then sent back for the approval and sanction of the Irish Parliament; and it was not till [1782](#)⁷⁵ that this

was changed, and the reference to England of such measures done away with.

My honorable friend refers us to the language of the [Constitutional Act](#)⁷⁶ to show how limited our Constitution is; but by that act we are empowered, in the widest language that could be employed, to make laws for the peace, welfare and good government of the people of Canada. There could be no larger powers conferred upon us, and although it is quite true that our political existence is only statutory, that constitutionally our judges have no right to commit for contempt, and that we have no prescriptive rights such as those which the Imperial Parliament possesses, yet this is equally true—that we stand, with regard to the people of Canada, precisely in the same position as the House of Commons in England stands with regard to the people of England.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—And no man who values representative government would consent to sit here under a less extensive commission—no man will get up and disclaim the possession of such powers. But my honorable friend says we can only pass resolutions, and cannot change our Constitution except by addressing the Sovereign, praying Her to give them effect through the Imperial Parliament; and he argues from this that we ought to go to the people and have a new Parliament to do it. A new Parliament can, however, do nothing more than we can do.

Sir, I believe in my conscience that this House, more than any House since [1841](#)⁷⁷, represents truly and faithfully the people of Canada. If the members of this House do not represent the country—all its interests, classes, and communities—it never has been

⁷³ [Union with Ireland Act 1800 \(U.K.\) & Act of Union \(Ireland\) 1800 \(Ireland\)](#).

⁷⁴ [Joseph Cauchon, Legislative Assembly \(Mar. 2, 1865\), pp. 581-2](#). Cauchon was quoting Pitt in [UK, House of Commons, "Customs and Corn Importation Report" \(Mar. 27, 1846\), vol 85, cc160-271](#).

⁷⁵ [The Irish Constitution of 1782](#) was a series of laws passed by the United Kingdom and Ireland granting more legislative freedom to Ireland.

⁷⁶ [The Union Act, 1840 \(U.K.\)](#).

⁷⁷ [The Union Act, 1840 \(U.K.\)](#). Macdonald says '1841', the year it was proclaimed.

represented.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—I believe that all classes and interests are represented here; but if the House votes for this motion, it declares that it does not represent them.

Some Hon. Members—Hear, hear.

John A. Macdonald [Kingston, Attorney-General West]—If we represent the people of Canada, then, in the words of the [Constitutional Act](#)⁷⁸, we are here to pass laws for the peace, welfare and good government of the country. But if we do not represent the people of Canada—if we declare so by passing this resolution—then what great criminals have we been in the past! If we do not represent them, if we have no right to represent them, then we have no power to pass one single bill and declare it to be law, even although it be a bill to establish a saw-mill. If we do not represent the people of Canada, we have no right to be here.

But if we do represent them, we have a right to see for them, to think for them, to act for them; we have a right to go to the foot of the Throne and declare that we believe it to be for the peace, welfare and good government of the people of Canada to form of these provinces one empire, presenting an unbroken and undaunted front to every foe; and if we do not think we have this right, we are unworthy of the commission we have received from the people of Canada.

Some Hon. Members—Hear, hear, *and cheers*.

Matthew Cameron [Ontario North]—I would ask the Hon. Attorney General West [John A. Macdonald], did he support Mr. Dunkin's [Temperance Bill](#)⁷⁹.

John A. Macdonald [Kingston, Attorney-General West]—I don't remember. I don't generally go for temperance bills.

Some Hon. Members—*Laughter*.

Matthew Cameron [Ontario North]—If the honorable gentleman did support that bill, he supported what, according to the rule he has laid down, is a violation of the Constitution.

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John A. Macdonald [Kingston, Attorney-General West]—I am afraid I did.

Matthew Cameron [Ontario North]—Then he has been guilty of a violation of his own rule.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I think I owe the Hon. Attorney General West [John A. Macdonald] a word of explanation. I was not so fortunate as to be in Parliament in 1861, and I have never happened to read the speech from which he quoted. I should be very sorry to misrepresent him, and perhaps I would have misrepresented him in making the statement I did, if I had read that speech. But I think he will bear me out in this, that at the [British American League](#), some fifteen years ago, he did vote and speak in favor of a legislative union⁸⁰.

John A. Macdonald [Kingston, Attorney-General West]—My hon. friend is mistaken.

Luther Holton [Chateauguay]—That body, at all events, did pass certain resolutions in favor of a legislative union. The hon. gentleman was a member of that body, and either voted for or against those resolutions—he can say which my impression is that he supported them. At all events, he will not deny that last session, in the debate on the Address, or on the motion of the honorable member for South Oxford [George Brown], [he did express an opinion in favor of a Legislative union, as](#)

⁷⁸ [The Union Act, 1840 \(U.K.\)](#).

⁷⁹ [The Temperance Act of 1864 \(Province of Canada\)](#).

⁸⁰ Macdonald was a delegate at the British American League's Convention at Kingston (Jul. 25-31, 1849), but there were no resolutions regarding a legislative union. [Minutes of the Proceedings of a Convention of Delegates of the British American League \(1849\)](#). He was not present at their second convention, later in the year, held in Toronto.

[distinguished from a Federal union](#)⁸¹.

It was shortly before the change of Government, and there was some difference between the two honorable gentlemen—the Hon. Attorney General East [George-Étienne Cartier] and the Hon. Attorney General West [John A. Macdonald]—who were then sitting on this side. And in [the committee, formed on the motion of the honorable member for South Oxford \[George Brown\]](#)⁸², the Hon. Attorney General West [John A. Macdonald] [voted against the Federative system](#)⁸³, and declared himself in favor of the Legislative system in contradistinction to the other, and my impression was that he had uniformly held that ground. It now appears that in [his speech of 1861](#)⁸⁴ he shows that at that time he contemplated the possibility of a modified sort of Federation—a Federation very different, however, from the joint authority of the honorable member for South Oxford [George Brown], who argues that this is the very measure of [the Convention of 1859](#)⁸⁵.

George Brown [Oxford South, President Executive Council]—It is on the same basis.

Luther Holton [Chateauguay]—It is the same basis; but in the one, the federal authority has the preponderance—in the other the local authority.

George Brown [Oxford South, President Executive Council]—This includes the best features of both systems.

Luther Holton [Chateauguay]—I will not enter farther into that. I only rose to make the

remark I did with reference to the speech of the Hon. Attorney General West [John A. Macdonald] in 1861.

Some Hon. Members—*Cries of “Go on!”*

Luther Holton [Chateauguay]—Hon. gentlemen opposite are rather difficult to please. Not long since, when the Hon. President of the Council [George Brown] was not in such good humor as he is just now, he complained that I inflicted myself too often on the House. Now they insist that I shall speak.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—I had intended to speak at some length on the general question. I came down to this House this afternoon, intending to speak at some length, but I confess that the view suggested by the Hon. Attorney General West [John A. Macdonald] had occurred to me, that it was not desirable on this motion to reopen the whole debate. And when my hon. friend and leader beside me (Hon. Mr. Dorion) got up, after I had intimated my intention to speak, and stated, on behalf of those who act with him—and I am a good party man, I follow my leader—that we had no desire to reopen the debate, but wished this matter to be got through tonight, I decided to waive my speech, believing that my views on all points of this scheme are sufficiently well known.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—But I beg to assure hon. gentlemen that if on any point of the scheme they have any doubt as to what my

⁸¹ [John A. Macdonald, Legislative Assembly \(Mar. 14, 1864\), p. 89](#). In discussing Brown’s proposed committee, Macdonald said the following, “*He also agreed with him [John Scoble] that our best policy was to form a union with the Lower Provinces. But if we wished to avoid the dangers and troubles which had befallen the United States, we must form not a Federal Union, but a union in fact.*”

⁸² George Brown created the committee on Mar. 14, 1864. [Journals, p. 91](#). The report was adopted on Jun. 14, 1864. [Journals, pp. 383-384](#).

⁸³ Macdonald was one of three votes against. The majority of his colleagues in cabinet, who were members of the committee, voted for the report. This included Galt, Brown, and Cartier. [ibid., p. 383](#).

⁸⁴ [John A. Macdonald, Legislative Assembly \(Apr. 19, 1861\)](#). *Supra* footnote 64.

⁸⁵ [The Reform Convention of Upper Canada \(Nov. 9-10, 1859\)](#). *Supra* footnote 37. Joint authority is referring to resolution 5, which reads, “*That in the opinion of this assembly, the best practicable remedy for the evils now encountered in the government of Canada is to be found in the formation of two or more local governments, to which shall be committed the control of all matters of a local or sectional character, and some joint authority charged with such matters as are necessarily common to both sections of the Province.*” This resolution was also tabled in the Legislative Assembly in 1860 and negatived on May 8, 1860. [Journals \(1860\), p. 337](#).

views are, I shall answer any questions they may choose to put, as distinctly and as concisely as I can.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—My honorable friend has correctly stated the intention arrived at by this side of the House. It was not our intention to make any lengthened observations on the motion before the House. But honorable gentlemen opposite have not followed the rule they laid down with respect to this.

George Brown [Oxford South, President Executive Council]—I did.

John Sandfield Macdonald [Cornwall]—Well, I think the Honorable President of the Council [George Brown] made a considerable speech to-night, and impressed his conclusions so strongly on the House as almost to drive away any ideas we may have had as to what we should say.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—I was rather struck by the manner in which the Honorable Attorney General West [John A. Macdonald] took credit to himself for having refrained from insisting on objections on the ground of order to the motion of the honorable member for Peel [John Cameron], after he had declared that he would avail himself of all parliamentary usages to prevent that motion being put. But the honorable gentleman forgets that English

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authority, as well as former decisions in this House, sustain the motion of the honorable member for Peel [John Cameron].

In 1843, when an Address was passed in this House, sustaining the stand which Hon. Mr. Baldwin had taken, in Sir Charles Metcalfe's time—after it had passed, an amendment to the Address was moved, but the Speaker who occupied your place ruled the motion to be out of order, and an appeal being made to the

House, the House sustained the appeal, and [the Address was amended by the passing of an amendment moved by Mr. Boulton](#)⁸⁶. I say, then, that the Honorable Attorney General West [John A. Macdonald] need not have taken credit to himself for not having appealed against the decision of the Chair, because he must have known that the authorities were against him.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The honorable gentleman is no doubt possessed of astuteness. No one can manifest greater astuteness than he displays in adapting himself to any new position in which he may find himself. There is not a public man in the country who has maintained his ground so long, in opposition to so many public questions on which he has at last submitted to change his opinions, and which he has finally carried in some shape or other, with the aid of his opponents.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Was not the secularization of the Clergy Reserves opposed by that honorable gentleman from the time he came into Parliament in 1844, until 1854—a period of ten years? Did he not decree it was a spoliation of church property? Did he not oppose the demand to have the seigniors deprived of their rights? Did he not call that a spoliation also? Did he not oppose the introduction of the elective principle into the Legislative Council? Did he not, by his speeches and by his votes, declare it was a republican movement, and that we might as well give up the Constitution of this country and adopt that of the United States, as have an elected Legislative Council?

But after having battled for ten years against these questions—[the abolition of the Seigniorial tenure](#)⁸⁷, and [the elective](#)

⁸⁶ Boulton's amendment, etc. took place on Dec. 2, 1843. [Journals \(1843\), pp. 187-188.](#)

⁸⁷ [Act for the Abolition of Feudal Rights and Duties in Lower Canada \(Province of Canada, 1854\)](#) and [The Seigniorial Amendment Act of 1859 \(Province of Canada\).](#)

[Legislative Council](#)⁸⁸—questions which caused the rebellion in Lower Canada—and that of the [Clergy Reserves](#)⁸⁹, which [Lord Sydenham declared to be the cause of the rebellion in Upper Canada](#)⁹⁰—questions which shook the foundations of society, and brought, not only civil strife, but war—the honorable gentleman gave up the opposition he had maintained for ten years, and in order to get a seat on the Treasury benches, and to keep his party in power, tamely submitted, and subjected himself to the humiliation of carrying out those measures.

Yet he claims to have been consistent! Those three great questions—and others which had occupied the attention of the country, and had caused the greatest political antagonism between parties—those questions were carried by the honorable gentleman, by acting on that side of the House with the very parties to whom he had been opposed in those questions; and with the aid of renegade reformers, he was permitted for nearly ten years to keep possession of the Treasury benches.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I am sorry to see that the same course has been pursued in the formation of this Government. What was done in 1854 was repeated in 1864⁹¹.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—Who moved that the honorable gentlemen, representing the Liberal party, should go into the Government?

John Sandfield Macdonald [Cornwall]—I found they were going—with the engine at full speed—and that nothing could restrain them.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—I found that all the drags that could be put upon the wheels could not stop them from going there. I saw it was impossible to stop them, and I said therefore—“In the name of Goodness, go. True, only those places are made for you, and three may as well go in, although I would prefer that there were three more, and then we might look to get some justice.”

Alexander Mackenzie [Lambton]—You voted against [the motion](#), that the proposition for three members of the Opposition entering the Cabinet be rejected⁹².

John Sandfield Macdonald [Cornwall]—The honorable gentleman is mistaken.

Alexander Mackenzie [Lambton]—I am not mistaken. I moved the resolution myself.

John Sandfield Macdonald [Cornwall]—I voted first against the basis.

George Brown [Oxford South, President Executive Council]—No, no.

John Sandfield Macdonald [Cornwall]—I stated that I would not commit myself to the explanations which had been made.

Hope Mackenzie [Oxford North]—If the honorable gentleman will permit me, I will read from [the published proceedings of the meeting](#). The honorable gentleman did not vote against the basis:—

⁸⁸ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\).](#)

⁸⁹ [Clergy Reserves Act 1854 \(Province of Canada\).](#)

⁹⁰ Lord Sydenham said, writing in private correspondence, “*The clergy reserves have been and are the great overwhelming grievance, the root of all the troubles of the province, the cause of the rebellion, the never-failing watchword at the hustings, the perpetual source of discord, strife, and hatred.*” [George Scrope, Memoir of the Life of the Right Honourable Charles Lord Sydenham \(1843\), p. 168.](#)

⁹¹ J.S. Macdonald is referring to the politically expedient support that John A. Macdonald gave to the items referenced earlier in the speech. The year 1854 was particularly important for the Imperial Parliamentary Act that amended the *Union Act, 1840*, allowing the colonial legislature to amend its own constitution, in particular that of the Legislative Council. See [the newspaper reporting for 1854](#) and the [1854 Imperial Parliamentary Debates Amending the Union Act \(UK\) at PrimaryDocuments.ca.](#)

⁹² “*Latest from Quebec. Very Full Caucus of the Upper Canada Liberals. Negotiations with the Government Endorsed.*” [The Globe \(Jun. 22, 1864\).](#) J.S. Macdonald did vote for three members to enter the coalition and voted against Mackenzie’s attempt to stop that plan.

It was moved by Mr. Hope P. Mackenzie, seconded by Mr. McGiverin That we approve of the course which has been pursued by Mr. Brown in the negotiations with the Government, and that we approve of the project of a Federal union of the Canadas, with provision for

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extension to the Maritime Provinces and the North-Western territory, as the basis on which the constitutional difficulties now existing could be settled.⁹³

There were thirty-four who voted for this motion. Five declined to vote either yea or nay, and among these is the name of the honorable member for Cornwall [John Sandfield Macdonald].

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—It is laid down that “he that is not with you is against you.”

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—I will tell you why I did not vote. I did not charge my honorable friend from South Oxford [George Brown] with deceiving us in anything. He said he had a paper in his hand which contained the basis of the arrangement. He may have told us the whole of it, and I did not say it was his intention to mislead us. But I was not satisfied, notwithstanding the excellence of his memory that he should come with a document in his hand, and, instead of reading it to the meeting, undertake to give us verbally the substance of it. I did not like it at all; and when I refused to vote, it is clear I was not in favor of it.

George Brown [Oxford South, President Executive Council]—Did you say anything against it?

John Sandfield Macdonald [Cornwall]—I expressed my opinions to my friends around me.

George Brown [Oxford South, President Executive Council]—Did you address the meeting against it?

John Sandfield Macdonald [Cornwall]—

There was no use in addressing the meeting—there was such a rush to carry it.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—Now, Mr. Speaker, my honorable friend the Hon. Attorney General West [John A. Macdonald], in his usual style of addressing the House, after evading the real point in discussion—that of the propriety of referring this matter to the people—went off on another tack, and on several tacks. I never witnessed a more excruciating lashing than he administered to the honorable member for Peel [John Cameron]. He ridiculed the whole of the honorable gentleman’s motion. But he administered one consolation which, no doubt, the honorable gentleman found to be palatable. He said:—

There is one thing after all—though my hon. friend from Peel is mistaken in every particular—though, notwithstanding his constitutional lore, and ability, and eloquence, and everything which constitutes a statesman, he has done everything wrong—yet there is one thing he has done right—he has inserted in his motion the words “constitutional mode.”⁹⁴

These words have in them a peculiar charm in the estimation of the Hon. Attorney General West [John A. Macdonald], who ought to show us where he has found, in the practice of the English Parliament, a scheme of this kind introduced, then he might say that the honorable member for Peel [John Cameron] is wrong; but when he brings in a measure that is at variance with English principles and practice, then I think we are at liberty to try to find ways and means for submitting it for the approval of the people.

If it is parliamentary usage for the Government to come down to this House, and, with the assistance of their political supporters, suddenly to change our Constitution, and take away our liberties, then, forsooth, are we not to take our own course as to whether or not we shall ask that

⁹³ [Supra footnote 92.](#)

⁹⁴ John A. Macdonald, Legislative Assembly (Mar. 13, 1865), pp. 1003-1004. The quote is not verbatim since J.S. Macdonald is quoting from Macdonald’s speech from the same day.

their measure shall be referred to those who sent us here? The Hon. Attorney General West [John A. Macdonald] scouts the idea of our being delegated only to work under the Constitution that we have. He forgets that when we make laws under our Constitution, we can change them ourselves at any time; but when we make a Constitution, and have it ratified by the Imperial Government, it does not lie in our power to change it by a simple resolution of this House.

He dwelt strongly on his belief that we were the representative men of our constituencies, and that through us the people had a voice in this House. Well, if we were legislating for ourselves, and for our own people, under our Constitution as it stands, then I admit that we would be fully justified in carrying out any scheme that we might deem essential for the welfare of the province at large, or for any portion of it; but when he carries that principle so far as to say that we ought not to vote for having a measure of this kind—which will affect other provinces as well as our own—referred to the people, then, I say, he carries the principle to a most unwarrantable length.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—What can he advance in justification of such a course? He talks about it being unconstitutional. Why, they understand constitutional law in Nova Scotia, or ought to understand it as well as we do. But when we point to Nova Scotia, Ministers tell us that that province does not make laws for us.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—They don't know half as much.

John Sandfield Macdonald [Cornwall]—Well, the Honorable Minister of Agriculture [Thomas D'Arcy McGee] has been down there, and it is a pity that his lectures and essays have failed to afford them all needful instruction.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—At all events, they seem to appreciate the position in which the Conference at Quebec has placed them. But

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the people of New Brunswick, sir, are they so far behind the age as not to understand how to manage their own affairs? We went down to ask them to assist us to get out of our difficulties, though this object was, at first, somewhat disguised. When they began to realize that it was to save us that the Conference took place, and was not organized for the purpose of benefiting them, the people of that province, if not the Government, refused to recognise and support the proceedings of the Conference.

Now, if we had not the fact of the Lower Provinces having exercised their rights and privileges, we should have no chance whatever to appeal to precedents. And if the loyal people and governments of the Lower Provinces—people who are one day declared to be loyal, and the next annexationists and under American influence, according to their being for or against this scheme—if they do not know what are their rights, or in what manner to deal with this project, I think we had better teach them. I cannot help, however, feeling the conviction, after the character given of them by the Hon. Minister of Agriculture [Thomas D'Arcy McGee], that it is just as well we have got rid of them.

Some Hon. Members—*Laughter.*

John Sandfield Macdonald [Cornwall]—But if, on the contrary, they are an intelligent people, and possess an intelligent Government, and that Government has adopted the course of referring that measure to the people, how can it be improper for us to advocate the same thing in Canada? Who are the hon. gentlemen that arrogate to themselves the right of telling us that we cannot exercise our privileges in this House, in voting in such a manner as we think best and most conducive to the interests of the people whom we represent? Those honorable gentlemen tell us that the motion of the hon. member for Peel [John Cameron] is a most extraordinary one, in the face of the fact that the majority of these same gentlemen were voted out of office by

this House only a short time ago, and that since then no appeal has been made to the people. There would be nothing very strange if they were voted out again.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—The Hon. Attorney General [John A. Macdonald] told the hon. member for Peel [John Cameron], though not in so many words, that he did not know what he was about; and in the course of the same speech remarked that if he wanted an argumentative, clear-headed, methodical and able speech, he could not have chosen a better one than that delivered by the hon. member for Peel [John Cameron].

Now, I think that that is one of the coolest remarks I have ever heard from an attorney general in this House. He rejoiced that the speech bore so strongly in opposition to the views of this side of the House, and then states that the hon. gentleman did not really know the effect of his own motion. If the hon. member for Peel [John Cameron] thinks that is flattering, then, I must say that he is easily satisfied.

The hon. gentleman, however, I think, made out a very good case in favor of his amendment. His language may not be such as we have frequently heard in this House, during the past few days; but it is such as we generally hear on the hustings. When honorable gentlemen appear there previous to their election, they have no hesitation in saying that, if elected, they will go to Parliament for the purpose of carrying out the wishes of their constituents.

I am sure my hon. friend from Peel [John Cameron] has often, and warmly denounced the invasion of the rights of the Church of England; the Clergy Reserves were being secularized, and I well remember that a motion was made in this House to the effect that before that measure should become law, it ought to be referred to the people; though that was a measure that only concerned our own internal affairs, we did not hear, at that time, a word about the unconstitutionality of

referring it to the people.

The Honorable President of the Council [George Brown] has often declared that no government should be supported which did not pledge itself to bring in a measure for granting representation according to population; but it is infinitely worse to support a government which proposes to take away our Constitution, and at the same time deprive the people of having a voice in reference to it. My view of one of the duties of a representative is this: when a man goes voluntarily before the people, and tells them that he will vote against such and such measures, and then comes here and votes in the contrary direction, it is his duty to resign; for no man of spirit would stand up in this House after violating the promises he had made to the people.

My hon. friend the Hon. Attorney General West [John A. Macdonald] says it is not constitutional to take a vote in the way proposed by the honorable member for North Ontario [Matthew Cameron]. Sir, I am as anxious to maintain the Constitution of this country as any one can be; but when a motion of this nature comes up, I care not how the vote is to be taken, and it shall have my support. The hon. gentleman has violated the British Constitution in bringing in this measure, and as he has

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done so, I am prepared to vote in any manner in which the expression of the people can be had upon it, before we legislate away their rights and their Constitution. I am, astonished to find that there is such a desire on the part of the members of this House to oppose the motion for submitting the question to the country. It is said that there is something behind the scenes to account for such singular conduct. Of these we get glimpses from day to day. Some of those reasons are patent to everyone. One of those is that the Coalition which has been formed out of the most incongruous materials, is supported by the greatest medley of politicians anybody ever

saw.

Of course, it is to be supposed that we will have an election before another year is out. Members now supporting the Treasury benches, with some of whom I have worked for many years, have suffered very much from expensive elections through which they have been called upon to pass in that period. I know it is very unpalatable that they should have to go back again for re-election, after voting here against the express wishes of their constituents. Under this Coalition arrangement they evidently expect that they will be able to go to their constituencies and be returned by acclamation, because the two extremes—abandoning their old principles—coalesced. But it is a vain hope, sir. Let the elections for North Ontario and the town of Niagara tell how unfounded is the expectation.

The failure of the Hon. Provincial Secretary [William McDougall] was the first failure, and I may here say that I was sorry to see the breach of faith committed towards him on the part of the conservatives of that riding; but I am happy to see that he has got over it very comfortably by obtaining another county, which I hope he may long be enabled to keep. Notwithstanding this, however, they yet cling to the vain hope of a triumph when they next go before the people; but I am very much mistaken if the indignant voice of several constituencies will not urge some strong candidate against each of them, nor have I a doubt that the fact that these gentlemen endeavor to secure themselves from going to the people now by voting away the Constitution and the rights of the people, will furnish many of them an opportunity to find their political graves.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—Sir, it has been my misfortune to have been nearly nineteen years of my political life in the cold shades of opposition, but I am slight to stay an infinitely longer period on this side of the House, if that shall be the effect of my contending for the views which I have just

expressed. I have always believed that I was here for the purpose of representing the constituency which sent me, and not for the purpose of misrepresenting them. If I were satisfied that I did not properly represent my constituency on any leading question coming before this House, I would scorn to sit here a moment longer than was absolutely necessary, until I could do so by their approval. But, sir, are there not members here who know full well that their conduct has been condemned by their constituents in the most unmistakable manner? And yet these hon. members rise up and express their virtuous indignation at our contending that the people should have a voice in reference to the adoption of this new Constitution.

John Scoble [Elgin West]—Do you mean any honorable gentleman from Upper Canada?

John Sandfield Macdonald [Cornwall]—Well, if the honorable gentleman will tell me that there are none from that section of the country whom the cap will fit, then I will say I do not mean any such.

John Scoble [Elgin West]—I do not myself know of any.

John Sandfield Macdonald [Cornwall]—Well, Mr. Speaker, I do not desire to be personal, and, therefore, I shall make no pointed references; but I see a number of gentlemen before me whom, I think, the cap will fit admirably. Sir, I think it is most monstrous that this House should refuse the people an opportunity of expressing themselves before their Constitution is taken away from them. I am delighted that I have the opportunity of voting for this motion.

I vote for it because it is in accordance with the expression of devotion to the interests of the people, which every honorable member feels when standing before his constituents. He has no hesitation, then, in declaring that he will seek to represent their views, instead of seeking to accomplish other objects than those which he has been delegated to promote. If there has been one question more than another before this House, for the last quarter of a

century, upon which the views of the people ought to be clearly and distinctly ascertained, it is upon this proposal to destroy our Constitution; and if gentlemen will vote against it, then I hope that at the next general election, the people will pass such a judgment upon them as will prevent any such scheme ever being proposed

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in any British Colonial Legislature, without the sanction of the people, during all future time.

Some Hon. Members—*Cheers.*

Thomas Ferguson [Simcoe South] *said*—I have listened very attentively to the discussion on this question, and it is certainly most singular, as well as amusing, to hear the different views that have been expressed upon it by the advocates of the amendment. The hon. member for Peel [John Cameron], I am certain, felt that his resolution was the most consistent and reasonable one that could have been well introduced on the subject. The hon. member for North Ontario [Matthew Cameron], who seconded the motion, also, no doubt, thought it a very sensible one.

I listened carefully to the arguments of both, and I find that they supported the motion from very different points of view. The hon. member for Peel [John Cameron] made a strong speech in favor of the scheme of Confederation which has been adopted by this House, and he said he introduced his motion for the purpose of having the people vote upon it, and with the expectation that they would carry it by a very large majority. The hon. member for North Ontario [Matthew Cameron] took a very different view of the effect of the resolution, stating that he seconded it because he believed it would result in defeating the Confederation scheme.

Matthew Cameron [Ontario North]—I think the hon. member is quite mistaken. All I said was that I wished the people to have an opportunity of expressing themselves, so that we might ascertain whether or not they would prefer it to a legislative union.

Thomas Ferguson [Simcoe South]—I beg my hon. friend's pardon; but that was not the object and aim the hon. gentleman had in view in seconding the motion. If his object was not to have the scheme rejected, then I cannot understand his language at all. I seldom agree with the views of the Hon. President of the Council [George Brown]; but on this occasion, I think he pointed out the inconsistencies of the hon. member for Peel [John Cameron] in an excellent manner. But there are a few more left untouched, to some of which I will briefly allude.

The hon. member for Peel [John Cameron] declared that his motion was designed to secure the approval of the people, and that it would result in their approval of the formation of a new nationality. The seconder of the motion supported it because it was designed to secure the condemnation of the scheme, and prevent us from obtaining that new nationality. The hon. member for Peel [John Cameron] stated that he was in favor of having a dissolution of Parliament, so that a constitutional expression could be had through a general election.

Now, for my own part, I doubt whether, if there were a dissolution of this House tomorrow, we would get a full, true and fair expression of opinion from the people at all. I believe that side-issues would creep in in every case—that the Conservative party would hang together in most instances, and the Reform party do the same, and that numerous local questions would interfere with the results sought to be obtained. My hon. friend from North Ontario [Matthew Cameron] declares himself in favor of having a direct vote of the people. Were it not that that is declared an unconstitutional method, I should say it was the only true course to be adopted, because it is the only way of properly testing public opinion on any one measure.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—Now, sir, the hon. member for Peel [John Cameron] is one of the cleverest men in the province, but I must say that my experience with regard to

his movements in Parliament is that he does not exhibit himself in anything like so clever or successful a manner as he does when pleading at the bar. I have never seen him taking a prominent position in this House, and playing his part in that position in a successful manner. If he had moved his amendment before the resolutions were adopted, I would have been able to have given him credit for sincerity, if not for ability, in advocating it; but after the resolutions have been passed, he brings up an amendment to another motion that is evidently hostile to the resolutions.

Well now, let us take a look at the assertions of the hon. member for Cornwall [John Sandfield Macdonald], and I think we will be able to see the inconsistency still more clearly. The position he takes is, that if these resolutions are referred to the people, and are by them voted down, every honorable member who voted for them in this House must immediately resign his seat.

Now, sir, what would be the result of that principle as affecting the hon. member who moved and the hon. member who seconded the amendment now in your hands? Why, sir, instead of having them both on the floor of this House to carry out the views of the people, one of them certainly must leave, if the views of the honorable member for Cornwall [John Sandfield Macdonald] are carried out. I think every honorable gentleman must see clearly that whatever way you view the positions taken by the mover and seconder of this amendment, their course bears a contradiction on

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the very face of it.

And what would be the result of a general election? Those two honorable gentlemen, holding such dissimilar views with regard to the motion upon which they have agreed, would go to the country pulling different wires. The honorable member for Peel [John Cameron] will use his best endeavors to

influence public opinion in such a manner that it will ratify the resolutions in favor of a Federal union, while the hon. gentleman who seconded the motion will go to the people with the very reverse idea. So you will find these two hon. gentlemen, who have joined so cordially to bring this motion before the House, will disagree on every point the moment after it would be carried, and cause the utmost confusion among the people.

I cannot understand the matter at all. I do not see how they can defend their consistencies, either before this House or before the country. There was not a single word said by the Hon. President of the Council [George Brown] or the Hon. Attorney General West [John A. Macdonald], with reference to the inconsistency of those two hon. gentlemen, to which everyone in this House will not cordially assent. We voted by a large majority, the other night, in favor of those resolutions.

I was in favor, when I came here, of having the question referred to the people; and I only wish that such could be yet done; but when I came to understand the emergencies by which we were surrounded, and saw that we were threatened with the loss of the [Reciprocity treaty](#)⁹⁵ and the bonded system, in addition to the continuation of the passport system, and were also threatened with the putting of American gunboats on the lakes, and without access to the seaboard except upon and by sufferance of the United States Government, I came to the conclusion that it was important for us to take such steps as would procure, in the shortest manner possible, the assistance of English money, English soldiers and English gunboats for our defence, and that, therefore, there was the most urgent necessity for sending some members of the Government home to England, to bring those resolutions before the Imperial Parliament during the present session, and making such arrangements for our defence as it seems we must make.

These were the reasons why I voted for a set

⁹⁵ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 1.

of resolutions which, I am free to confess, I would not otherwise have supported. Having voted for them on Friday night, along with a large majority of the members of this House, with the full expectation that everything was to be hurried through, and the session brought immediately to a close, so that the leading members of the Government could go on an [important mission to the Mother Country](#)⁹⁶, I understood the hon. member for Peel [John Cameron] to have voted with the same understanding. And what are we told now?

Why, that there is no necessity for haste in the matter at all; that there ought to be a new election, occupying two months at least, before a return could be made. But is it seriously proposed that during all this time we are to remain in a defenceless state, and without any prospect of having any for another year? Why, the honorable gentleman must see that the proposal bears such a contradiction on the very face of it that he ought to withdraw it.

These resolutions have been passed by this House, or they have not been passed at all. If they have been adopted by the Parliament of Canada in a constitutional way, then in voting for this motion we would be only stultifying ourselves, mocking our constituents, and insulting Her Majesty, for we would be putting ourselves in the most false and inconsistent position in which the representatives of any people ever placed themselves, on this continent.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I know the honorable member for Peel [John Cameron] laid down the doctrine before he voted for the resolutions, that they ought to go to the people before their final consummation, and to that doctrine everyone must assent; but when he voted for the resolutions, as we all did, on the ground that there was a necessity for their immediate adoption, I say it is clearly contradictory for him to bring up this motion after the resolution has been carried by so

large a majority. I am sorry that he has thought fit to bring forward this motion at this stage of the proceedings, and I must say—and am sorry to have to say it too—that I think he has accomplished very little good for his party or for his constituents, since he has been in Parliament.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I voted for the resolutions because I saw there was a necessity for doing so, and after having thus voted end Friday night, I am not going to nullify that vote on Monday night, by supporting the amendment which the honorable member has proposed, more to gratify his own notions, I fear, than to do the country good. It has been said—and very correctly said, I think—that if a new House should be elected, the members of that House would have to discuss the matter over again, and take another vote upon it.

The honorable member for Cornwall [John Sandfield Macdonald]

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seems to desire that the question should be referred to the people, not by means of a general election, but in such a manner as to have a direct yea or nay upon it. Well, sir, if that mode were adopted, and the scheme were not sustained, most of the members of this House ought to go home at once and resign their seats. And what then? Why, sir, new elections would have to take place to fill the vacant seats, and the summer would be nearly gone before we should have returns. We should then have to explain matters to the newly-elected members in order to convince them that the measure is all right, and in all probability more than six months would transpire before we could record our votes upon it.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—I think it would be most inadvisable to allow the motion now before the House to be applied in

⁹⁶ *Supra* footnote 30.

either way. But, sir, I must say that unless the arrangements in respect to the local governments are made satisfactory to the people of Upper Canada, I shall vote to cast them overboard. But when I look at the fact that the honorable gentlemen who compose the Government are the ablest which both political parties could furnish, and went together with the approval of the large majority of their political followers, I think it is not our place to relieve them from the responsibility now resting upon them, of carrying out this measure in a manner that I hope will prove satisfactory to the people. If we took it out of their hands, we would be assuming a responsibility that properly pertains to them; and for my part, I am willing to leave the responsibility on their shoulders at the present time. If they will not do what is right for us, I shall take the liberty of recording any vote against them, and thus give them a practical expression of my opinion.

Some Hon. Members—*Cheers.*

Lucius Huntington [Shefford] said—I do not propose to occupy the attention of the House by any lengthened remarks. I think it is most singular that so many honorable gentlemen on the floor of this House should feel so deeply and be so anxious to discuss the subject upon which such great unanimity is said to prevail. It is strange that hon. gentlemen should be so full of the fire of speaking, that half a dozen are jumping to their feet at once to catch the Speaker's eye.

Some Hon. Members—*Laughter.*

Lucius Huntington [Shefford]—At a previous stage of the debate, I noted a number of points on which I desired to make some remarks, but I forbore. There are a few of them, however, that relate to the question before us and that, I think, ought to be brought under the notice of this House. I did not think it surprising, sir that the Hon. President of the Council [George Brown] should be the first to put in his oar this evening, on behalf of the Government. He is supposed to belong to a party that is deeply sensitive to public opinion, and the honorable gentleman himself has had

some intimate relations with public opinion in Upper Canada for several years past; while the Honorable Attorney General East [George-Étienne Cartier], who sits beside him, so far from caring about consulting the views of the country, is reported to have said at the *dejeûner* at Montreal that he did not consult anybody in making up his mind with regard to anything.

George-Étienne Cartier [Montreal East, Attorney-General East]—That is quite correct. I do not consult anybody in making up my mind.

Lucius Huntington [Shefford]—I say that the Hon. Attorney General East [George-Étienne Cartier] can afford to sit there and—I won't say despise—but disregard the views of the people, and arrogate to himself the right to know what is better for the people than they can possibly know themselves. But the hon. member for South Oxford [George Brown], when he came to put in his oar fairly, surprised me. I felt that he was entirely too severe upon my honorable friend the member for Peel [John Cameron]. It was easy to see that the strong feeling of friendship for the Government which he entertained prevented him from making his argument tell in favor of his position as strongly as he might have done. I admired the eloquence which rendered his speech so acceptable to the members of this House, but I felt that he was afraid of offending his friends in the Government. He seemed to select those hammers that would give the lightest blows.

He admitted that if an appeal to the people were taken, the honorable gentlemen on the Treasury benches would come back to their seats with, perhaps, even a more numerous following than now. There was one point of his argument that has remained unanswered. He said that in view of the position which the Confederation scheme occupied in the Lower Provinces, and in view of the strong expression in its favor given by this House, there was no further need of haste—no necessity for pressing the resolutions further until the people should be consulted. That position has not been met, and cannot be met.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Sir, it is absurd to stand up, now, and declare that there is a panting, and a

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hungring and thirsting among the people for having this scheme put into immediate operation. I do not mean to say that the scheme has not been talked of among the people, but the hon. member for Peel [John Cameron], who has been extensively abroad among the people, has told us that there is the greatest apathy in the public mind; but, sir, that apathy does not exist among the people alone. I state it fearlessly, sir, before honorable gentlemen, without any fear of contradiction, that the greatest apathy exists in this House itself. I have seen the votes of honorable gentlemen counted in favor of the scheme, whom we all know have no faith in it, but who have been drawn into casting their vote for it by former party leanings.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—Having come to the conclusion that something must be done, and this being the only thing they had an opportunity of doing, they recorded their votes for it. The faithlessness of the people has been well represented. Mr. Speaker, while the great leader of the Reform party finds it necessary to stand up here and throw dust in our eyes, by trying to make it appear that the people, to whose touch he has been so sensitive in times past, need not now be consulted, the Honorable Attorney General [John A. Macdonald] took a different course.

He was asked for precedents, and told us that when violent constitutional changes had been made in England, the precedents for the course proposed by this motion were founded. He talked to us about [the union of Ireland](#)⁹⁷, in connection with which the career of Pitt—a career that was distinguished in Britain, but which was of such a character that, though signalized throughout Europe, it yet produced

a reaction that caused England to fall back in the race of national progress for many years. The result of his course was such that some of the brightest names on English history left the reform principles to which they had been attached, and connected themselves with the Pitt party, and the same will be the result here of the game now being played by honorable gentlemen opposite.

This is the precedent which, in a British constitutional country of the nineteenth century, is brought up and used as a whip held over our backs. Why, sir, we have no French revolutions at this day. But they say we have an American revolution. We are told by Ministers themselves, and by speakers, under their cheers, that we have to choose between this scheme of Confederation and annexation to a neighboring republic, and they talk to us as if there was no time to lose—that one or other will be accomplished immediately.

How do we know but it may happen while our Ministers are gone to England, and that when they return they will find the flag of the United States floating over their country. Sir, there is no more danger of anything of that kind happening now than there was when this Government was formed last spring. When the honorable and gallant knight at the head of the Government [Étienne Pascal Taché] was called upon to form an Administration, and brought his Government before the House, he did not then hold up to us the danger of invasion, unless we supported his Government.

The Government did not then inform us that if we did not form a Federal union we would be annexed to the United States. All these threats on their part have grown out of accidents that have happened to their policy since last June. But, Mr. Speaker, the game that is being played now is one that cannot but provoke a conservative reaction in this country. Do honorable gentlemen believe that it is really for the best interests of this country that so many honorable gentlemen, who

⁹⁷ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

entertained reform views, are found voting to do away with the elective principle in the constitution of the Legislative Council—a principle that has been held sacred in the eyes of so vast a number of the people of Upper Canada, that to accomplish it has been the battle-cry of many honorable men in times past, *ab uno disco omens*⁹⁸?

The Honorable Attorney General [John A. Macdonald], as the leader of his party, may look with favor upon the conservative reaction which seems to await us. We can afford to go back to that dark period of English constitutional history, when Toryism, profiting by the unstable politics of France, ruled England for fifty years, created the public debt, and stifled the progress of free opinion. It is from this period that the Hon. Attorney General [John A. Macdonald] quotes precedents against an appeal to the people—a dark period, in which the rights of the people were sacrificed to a want of faith in them. Shall we copy such examples? Shall we attempt to hold up the terrors of the American war—the dreaded instability of American institutions—to frighten ourselves into dread of our own people? Shall we copy the reactionary abuses of the times of Pitt, to the extent that we refuse to consult the people upon the great revolution proposed here?

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford]—The people were surprised by the political earthquake which took place here last spring. They were astonished by what took place, but they were told that there was no risk for them; that it was necessary for the defence of the country that these men should come

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together.

And now, when the proposition is brought before this House to place the matter before the people, we are told that there are certain precedents against such a course, such as [the](#)

[union of Scotland](#)⁹⁹ and [the union of Ireland](#)¹⁰⁰, which I am sure must be particularly strong in the view of my friend the Honorable Minister of Agriculture [Thomas D'Arcy McGee]. We are told that we must accept this scheme at once without a moment's delay, or it would slip through our fingers. I feel, sir that this is a point which ought to be made—that the ground on which this motion is opposed, that the people having elected their representatives, they have a right to look to them.

And if this country was annexed to the United States, if this Parliament, is supreme, if it is able to upset one Constitution, why not another? The doctrine is a new one. It may be fortified by strong precedents, but it is not fortified by constitutional practice in this country—it is not fortified by the opinion of the people of this country, which is, that the representative is not elected to frame its Constitution. It is said by the honorable member for South Oxford [George Brown] that a number of elections have taken place, and that the people are in favor of the scheme.

But what elections have taken place? There have been a few for the Upper House; but even the hon. member for South Ontario [Thomas Gibbs], a gentleman who comes in for a Ministerial constituency represented formerly by the present Vice-Chancellor of Upper Canada, even that honorable gentleman is defeated and another gentleman is elected in his place. That honorable gentleman is the first fruits of the elections, and he comes here and tells us that he pledged himself to his constituents that this subject should be appealed to the people—and more than that, he tells us that they were afraid he would support the Government on the details. It is an unhappy day for this country when it is found necessary to quote precedents from the most unpopular period in European history in support of the course that is being pursued.

⁹⁸ i.e. "from one, learn all."

⁹⁹ [Union with Scotland Act 1706 \(England\)](#) & [Union with England Act, 1707 \(Scotland\)](#).

¹⁰⁰ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

Some Hon. Members—Hear, hear.

Joseph Dufresne [Montcalm]—I did not intend to say anything upon this matter, and I should abstain from doing so, were it not for a statement made by the honorable member for Lotbinière [Henri Joly]. He stated that parties in Canada upon this question were about equally divided. I deny that. I know too well sentiment in Lower Canada. I say that the bulk of the people in Lower Canada look upon an election as an oath—they want to use it only as a matter of necessity—they look upon it as and immorality. I know that there are certain parties in Lower Canada in favor of an election, but the bulk of the people are opposed to it.

There are also a few honorable gentlemen in this House who may be in favor of it, but in my opinion they are wrong. I can class those who are in favor of an election in Lower Canada—these are the Rouges. Under the present circumstances, they say:—"We are only about fifteen or sixteen; what difference will it make if we lose five or six of our number; and who knows that the States will not come here in our country with a few thousand greenbacks and help us?"

Some Hon. Members—*Laughter.*

Joseph Dufresne [Montcalm]—I only say this as a supposition. Then the second is the class who sell liquor in the day, and those who sell without a license—who are almost looked upon as public robbers. The third class are the drunkards—those who go on a spree for several days and pay nothing for it.

Some Hon. Members—Hear, hear, *and laughter.*

Joseph Dufresne [Montcalm]—Everyone knows that the accounts are sent in and are paid. Of course these words are not applicable to anyone in this House; but those are the only ones who are in favor of an election. The bulk of the people are opposed to it; they consider

it as an immorality; and if any one doubts that, I wish they would go out into my part of the country and inquire for themselves.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—The language used by the hon. member for North Ontario [Matthew Cameron], on one or two points, requires some notice. He boldly asserted that he did not believe that there was any serious agitation in Upper Canada for constitutional changes. He boldly asserted that an arrangement could have been made, and that till it was made the people could get on. Now, here is the language he used some years ago. In his speech on the Address in 1862, the following occurs:—

I mean to say that the refusal of righteous demands will lead to unpleasant and unprofitable quarrels. The time has come when 300,000 Upper Canadians will be heard on the floor of the House, and if this is not allowed, the results that will follow will be awful.¹⁰¹

That is the language of the gentleman who has charged us with making "highfaluting" speeches. I did address the meeting held in Toronto, and a more unanimous meeting, perhaps, never was held in Toronto. I confined myself entirely to the matter under discussion, and made no appeals of any kind. I leave that to the honorable member for North Ontario [Matthew Cameron] himself. Then he states again—in

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the debate of 1862 on representation by population—"No man with Anglo-Saxon blood in his veins will submit to the present state of affairs."¹⁰²

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—And yet he accuses us now of taking hasty action in this matter. When the Macdonald-Sicotte Administration¹⁰³ was formed, he devoted himself to denouncing the Hon. Provincial

¹⁰¹ [Matthew Cameron, Legislative Assembly \(Mar. 28, 1862\). "Legislative Assembly," *Montreal Herald* \(Apr. 1, 1862\).](#)

¹⁰² [Matthew Cameron, LA \(Mar. 28, 1862\). "Provincial Parliament. Legislative Assembly. Representation by Population," *The Globe* \(Apr. 1, 1862\).](#) Quote is a summary.

¹⁰³ Led by John Sandfield Macdonald and Louis-Victor Sicotte (1862-1863). The administration was formed on May 24, 1862.

Secretary [William McDougall], who was then Commissioner of Crown Lands. He used all his power in abusing that gentleman, and he prophesied what the result would be when that gentleman appeared again before the people of Upper Canada. I gave my opinion plainly at the time, and I do not believe that any person used such strong language as the honorable gentleman himself. The question had come to be one that must be settled in one way or the other. It was quite clear to me for one, and to the people of Upper Canada, that the Federation project was the only thing we could have to remedy the state of affairs in which they were placed.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—But I had forgotten one point in regard to the Coalition arrangements being made to carry on the public affairs. When the liberal members held [a meeting](#) to consider the propositions made by their Government¹⁰⁴, the honorable member for Cornwall [John Sandfield Macdonald] attended and took an active part in the business of the meeting, and heartily approved of the project. He declined, it is true, to vote yea or nay on the first resolution, approving the policy proposed, but that was merely because the resolution was so worded as to expressly approve of Mr. Brown's share in the perfecting of the arrangements made. This is proved by the terms of the second resolution, which was moved by the honorable member for Cornwall [John Sandfield Macdonald] himself.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—[The motion](#) was in the following terms—"That the proposition for at least three members of the Opposition entering the Government be accepted."¹⁰⁵ Mr. Mackenzie of Lambton, [moved in amendment](#)—"That the proposition for three members of the Opposition entering

the Cabinet be rejected, and that the proposition for the settlement of our sectional difficulties receive an outside support."¹⁰⁶ The amendment only received eleven votes; the eloquence of the honorable member for Cornwall [John Sandfield Macdonald] carried the meeting against my resolution. [That honorable gentleman also moved the third resolutions](#) as follows—"That it is all-important that Mr. Brown should be one of the party to enter the Cabinet."¹⁰⁷ Only three gentlemen—viz., Hon. Mr. Brown and Messrs. Burwell and Scatcherd—voted against this. Now, sir, if the honorable member was sincere then, how are we to account for his course now?

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—Was he deceiving us then, or is he speaking against himself now?

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—Considering the part that honorable gentleman had in organizing the Government, it did seem very extraordinary that he should have repeatedly reproached honorable gentlemen opposite with having formed a coalition.

George Brown [Oxford South, President Executive Council]—Hear, hear.

Alexander Mackenzie [Lambton]—Was it possible that he urged the formation of the Government with a view to destroy the liberals who had entered it? I believed then that the best course to pursue was to give the Conservative Government a thorough outside support. I have always had a strong objection to party coalitions. I felt then, as I do now, that they may lead to later results not foreseen at the time, and all that I wished was that the Liberal party should give their support to the Administration for the purpose for which it was formed, that support to cease when the

¹⁰⁴ ["Latest from Quebec. Very Full Caucus of the Upper Canada Liberals. Negotiations with the Government Endorsed," *The Globe* \(Jun. 22, 1864\).](#)

¹⁰⁵ [ibid.](#)

¹⁰⁶ [ibid.](#)

¹⁰⁷ [ibid.](#)

object should be accomplished.

The honorable member for Cornwall [John Sandfield Macdonald] thought differently, and I do not think it becomes that hon. gentleman to get up now and denounce those hon. gentlemen for the course they have taken. He is not able to say that he did not vote. He voted as here recorded, and with the desire that I have always had to have everything of this kind recorded to prevent future misunderstanding, I took the trouble to have a certified copy of the proceedings, from which I have just quoted. When any honorable member took that course in the caucus, I think he was clearly bound to adhere to the same course.

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—Mr. Speaker, I had some intention of voting for the resolution in your hands, sir, until I heard the speech of the mover, the hon. member for Peel [John Cameron]; but that gentleman has quite convinced me that I ought not to do so.

Some Hon. Members—Hear *and laughter*.

Thomas Parker [Wellington North]—He proved most conclusively that the proposed Confederation was in itself a most satisfactory and desirable measure, and that the internal state of these provinces, as well as the threatening aspect of foreign affairs, were conclusive reasons for its immediate adoption. Defences, he told us, were immediately required, and that they could only be made effective by first uniting the provinces. Accepting this argument and others advanced by that hon. member, the conclusion is that the necessity for Confederation is imperative and immediate. But, sir, how does this

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agree with the terms of his resolution, if we should adopt it, and this House be dissolved, and members sent to the country for election before the new House could adopt the measure? The House of Commons would be dissolved, and the Imperial Parliament could not legislate on it for a year or more—

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—so that by the course proposed, the country would still remain, for a year or two longer, exposed to the dangers and difficulties so eloquently described by the hon. member for Peel [John Cameron].

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—If that hon. member had voted against the previous question, and thereby asserted the right to amend or refer the Address before adoption, he could now very properly ask and claim our support to this resolution. But he not only voted for the previous question, but for the Address, and deliberately chose the present time to make this motion. Under these circumstances, he at least has no claim upon the support of the House.

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—Having made a solemn contract with this House on the main question, he now turns round and seeks to upset the arrangement of his own making. His course is best explained by simple illustration. Suppose four or five gentlemen had entered into a unanimous agreement, when one turns round and says, "I was and am in favor of all that has been done; but unless you now attach this condition, I draw back and retire from the atonement."

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—That was conduct which could not be approved either in public or private affairs. The position of the seconder of the resolution—the hon. member for North Ontario [Matthew Cameron]—is entirely different, because he, like myself, asserted by his vote on the previous question, the desire to have the resolutions amended. The honorable member for Peel [John Cameron] told us, even to-day, that this he considered the proper time to place his motion before the House. The resolution itself is highly proper, and one for which I would have voted, had it been made before the adoption of the Address.

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—Now

it is entirely out of place. The hon. member for North Ontario [Matthew Cameron] remarked just now, in the course of his speech, that this Constitution, if adopted, will soon have to be amended, and therefore, he said, we ought not to accept it. I entirely dissent from that opinion. Why, sir, the British Constitution is but a series of amendments made from time to time—a growth by successive amendments, the objection of my hon. friend is one of the main reasons why I am willing to accept this scheme.

I believe it will admit of amendment as time goes on, so that it may be made to meet the changing wants and requirements of the people. My hon. friend from North Ontario [Matthew Cameron] referred to the seductive influence of the breath of the Hon. President of the Council [George Brown], when breathed into the ears of members, and its magical effects in relaxing the knees, and then, sir, he looked, by way, I presume, of application, at the hon. member for West Elgin [John Scoble].

Some Hon. Members—*Loud laughter.*

Thomas Parker [Wellington North]—Now I have always regarded the hon. member for West Elgin [John Scoble] as one of the most reliable members of this House.

Some Hon. Members—*Laughter.*

Thomas Parker [Wellington North]—Well, if my honorable friend looked more particularly in this direction, I have nothing to add to the reasons already given in explanation of my vote. The question before me was—"Should we adopt or reject the resolutions?"—and agreeing with the hon. member for Peel [John Cameron] that something should be done immediately, I voted for them. I think it would be most outrageous if, after they have been sanctioned by a vote of this House, we were to nullify them by any subsequent proceedings. If the resolutions were to be referred to the people at all, it should have been before they received

the sanction of this House. Are we to turn round to-day and reverse what we did on [Saturday last](#)¹⁰⁸?

I repeat, sir, that I think the resolutions should have gone to the country—and if my opinion had prevailed, they would have been referred—but not now, after their deliberate sanction by this House; to do so would stultify the Legislature. Our duty is now, in my opinion, to carry them into effect in good faith, and not stand shilly-shallying—blowing hot and cold with the same breath. I, sir, stand by what I have done, and by what this House has done, and shall vote against the amendment of the hon. member for Peel [John Cameron]—

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—who, I think, occupies a most inconsistent position.

Some Hon. Members—Hear, hear.

Thomas Parker [Wellington North]—There is another point, sir, to which I desire to allude. The hon. member for Peel [John Cameron] stated that he voted for the Address as a private individual—as he would have voted on the question if out of this House. Now, sir, no member can shield himself under such a subterfuge. No member can separate his private from his legislative character in this House. If the explanation of the honorable member for Peel [John Cameron] be the general doctrine and practice of Parliament, I should like to have it understood, because there are occasions when it would be very convenient to

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avail one's self of it.

Some Hon. Members—Hear.

Thomas Parker [Wellington North]—I look on this motion—I refer now to the hon. member for Peel [John Cameron], and except the hon. member for North Ontario [Matthew Cameron]—as an attempt to make a little capital at the expense of members who will save its supporters by voting it down. The hon.

¹⁰⁸ Saturday last being [the vote in favour of the Quebec Resolutions on p. 962](#). While the debate started on Friday, and is labeled as such in our volume, the debate spilled over past midnight and was called "Saturday," by both members and the press. The correct parliamentary use would be to still call it Friday, when the debates began.

member for Peel [John Cameron] drew a fearful picture of our exposed and defenceless state—of the dark and threatening cloud gathering over us—of the necessity of setting our house in order by a union of these provinces.

Now, sir, if I half agreed with him, I should never think of bringing in an amendment causing delay and continued exposure to increasing danger, but would go in strongly for the adoption of measures against such a state of things, the very first hour it was possible. This resolution, from the time at which it is moved, sir, should be voted down at once. The House owes it to itself to give it no countenance at this stage of the proceedings. Had it been moved before the previous question, I would have voted for it; but as it comes up first the adoption of the main resolutions, I will stand by the solemn and deliberate action we have taken—I will stand the responsibility of the House and vote against it.

Some Hon. Members—Hear.

Joseph Rymal [Wentworth South]—Being one of the eight members from Upper Canada who voted against the resolutions of the Quebec Conference, and whose names, I expect, will long be cherished by the people of that section, I presume, Mr. Speaker, that I may vote for the amendment now in your hands, without being charged with inconsistency, as some honorable gentlemen have been during this discussion. I should not, however, have risen to address you, sir, but for a personal matter that was drawn into this debate, in reference to myself and my connection with the constituency I have the honor to represent—or misrepresent, as some people say.

Some Hon. Members—*Laughter, and* hear, hear.

Joseph Rymal [Wentworth South]—According to the doctrines held by the Hon. Attorney General West [John A. Macdonald], it would appear that after I had been elected to this House, I have no business to refer any matter for decision to or consult the feelings of

the people who sent me, but to act as I thought best for their interests. Allow me to dissent from this doctrine; but I have been obliged to exercise my own judgment, and I have done so honestly, independently, and fearlessly, irrespective of the consequences that may result to me, or of the half-uttered threats held out over me. These things, sir, have no influence over me; I shall pursue the course I think best for the interests of my country and of those who sent me here.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—It matters little whether I enter Parliament again or not; but while I retain my position as one of the representatives of the people, I shall act fearlessly.

Some Hon. Members—Hear, hear.

Joseph Rymal [Wentworth South]—I regret that the Hon. President of the Council [George Brown], when speaking of my constituency and myself, should have seen fit to taunt me with and sneer at the narrow majorities by which I have upon occasions been returned to this House.

George Brown [Oxford South, President Executive Council]—Not at all; quite the contrary.

Joseph Rymal [Wentworth South]—But I say; for, Mr. Speaker, I can distinctly recollect when an honorable gentleman, holding a high position in this Government, was twice actually defeated—

Some Hon. Members—Hear, *and laughter.*

Joseph Rymal [Wentworth South]—and I dare say that the support I have given that hon. gentleman has on some occasions contributed to the narrowness of my majorities.

Some Hon. Members—Hear, hear, *and laughter.*

The question was then put on John Cameron [Peel]'s amendment,—

That all the words after "That" be left out, and the following inserted instead thereof: "an humble Address be presented to His Excellency the Governor General,

praying that His Excellency, in view of the magnitude of the interests involved in the resolutions for the union of the colonies of British North America, and the entire change of the Constitution of this province, will be pleased to direct that a constitutional appeal shall be made to the people, before these resolutions are submitted for final action thereon to the consideration of the Imperial Parliament."¹⁰⁹

which was negatived on the following division:—

YEAS

Messieurs

Biggar
Bourassa
Cameron (Ontario North)
Cameron (Peel)
Caron
Coupal
De Boucherville
Dorion (Drummond & Arthabaska)
Dorion (Hochelega)
Dufresne (Iberville)
Fortier
Gagnon
Gaudet
Geoffrion
Gibbs
Holton
Houde
Huntington
Joly
Labrèche-Viger
Laframboise
Lajoie
Macdonald (Cornwall)
Macdonald (Toronto West)
Morrison
O'Halloran
Paquet
Perrault
Pouliot
Ross (Prince Edward)
Rymal
Scatcherd
Thibaudeau
Wallbridge (Hastings North)
and Webb—35.

NAYS

Messieurs

Abbott

Alleyn
Archambeault
Ault
Beaubien
Bellerose
Blanchet
Bowman
Bown
Brousseau
Brown
Burwell
Carling
Cartier (Attorney-General)
Cartwright
Cauchon
Chapais
Cockburn
Cornellier
Cowan
Currier
Denis
De Niverville
Dickson
Duckett
Dufresne (Montcalm)
Dunsford
Evanturel
Ferguson (Frontenac)
Ferguson (Simcoe South)
Galt
Gaucher
Harwood
Haultain
Higginson
Howland
Huot
Irvine
Jackson
Jones (Leeds South)
Knight
Langevin
Le Boutillier
Macdonald (Attorney-General)
Macfarlane
Mackenzie (Lambton)
Mackenzie (North Oxford)
Magill
McConkey
McDougall
McGee
McGiverin
McIntyre
McKellar
Morris
Parker
Pinsonneault
Pope

¹⁰⁹ John Cameron's amendment was presented earlier in the day on p. 962. Reinserted for clarity.

Poulin
 Poupore
 Powell
 Raymond
 Rémillard
 Robitaille
 Rose
 Ross (Champlain)
 Ross (Dundas)
 Scoble
 Shanly
 Smith (Durham East)
 Smith (Toronto East)
 Somerville
 Stirton
 Street
 Sylvain
 Thompson
 Tremblay
 Walsh
 Wells
 White
 Willson
 Wood
 Wright (Ottawa County)
 and Wright (York East)—84.

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Luther Holton [Chateauguay]—I have an amendment to offer, sir, which I trust will not be found open to some of the objections taken to the last one by the Hon. Attorney General West [John A. Macdonald]. I will read the motion, sir, and offer but a few remarks upon it, for it is not my purpose to detain the House myself, or to provoke a lengthy debate. I move, sir:—

That all the words after “That” be left out, and the following inserted instead thereof:—“the said resolution be referred to a committee of the whole House, in order so to amend it as to express the earnest hope of this House, that any Act founded on the resolutions of the Conference of Delegates held at Quebec in October last, which may be passed by the Imperial Parliament, will not go into operation until the Parliament of Canada shall have had the opportunity of considering the provisions thereof, and shall, after the next general election, pray Her Majesty to issue Her Royal Proclamation to give effect to the same”

Several Hon. Members—That is the same thing as the last amendment.

Luther Holton [Chateauguay]—hon. gentlemen state it is the same thing, but they will see that it is not at all the same. This resolution does not propose to contradict or go

back upon the previous action of the House, but to supplement it by asking that any act passed by the Imperial Parliament, founded on the resolutions of the Conference, may be submitted to the House and to the country previous to its adoption.

Some Hon. Members—Hear.

Luther Holton [Chateauguay]—Mr. Speaker, this is a matter of great importance, but I can now only state the purport of the resolution; for, as I said before, I am not about to provoke a debate. This whole matter proceeds upon the theory that the people of Canada desire a change in their Constitution. Of course we know that the supreme sovereignty rests with the Imperial Parliament—of course we know that the power to change our Constitution and remodel it in any way rests there—but we are proceeding on the assumption that the Imperial Parliament will acquiesce in our desire for a change, and in the nature of the change desired.

Well, sir, the gentlemen on the Treasury benches, having the confidence of the majority of this House, and presumably the confidence of the majority of the people also, are going to approach Her Majesty’s Government in England and ask them to submit to the Imperial Parliament a change in the Constitution of this country; but, sir, these gentlemen have not explained to us precisely how these resolutions aerate be translated into an Act of Parliament—they have not explained to us which of these resolutions are to form part of our new Constitution, and which of them are to be carried out in some other way. But, Mr. Speaker, it will be of the last importance to the people of this country to know what their Constitution really is to be before its final enactment.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—I would recall, sir, especially to hon. gentlemen from Lower Canada, the experience of the past in reference to this matter. In 1852 Mr. Hinck’s Government carried through this House [an Address in favor of a change in the](#)

[constitution of the Legislative Council](#)¹¹⁰. They sought, by that Address, a change in the [Union Act](#)¹¹¹, operating a change in the constitution of the Legislative Council only. But instead of such a change in the Constitutional Act as was desired by the House, power was given to the Legislature to effect such a change, and along with that, [the two-thirds clause of the Union Act was repealed](#)¹¹²—nobody to this day knows how.

Some Hon. Members—Hear.

Luther Holton [Chateaugay]—What assurance have we then—what assurance can we have—that a similar event will not occur now? Hon. gentlemen from Lower Canada must have a vivid recollection of our own very recent experience in constitutional changes. The change actually made in the Union Act in 1852 was one which was deprecated by all the representatives from Lower Canada—by the entire people of Lower Canada—and was brought about in a way which has never yet been satisfactorily explained.

Well, sir, presuming that the people of this country are making for themselves a new Constitution—recognising the power of the Imperial Government to effect any such change as they may deem fit—but also recognising the well-known desire of the Imperial Parliament to meet our views in the matter—I propose that this House shall pray, in this Address, that any act founded on the resolutions of the Conference which met in Quebec in October last, may only be put in force on the prayer of both branches of the Legislature of Canada. With these few words, explanatory of my resolution, I place it in your hands.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—I desire, as I did with reference to the

amendment of the hon. member for Peel [John Cameron], not to discuss at length the motion of my hon. friend the member for Chateaugay [Luther Holton], but simply to explain the object of that motion in a few words. The House has just rejected an amendment, asking that an appeal should be made to the people of

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this province before the Imperial Government is asked to legislate on the Address of this House.

Now, the object of the amendment proposed by the hon. member for Chateaugay [Luther Holton] is to ask that the Constitution adopted in England may not go into force until it shall have been submitted to the Legislature of this province, after the next general election, and until an Address shall have been adopted, asking that it be put in force. We ask the Imperial Government to-day, by the Address which has just been adopted, to submit to the Imperial Legislature an act for the Confederation of the British North American Provinces.

If, in place of Confederation, the Imperial Parliament were to establish a legislative union of the provinces, I ask those honorable members of this House who protest against a legislative union, how they are to present themselves before their electors—after having refused to consult them—if they also refuse to declare that they desire to consider the measure again when it is brought back to us, after passing the Imperial Parliament?

All we ask by this motion is that the act which is to be passed may be submitted to our Legislature, and ratified and approved by this House, before it is definitely put in force—in short, we ask to be allowed to refuse the new

¹¹⁰ [Legislative Assembly \(Jun. 2, 1853\). Journals \(1852-1853\), pp. 944-945.](#)

¹¹¹ [The Union Act, 1840 \(U.K.\).](#)

¹¹² The member is referring to an amendment made to Clause 26 of the [Union Act, 1840 \(U.K.\)](#). It was expunged by [The Union Act Amendment Act, 1854 \(U.K.\)](#). It seems that the Imperial Parliament believed the “two-thirds” provision was no longer a necessary “check”, and that the proposed Act as a whole would encourage steady legislation, remove elements of future disturbance, and have the effect of rendering the Legislative Council a more conservative body. See [The 1854 Imperial Debates Amending the Union Act, 1840 \(U.K.\)](#).

Constitution if it should not suit us. We must not forget what occurred in 1856, when we asked the Imperial Parliament to [change the constitution of the Legislative Council, and to render it elective](#)¹¹³.

Let it not be forgotten that they gave us a measure different from that we had asked for. We were, it is true, empowered to render the Legislative Council elective, but, at the same time, [a clause was struck out of the Act of Union](#), which clause declared that the basis of the representation in the Legislative Assembly could not be changed without the concurrence of two-thirds of the members of the Legislature¹¹⁴. And with that fact staring us in the face, what assurance have we to-day that the Imperial Government will not give us a legislative union, with representation based upon population, in place of a Confederation? What is to prevent them from changing the clause relative to the Legislative Council, and applying to it also the principle of representation based upon population?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Well, it is with a view of avoiding the possibility of any change of that nature that we now propose this amendment. There are many hon. members of this House who fear that in view of the refusal of the Maritime Provinces to assent to this scheme, England may give us a Confederation of the two Canadas. And I ask—when we find the Ministry telling us, over and over again, that it is absolutely necessary to effect a constitutional change, that the matter is urgent, that even one week's delay cannot be given, nor the time to discuss the amendments we desire to propose to the scheme; that they must have a measure at once, otherwise the most dreadful evils must ensue—I ask, is it to be fancied, for one moment, that the Imperial Government will consent to force the Lower Provinces into Confederation. And what is to prevent that

Government from changing the scheme so as to make it applicable to the two Canadas alone?

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Here is what will happen, or at all events what may very well happen: when our Ministers reach England, and urge upon the Imperial Government the necessity for a change in the Constitution as regards Canada, that Government, seeing that the Lower Provinces do not desire Confederation, will pass a measure for the Confederation of the two provinces, leaving to the Maritime Provinces the right to enter that Confederation whenever they think proper. That is very possible, and the only way to provide against such a contingency is to address Her Majesty, praying that any Imperial measure, relating to constitutional changes, may not take effect until it shall have been submitted to, and shall have received the ratification of, the Legislature of Canada.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Mr. Speaker, in reply to what the honorable member for Hochelaga [Antoine-Aimé Dorion] has just said, I shall merely tell honorable members of this House that they need not take alarm at the apprehensions and predictions of that honorable gentleman. I have already declared in my own name, and on behalf of the Government, that [the delegates who go to England](#)¹¹⁵ will accept from the Imperial Government no act but one based on the resolutions adopted by this House, and they will not bring back any other.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—I have pledged my word of honor and that of the Government to that effect, and I trust that my word of honor will have at least as much weight with this

¹¹³ [An Act to change the Constitution of the Legislative Council by rendering the same Elective \(Province of Canada, 1856\)](#).

¹¹⁴ *Supra* footnote 112.

¹¹⁵ *Supra* footnote 30.

House and the country as the apprehensions of the honorable member for Hochelaga [Antoine-Aimé Dorion].

Some Hon. Members—*Cheers.*

Robert Macfarlane [Perth]—Mr. Speaker, I had intended giving the reasons for the course I was taking prior to the last vote, and as I still desire to explain, the honorable member for Chateauguay [Luther Holton] has given me an opportunity

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of doing so now.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—It certainly did require some courage to undertake to vote against the last amendment—a resolution which seems fair enough on the face of it. At first I was almost disposed to accept it, and it was not until I discovered its real bearing that I determined to vote against it. Honorable gentlemen will remember that, before the adoption of the resolutions, I was desirous that an appeal should be had to the people prior to the consummation of the vast scheme which they announce; and with that object in view, my vote is recorded against your ruling, Mr. Speaker, on the appeal from your decision at the time an amendment was offered prior to their passage. This House having sustained you in the opinion you pronounced, nothing was then left for me, as one of the representatives of the people, but to decide whether we should adopt the policy of Confederation or ignore it.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—The latter I was not disposed to do, and the Government received my support on the final vote taken, declaring a union of the British American Provinces to be advisable. These resolutions having been passed, we are now called upon to pass an Address to Her Majesty founded upon them. To this Address, and not to the resolutions, the honorable member for Peel [John Cameron] offered his amendment, and to support that would have been the ignoring of my former vote, the declaring an Address

different from the very resolutions upon which that Address is to be founded, the sacrificing of a great political scheme for the support of what might unexplained be considered a popular and legitimate motion, but which was in fact a motion subversive of the resolutions, and valueless, save as a means unfairly to be used as a weapon on a hustings.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]— If the honorable member for Peel [John Cameron] desired this amendment, and honorable members of this House, myself amongst the number, understood he was intrusted with the care of it, why did he not, as an old member of this House, as one conversant with its rules and its usages, submit it for our consideration prior to the Honorable Attorney General [George-Étienne Cartier] moving the “previous question,” and at a time when, by your ruling, Mr. Speaker, it would have been admissible.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—Had he done so then, members could have voted upon the merits of the amendment. Now that the resolutions are passed, that privilege has ceased. After all the difficulties which have arisen in the management of the public affairs of this country, which have existed so long, and which, I may say, have brought about the present Coalition, it was necessary that some alteration and some amendment should be made.

We could no longer proceed amidst the conflicting sentiments which pervaded this House, in the government of a people whose feelings were becoming as hostile as their representatives were antagonistic. And I ask what other solution acceptable to the two Canadas was to be had; what better scheme was to be adopted than that here submitted?

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—The question of Confederation is no new theory, so far as I am concerned; it is a plan which, during the short time I have taken an interest in public affairs, I have always felt disposed to support, as

tending to our development as a country, and our independence and influence as a people; and after the declaration we made by our votes a few minutes ago, namely, that these resolutions should be adopted—after hearing too from members of the Government that they are not now prepared to submit to any alterations, and finding that the effect of not passing this Address, founded upon them, would virtually be to throw us back into the state of political chaos from which we have just emerged, I find another reason why I cannot support this or any other amendment.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—Looking at the matter apart from these amendments, I am, with a reference to the past and a regard for the future, obliged to consider this question in a military as well as in a political and national point of view, and cannot but deem its consideration in this respect a necessity—placed as we are on the borders of a nation whose citizens are versed in the use of the arms with which their legions are now dealing death in the field—isolated as we are from the nation to which we owe our allegiance and which guards our rights, but whose acts might occasion our invasion, and subject as our territory is to be the battleground in the event of a difficulty between England and the States—it behoves us to combine our individual strength, give weight and Concentration to our isolated influences, and thus enable us to join effectively with the Mother Country and repel with vigor any acts of hostility that might be taken against us.

It is not by the continuation of things as they were, or by the renewal of the conflicting feelings which have existed between Upper and Lower Canada, that we are to add strength to our arms or lustre to our name; it is not thus we are to develop our resources and give us the revenues requisite for our defence; it is not thus we are to become a people capable of self-government and self-defence, should

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England ever leave us to our own resources, and sever us from her list of colonies; but by the cementing of our local relations, by the concentration with us, under one government, of the vast territories of the North-West and the peopled provinces of the east, with one community of interest and one object of design, we will be enabled to place ourselves in a position in which we could maintain our independence of a foreign power, perpetuate our connection with Great Britain, and preserve our allegiance to its Sovereign; and should the time come when a severance of these relations should be requisite, the British people of America will not be a crippled chain of powerless and defenceless colonies, but a vast nation, with its sturdy farmers tilling the soil of the vast west, and its daring seamen gathering the wealth of its seaboard fisheries in the east, the one ready to defend our hearths at home, while the other protects our rights at sea, and both ever willing and able to stand by England in her hour of trouble and in her work of good.

Some Hon. Members—*Cheers*.

Robert Macfarlane [Perth]—I feel that now is the time for taking such steps if ever they are to be taken. If ever there was an occasion when it was necessary to remove the hostility existing between Upper and Lower Canada, and cement their friendships—if ever there was a time when it was prudent to strengthen ourselves by a union with the other provinces and place ourselves in a position of defence, it is the present, and I speak, I think, the sentiments of all Upper Canada, certainly of all that section of it where I reside, when I say that there is but one feeling there in reference to this matter, and it is favorable to this proposed arrangement, favorable to this plan for the union of the provinces.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—Besides, Mr. Speaker, though some of the details are objectionable. I am not prepared to risk the loss of the principle which is admitted in these resolutions, which is one that gives to Upper Canada what she has demanded for years, and

gives it whether the other provinces accede to it or not; it is the recognition by Lower Canada of Upper Canada's rights to an increased representation; it is the acceding of that which Lower Canada has ever heretofore refused to grant, and I cannot, in cavilling at these details, which may hereafter be modified, jeopardise the attainment of the greater object and sacrifice that which is here insured to us.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—Again, notwithstanding the declaration of my honorable friend from South Hastings [Lewis Wallbridge] that this measure seals up the North-West I think, on the contrary, that it adds to the prospect of opening up that vast territory. Before long we shall see population extending over these vast plains, across the basin of the Winnipeg and the valley of the Saskatchewan, and thence to Vancouver, and all the sooner if this measure be adopted, supplying as it will a government for the encouragement of its settlement and the protection of its settlers; for the country is as fertile and productive as our own province, and its domain as wide. To the north-west there lies beneath British sway, but as yet all unclaimed, a vast and varied territory, the mineral and agricultural wealth of which no man can estimate, and the future products of which none can conceive—a territory offering the emigrant the choice of its fertile plains, and the miner the wealth of its hidden riches.

Here, then, is the policy which tends to the settlement of this vast territory, the development of its immense resources, the opening up of its inexhaustible mines, and with it the creation of a new people, the establishment of increased revenues, and the extension of British influences and British power on this continent. And while developing our resources in the west, it gives an additional outlet for the products of that living mine of teeming wealth in the east—our fisheries—the protection and encouragement of which is as necessary as their wealth to us is

inestimable.

Some Hon. Members—Hear, hear.

Robert Macfarlane [Perth]—Believing, too, that this scheme will tend alike to our internal reform and improvement as Canadians, and the quieting of our political hostilities; that it will give us a larger field for our labors and an additional market for our products; that the connections in trade which it will procure will effect for us enhanced revenues and increased commerce, I, as a Canadian, am willing to adopt it even in this local and selfish sense; but I also see in it a broader policy with a wider field open for our energies and our capital—it is the first step towards establishing on British territory a highway from the Pacific to the Atlantic, and thus procuring for us the carrying trade of Asia and the East with all the enriching revenues which it will insure and the labor it will employ. In short, Mr. Speaker, it is the policy of a great colonial combination, effective alike in civil pursuits and military defence, adding strength to the Empire and influencing the destinies of this great continent. For these reasons I voted against the last amendment, and for the same reasons I am prepared to vote against this one also.

Some Hon. Members—Hear.

- (p. 1025)

The House then divided on Luther Holton's [Chateauguay] amendment,—

That all the words after "That" be left out, and the following inserted instead thereof:—"the said resolution be referred to a committee of the whole House, in order so to amend it as to express the earnest hope of this House, that any Act founded on the resolutions of the Conference of Delegates held at Quebec in October last, which may be passed by the Imperial Parliament, will not go into operation until the Parliament of Canada shall have had the opportunity of considering the provisions thereof, and shall, after the next general election, pray Her Majesty to issue Her Royal Proclamation to give effect to the same"¹¹⁶

which was negatived on the following division:—

YEAS

¹¹⁶ Luther Holton's amendment was presented earlier in the day on p. 1021. Reinserted for clarity.

Messieurs

Biggar
 Bourassa
 Cameron (Ontario North)
 Caron
 Cornellier
 Coupal
 De Boucherville
 Dorion (Drummond & Arthabaska)
 Dorion (Hochelaga)
 Dufresne (Iberville)
 Fortier
 Gaudet
 Geoffrion
 Gibbs
 Holton
 Houde
 Huntington
 Labrèche-Viger
 Laframboise
 Lajoie
 Macdonald (Cornwall)
 Macdonald (Toronto West)
 Morrison
 O'Halloran
 Paquet
 Perrault
 Rymal
 Scatcherd
 Thibaudeau
 Tremblay
 and Wallbridge (Hastings North)—31.

NAYS.*Messieurs*

Abbott
 Alleyn
 Archangebeault
 Ault
 Beaubien
 Bellerose
 Blanchet
 Bowman
 Bown
 Brousseau
 Brown
 Burwell
 Carling
 Cartier (Attorney-General)
 Cartwright
 Cauchon
 Chapais
 Cockburn
 Cowan
 Currier
 Denis

De Niverville
 Dickson
 Duckett
 Dufresne (Montcalm)
 Dunsford
 Evanturel
 Ferguson (Frontenac)
 Galt
 Gaucher
 Harwood
 Haultain
 Higginson
 Howland
 Jackson
 Jones (Leeds South)
 Knight
 Langevin
 Le Boutillier
 Macdonald (Attorney-General)
 Macfarlane
 Mackenzie (Lambton)
 Mackenzie (Oxford North)
 Magill
 McConkey
 McDougall
 McGee
 McIntyre
 McKellar
 Morris
 Parker
 Pinsonneault
 Pope
 Poulin
 Poupore
 Powell
 Raymond
 Rémillard
 Robitaille
 Rose
 Ross (Champlain)
 Ross (Dundas)
 Ross (Prince Edward)
 Scoble
 Shanly
 Smith (Durham East)
 Smith (Toronto East)
 Somerville
 Stirton
 Street
 Sylvain
 Thompson
 Walsh
 Webb
 Wells
 White
 Willson
 Wood
 and Wright (York East)—19.

John Sandfield Macdonald [Cornwall]—I rise, sir, to propose another amendment.

Some Hon. Members—*Signs of impatience.*

John Sandfield Macdonald [Cornwall]—I assure the House that I never knew a measure of anything like this importance go through with so few attempts to amend it. Nor do I rise for the mere purpose of putting my amendment on record, for I do feel that the views I am about to express, and which I have ever held since I have been a member of this House, may not commend themselves to any considerable number of hon. members.

I have no desire that the rights of the Roman Catholic minority of Upper Canada shall be abridged, nor that the rights and privileges of any other denomination shall be interfered with in any respect. But I wish hon. members to bear in mind that the experience we have

had in this country—not to allude to that of the neighboring States, proves that a denial of the right of the majority to legislate on any given matter has always led to grave consequences. I need only mention [the Clergy Reserve question](#)¹¹⁷. This, it must be recollected, was forbidden to be legislated upon by the [Union Act](#)¹¹⁸; yet it was the cause of fierce strife and legislation for many years. The original Constitution of the United States prohibited the question of slavery from being interfered with by Congress; yet an agitation for its suppression was early commenced, and has at last terminated in civil war.

Some Hon. Members—Hear.

John Sandfield Macdonald [Cornwall]—The agitation of the Clergy Reserve question produced a rebellion in Upper Canada. I say, sir, that by making a constitutional restriction

¹¹⁷ The Clergy Reserves controversies stem from provisions in both the [Constitutional Act, 1791 \(U.K.\)](#) and the [Union Act, 1840 \(U.K.\)](#) that granted land reserves to support the 'Protestant Clergy'. These provisions were initially interpreted to favor the Church of England over other denominations. The controversies lasted for many decades with piecemeal reform, until the question was decisively dealt with by [the Clergy Reserves Act, 1854 \(Province of Canada\)](#), which required the sale of certain land reserves with the proceeds turned over to local municipal funds.

¹¹⁸ [The Union Act, 1840 \(U.K.\)](#), Clause 42, which reads in full, "And be it enacted, That whenever any Bill or Bills shall be passed by the Legislative Council and Assembly of the Province of Canada, containing any Provisions to vary or repeal any of the Provisions now in force contained in an Act of the 14 G. 3, c. 83. Parliament of Great Britain passed in the Fourteenth Year of the Reign of His late Majesty King George the Third, intituled An Act for making more effectual Provision for the Government of the Province of Quebec in North America, or in the aforesaid Acts of Parliament passed in the Thirty-first Year of the same Reign, respecting the accustomed Dues and Rights of the Clergy of the Church of Rome; or to vary or repeal any of the several Provisions contained in the said last-mentioned Act, respecting the Allotment and Appropriation of Lands for the Support of the Protestant Clergy within the Province of Canada, or respecting the constituting, erecting, or endowing of Parsonages or Rectories within the Province of Canada, or respecting the Presentation of Incumbents or Ministers of the same, or respecting the Tenure on which such Incumbents or Ministers shall hold or enjoy the same; and also that whenever any Bill or Bills shall be passed containing any Provisions which shall in any Manner relate to or affect the Enjoyment or Exercise of any Form or Mode of Religious Worship, or shall impose or create any Penalties, Burdens, Disabilities, or Disqualifications in respect of the same, or shall in any Manner relate to or affect the Payment, Recovery, or Enjoyment of any of the accustomed Dues or Rights herein before mentioned, or shall in any Manner relate to the granting, imposing, or recovering of any other Dues, or Stipends, or Emoluments, to be paid to or for the Use of any Minister, Priest, Ecclesiastic, or Teacher, according to any Form or Mode of Religious Worship, in respect of his said Office or Function; or shall in any Manner relate to or affect the Establishment or Discipline of the United Church of England and Ireland among the Members thereof within the said Province; or shall in any Manner relate to or affect Her Majesty's Prerogative touching the granting of Waste Lands of the Crown within the said Province; every such Bill or Bills shall, previously to any Declaration or Signification of Her Majesty's Assent thereto, be laid before both Houses of Parliament of the United Kingdom of Great Britain and Ireland; and that it shall not be lawful for Her Majesty to signify Her Assent to any such Bill or Bills until Thirty Days after the same shall have been laid before the said Houses, or to assent to any such Bill or Bills in case either House of Parliament shall, within the said Thirty Days, address Her Majesty to withhold Her Assent from any such Bill or Bills; and that no such Bill shall be valid or effectual to any of the said Purposes within the said Province of Canada unless the Legislative Council and Assembly of such Province shall, in the Session in which the same shall have been passed by them, have presented to the Governor of the said Province an Address or Addresses specifying that such Bill or Bills contains Provisions for some of the Purposes herein-before specially described, and desiring that, in order to give Effect to the same, such Bill or Bills may be transmitted to England without Delay, for the Purpose of its being laid before Parliament previously to the Signification of Her Majesty's Assent thereto."

This provision was repealed by [The Union Act Amendment, 1854 \(U.K.\)](#).

in respect to the schools of the minority, we are sowing the seeds from which will in the end arise a serious conflict, unless the Constitution be amended.

The minority will be quite safe on a question relating to their teeth and their education in a colony under the sway of the British Crown; but if you expressly withdraw that question from the control of the majority, the rights of the minority will not be safe in either section of the province, if you distrust the action of the majority. It is our duty, sir, to see that a question which affects us so dearly as the education of our children—a question which has before now created no little excitement in Upper Canada—shall not be withdrawn from the management of the Local Legislature.

We ought not to deprive them of a power which they will want to exercise, just because they are deprived of it, and provoke a desire on their part to alter the system. You may rely upon it other religious bodies will be sure to protest against any particular creed having special rights, or an exclusive monopoly of certain privileges, whatever they may be. I should be astonished if anyone in this House would say, either to the Protestant minority in Lower Canada or to the Roman Catholic minority in Upper Canada—"You are not to trust to the justice of the majority."

Have they ever known a country where the majority did not control affairs, and where the minority had not to submit? Does not the majority rule and the minority submit in England and in France? I have never heard of any state where this was not the case. The minority is safe against undue encroachment on its rights, and I am willing to trust to the sense of justice of the majority in Upper Canada to preserve the religious and educational liberties of the Roman Catholics of Upper Canada. I am now getting somewhat advanced in years, and I am the more anxious to put my opinions on record, because before long I shall have ice satisfaction of saying, though perhaps not on the floor of this House, that I protested against resolutions intended to prevent the free expression of opinion by the

majority of the people

- (p. 1026)

of Upper Canada, and the exercise of a power which ought to be intrusted to them. My amendment is:—

That the following words be added to the original motion:—"And that it be an instruction to the said Committee to consider whether any constitutional restriction which shall exclude from the Local Legislature of Upper Canada the entire control and direction of education, subject only to the approval or disapproval of the General Parliament, is not calculated to create widespread dissatisfaction, and tend to foster and create jealousy and strife between the various religious bodies in that section of the province."

If hon. gentlemen think they are going to silence the bitter feelings which have been engendered in Upper Canada in consequence of the attempt to make permanent a certain system of education, they are much mistaken; and I desire to have the expression of the opinion of the members of this House on the subject, whether they think that the restriction in the proposed Constitution I have mentioned is calculated to bring about harmony, and whether it is not better to let the Catholics of Upper Canada and the Protestants of Lower Canada protect themselves, or rather trust for protection to the sense of justice of their fellow-subjects.

Some Hon. Members—Hear.

Alexander Mackenzie [Lambton]—Sir, having already voted for the whole of these resolutions as part of the scheme, I cannot have any hesitation in voting against the amendment, but in doing so I desire to explain my position.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—If the hon. member for Cornwall (Hon. J.S. Macdonald) had shown the same zeal against the separate school system when he had the power to prevent legislation on that subject, he would have saved himself and the party which kept him in power some trouble. It seems curious that he who was so anxious to promote the separate school system then

should now be anxious in quite another direction.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—This can only be done for the purpose of party strife, to put as many of us Upper Canadians as he can in a false position; but I can only tell him that I, having struggled as much as anyone to prevent legislation tending to break up our common school system, and having found my efforts utterly ineffectual, do not see that our position would be any worse if the resolutions are carried into law.

Some Hon. Members—Hear.

Alexander Mackenzie [Lambton]—I formerly stated that I thought the separate school system would not prove very disastrous if it went no further. I do not now think they will do much harm, if they remain in the same position as at present, and therefore, though I am against the separate school system, I am willing to accept this Confederation, even though it perpetuates a small number of separate schools.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—Under the present legislative union we are powerless in any movement for the abrogation of the separate system; it is even very doubtful if we could resist the demands for its extension.

Some Hon. Members—Hear, hear.

Alexander Mackenzie [Lambton]—We will not be in any worse position under the new system, and in one respect we will have a decided advantage, in that no further change can be made by the separate school advocates. We will thus substitute certainty for uncertainty. I deeply regret that the honorable member should have thought it necessary for any purpose to move this resolution.

John Sandfield Macdonald [Cornwall]'s amendment—

That the following words be added to the original motion:—"And that it be an instruction to the said

Committee to consider whether any constitutional restriction which shall exclude from the Local Legislature of Upper Canada the entire control and direction of education, subject only to the approval or disapproval of the General Parliament, is not calculated to create widespread dissatisfaction, and tend to foster and create jealousy and strife between the various religious bodies in that section of the province."¹¹⁹

—was then negatived on the following division:—

YEAS

Messieurs

Biggar
Burwell
Macdonald (Cornwall)
Macdonald (Toronto West)
Ross (Prince Edward)
Rymal
Scatherd
and Wallbridge (Hastings North)—8.

NAYS

Messieurs

Abbott
Alley
Archambeault
Ault
Beaubien
Bellerose
Blanchet
Bourassa
Bowman
Bown
Brousseau
Brown
Cameron (Ontario North)
Carling
Caron
Cartier (Attorney-General)
Cartwright
Cauchon
Chapais
Cockburn
Cornellier
Coupal
Cowan
Currier
De Boucherville
Denis
De Niverville
Dickson
Dorion (Hochelaga)

¹¹⁹ Luther Holton's amendment was presented earlier on the page. Reinserted for clarity.

Dorion (Drummond & Arthabaska)
 Duckett
 Dufresne (Iberville)
 Dufresne (Montcalm)
 Dunsford
 Evanturel
 Ferguson (Frontenac)
 Fortier
 Galt
 Gaucher
 Gaudet
 Geoffrion
 Gibbs
 Harwood
 Haultain
 Higginson
 Holton
 Houde
 Howland
 Jones (Leeds South)
 Knight
 Labrèche-Viger
 Laframboise
 Lajoie
 Langevin
 Le Boutillier
 Macdonald (Attorney-General)
 Mackenzie (Lambton)
 Mackenzie (North Oxford)
 Magill
 McConkey
 McDougall
 McGee
 McGiverin
 McIntyre
 McKellar
 Morris
 Morrison
 Paquet
 Parker
 Perrault
 Pinsonneault
 Poulin
 Poupore
 Powell
 Raymond
 Rémillard
 Robitaille
 Rose
 Ross (Champlain)
 Ross (Dundas)
 Scoble
 Shanly
 Smith (Durham East)
 Smith (Toronto East)
 Somerville
 Stirton
 Sylvain
 Thompson
 Tremblay

Walsh
 Webb
 Wells
 White
 Willson
 and Wood—95.

François Bourassa [St. Johns] *then moved in amendment:—*

That the following words be added to the original motion:—"And that it be an instruction to the said Committee to provide that the Roman Catholic minority of Upper Canada be placed on the same footing as the Protestant minority of Lower Canada, under the local governments of the Confederation of the Provinces of British North America."

• (p. 1027)

This was negatived on the following division:—

YEAS.

Messieurs

Bourassa

Caron

Coupal

Dorion (Drummond & Arthabaska)

Dorion (Hochelaga)

Dufresne (Iberville)

Fortier

Geoffrion

Holton

Houde

Labrèche-Viger

Laframboise

Lajoie

Macdonald (Cornwall)

O'Halloran

Paquet

Perrault

Pinsonneault

Rymal

and Sylvain—20.

NAYS

Messieurs

Abbott

Alley

Archambeault

Ault

Beaubien

Bellerose

Biggar

Blanchet

| | |
|------------------------------|-----------------------------|
| Bowman | Robitaille |
| Bown | Rose |
| Brousseau | Ross (Champlain) |
| Brown | Ross (Dundas) |
| Burwell | Ross (Prince Edward) |
| Cameron (Ontario North) | Scatcherd |
| Carling | Scoble |
| Cartier (Attorney-General) | Shanly |
| Cartwright | Smith (Durham East) |
| Cauchon | Smith (Toronto East) |
| Chapais | Somerville |
| Cockburn | Stirton |
| Cornellier | Thompson |
| Cowan | Tremblay |
| Currier | Wallbridge (Hastings North) |
| De Boucherville | Walsh |
| Denis | Wells |
| De Niverville | White |
| Dickson | Willson |
| Duckett | Wood |
| Dufresne (Montcalm) | and Wright (York East)—85. |
| Dunsford | |
| Evanturel | |
| Ferguson (Frontenac) | |
| Ferguson (South Simcoe) | |
| Galt | |
| Gaucher | |
| Gaudet | |
| Gibbs | |
| Harwood | |
| Haultain | |
| Higginson | |
| Howland | |
| Jones (Leeds South) | |
| Knight | |
| Langevin | |
| Le Boutillier | |
| Macdonald (Attorney-General) | |
| Macdonald (Toronto West) | |
| Mackenzie (Lambton) | |
| Mackenzie (Oxford North) | |
| Magill | |
| McConkey | |
| McDougall | |
| McGee | |
| McGiverin | |
| McIntyre | |
| McKellar | |
| Morris | |
| Morrison | |
| Parker | |
| Poulin | |
| Poupore | |
| Powell | |
| Raymond | |
| Rémillard | |

The main motion —

That a select committee, consisting of Hon. Messrs. Attorneys General Macdonald and Cartier, and Galt and Brown, and Messrs. Robitaille and Haultain, be appointed to draft an Address to Her Majesty on the resolution agreed to on Friday last, the 10th instant, on the subject of the union of the colonies of British North America.¹²⁰

—was then agreed to on a division, and a select committee appointed accordingly.

John A. Macdonald [Kingston, Attorney-General West], *from the said committee, reported the draft of an Address, which is as follows:—*

To The Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, humbly approach Your Majesty for the purpose of praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the accompanying resolutions, which were adopted at a Conference of Delegates from the said Colonies, held at the city of Quebec, on the tenth of October, 1864. All which we, the Commons of Canada, humbly pray Your Majesty

¹²⁰ John A. Macdonald's amendment was presented earlier in the day on p. 962. Reinserted for clarity. Reinserted from beginning of day for clarity sake.

to take into Your gracious and favorable consideration.

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

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

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

4. The Executive Authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well-understood principles of the British Constitution, by the Sovereign personally, or by the Representative of the Sovereign duly authorized.

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

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

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

8. Upper Canada shall be represented in the Legislative Council by 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.

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

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

11. The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government, and shall hold office during life; if any Legislative Councillor

• (*p. 1028*)

shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

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

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

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

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

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

17. The basis of Representation in the House of Commons

shall be Population, as determined by the Official Census every ten years; and the number of Members at first shall be 194, distributed as follows:

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

18. Until the Official Census of 1871 has been made up, there shall be no change in the number of Representatives from the several sections.

19. Immediately after the completion of the Census of 1871, and immediately after every decennial census thereafter, the Representation from each section in the House of Commons shall be readjusted on the basis of Population.

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

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

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

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

24. The Local Legislature of each Province may, from time to time, alter the Electoral Districts for the purposes of Representation in such Local Legislature, and distribute the Representatives to which the Province is entitled in such Local Legislature, in any manner such Legislature may see fit.

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

26. Until provisions are made by the General Parliament, all the laws which, at the date of the Proclamation constituting the Union, are in force in the Provinces respectively, relating to the qualification and

disqualification of any person to be elected, or to sit or vote as a Member of the Assembly in the said Provinces respectively, and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to Returning Officers and their powers and duties,—and relating to the proceedings at Elections, and to the period during which such elections may be continued,—and relating to the Trial of Controverted Elections, and the proceedings incident thereto,—and relating to the vacating of seats of Members, and to the issuing and execution of new Writs, in case of any seat being vacated otherwise than by a dissolution—shall respectively apply to elections of Members to be seen in the House of Commons, for places situate in those Provinces respectively.

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

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

• (p. 1029)

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

1. The Public Debt and Property.
2. The regulation of Trade and Commerce.
3. The imposition or regulation of Duties of Customs on Imports and Exports,—except on Exports of Timber, Logs, Masts, Spars, Deals and Sawed Lumber from New Brunswick, and of Coal and other Minerals from Nova Scotia.
4. The imposition or regulation of Excise Duties.
5. The raising of money by all or any other modes or systems of Taxation.
6. The borrowing of money on the Public Credit.
7. Postal Service.
8. Lines of Steam or other Ships, Railways, Canals and other works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province.
9. Lines of Steamships between the Federated Provinces and other Countries.
10. Telegraph Communication and the Incorporation of Telegraph Companies.
11. All such works as shall, although lying wholly within any Province, be specially declared by the Acts authorizing them to be for the general advantage.
12. The Census.
13. Militia—Military and Naval Service and Defence.
14. Beacons, Buoys and Light Houses.
15. Navigation and Shipping.

16. Quarantine.
 17. Sea Coast and Inland Fisheries.
 18. Ferries between any Provinces and a foreign country, or between any two Provinces.
 19. Currency and Coinage.
 20. Banking—Incorporation of Banks, and the issue of Paper Money.
 21. Savings Banks.
 22. Weights and Measures.
 23. Bills of Exchange and Promissory Notes.
 24. Interest.
 25. Legal Tender.
 26. Bankruptcy and Insolvency.
 27. Patents of Invention and Discovery.
 28. Copy Rights.
 29. Indians and Lands reserved for the Indians.
 30. Naturalization and Aliens.
 31. Marriage and Divorce.
 32. The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the procedure in Criminal matters.
 33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces; but any statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.
 34. The establishment of a General Court of Appeal for the Federated Provinces.
 35. Immigration.
 36. Agriculture.
 37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.
30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the British Empire, to foreign countries, arising under Treaties between Great Britain and such countries.
31. The General Parliament may also, from time to time, establish additional Courts, and the General Government may appoint Judges and officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.
32. All Courts, Judges, and officers of the several Provinces shall aid, assist and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges and officers of the General Government.
33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts in Upper Canada, and Parliament shall fix their salaries.
34. Until the consolidation of the Laws of Upper Canada,

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

35. The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.
36. The Judges of the Court of Admiralty now receiving salaries, shall be paid by the General Government.
37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the Address of both Houses of Parliament.
38. For each of the Provinces there shall be an Executive Officer, styled the Lieutenant-Governor, who shall be appointed by the Governor General in Council, under the Great Seal of the Federated Provinces, during pleasure: such pleasure not to be exercised before the expiration of the first five years, except for cause: such cause to be communicated in writing to the Lieutenant-Governor immediately after the exercise of the pleasure as aforesaid, and also by Message to both Houses of Parliament, within the first week of the first session afterwards.
- (p. 1030)
39. *The Lieutenant-Governor of each Province shall be paid by the General Government.*
40. In undertaking to pay the salaries of the Lieutenant-Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government for the amount now paid for the salary of the Lieutenant-Governor thereof.
41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of each such Province shall provide.
42. The Local Legislature shall have power to alter or amend their Constitution from time to time.
43. The Local Legislatures shall have power to make laws respecting the following subjects:
1. Direct taxation, and in New Brunswick the imposition of duties on the export of Timber, Logs, Masts, Spars, Deals and Sawn Lumber; and in Nova Scotia, of Coals and other Minerals.
 2. Borrowing money on the credit of the Province.
 3. The establishment and tenure of local offices, and the appointment and payment of local officers.
 4. Agriculture.
 5. Immigration.
 6. Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools, at the time when the union goes into operation.
 7. The sale and management of Public Lands, excepting

lands belonging to the General Government.

8. Sea Coast and Inland Fisheries.

9. The establishment, maintenance and management of Penitentiaries, and Public and Reformatory Prisons.

10. The establishment, maintenance and management of Hospitals, Asylums, Charities and Eleemosynary Institutions.

11. Municipal Institutions.

12. Shop, Saloon, Tavern, Auctioneer and other Licenses.

13. Local Works.

14. The incorporation of Private or Local Companies, except such as relate to matters assigned to the General Parliament.

15. Property and Civil Rights, excepting those portions thereof assigned to the General Parliament.

16. Inflicting punishment by fine, penalties, imprisonment or otherwise, for the breach of laws passed in relation to any subject within their jurisdiction.

17. The Administration of Justice, including the constitution, maintenance and organization of the Courts, both of Civil and Criminal jurisdiction, and including also the procedure in civil matters.

18. And generally all matters of a private or local nature, not assigned to the General Parliament.

44. The power of respiting, relieving, and pardoning prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant-Governor of each Province in Council, subject to any instructions he may, from time to time, receive from the General Government, and subject to any provisions that may be made in this behalf by the General Parliament.

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws to the General Parliament shall control and supersede those made by the Local Legislature, and the latter shall be void so far as they are repugnant to, or inconsistent with, the former.

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

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

48. All Bills for appropriating any part of the Public Revenue, or for imposing any new Tax or Impost, shall originate in the House of Commons or House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any Vote, Resolution, Address or Bill for the appropriation of any part of the Public Revenue, or of any Tax or Impost to any purpose, not first recommended by Message of the Governor General or the

Lieutenant-Governor, as the case may be, during the Session in which such Vote, Resolution, Address or Bill is passed.

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

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

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

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

• (p. 1031)

54. All Stocks, Cash, Bankers' Balances and Securities for money belonging to each Province at the time of the Union, except as hereinafter mentioned, shall belong to the General Government.

55. The following Public Works and Property of each Province shall belong to the General Government, to wit:—

1. Canals.
2. Public Harbours.
3. Light Houses and Piers.
4. Steamboats, Dredges and Public Vessels.
5. River and Lake Improvements.
6. Railway and Railway Stocks, Mortgages and other debts due by Railway Companies.
7. Military Roads.
8. Custom Houses, Post Offices and other Public Buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments.
9. Property transferred by the Imperial Government and known as Ordnance Property.
10. Armories, Drill Sheds, Military Clothing and Munitions of War; and
11. Lands set apart for public purposes.

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

respect of the same.

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

58. All Assets connected with such portions of the Public Debt of any Province as are assumed by the Local Governments, shall also belong to those Governments respectively.

59. The several Provinces shall retain all other Public Property therein, subject to the right of the General Government to assume any Lands or Public Property required for Fortifications or the Defence of the Country.

60. The General Government shall assume all the Debts and Liabilities of each Province.

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

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

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

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to eighty cents per head of the population, as established by the Census of 1861; the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.

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

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

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

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

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

- (p. 1032)

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

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

72. The proceedings of the Conference shall be authenticated by the signatures of the Delegates, and submitted by each Delegation to its own Government, and the Chairman is authorized to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

The said Address, being read a second time, was agreed to on a division.

John A. Macdonald [Kingston, Attorney-General West] moved,

That the said Address be engrossed; which, was agreed to on a division.

*On motion of **John A. Macdonald [Kingston, Attorney-General West]**, a humble Address was voted to **His Excellency [Viscount Monck]**, praying that he will be pleased to transmit the foregoing Address to **Her Majesty's Principal Secretary of State for the Colonies [Edward Cardwell]**, to be laid at the foot of the Throne.*

*On motion of **John A. Macdonald [Kingston, Attorney-General West]**, the foregoing Address was ordered to be engrossed.*

Ordered,

That the said Address be presented to His Excellency by the whole House.

Ordered,

That such Members of the Executive Council as are Members of this House, do wait upon His Excellency to know what time he will please to appoint to be attended with the said Address.

John A. Macdonald [Kingston, Attorney-General West] then informed the House,

That His Excellency will be pleased to receive the House with its Address, tomorrow, at 3.30 P.M.

The House then adjourned.

subject of the Union of the British North American Provinces, to which His Excellency [Viscount Monck] had been pleased to make the following answer:—

Mr. Speaker and Gentlemen:

I learn with much satisfaction that you have adopted an Address to Her Majesty, praying that She will be pleased to cause a measure to be submitted to the Imperial Parliament for the Union of the British North American Provinces I shall have much pleasure in transmitting it to the Secretary of State for the Colonies, in order that it may be presented to the Queen.

The Supplies¹

Alexander Galt [Sherbrooke, Minister of Finance] *moved*

That the House go into Committee of Supply

Luther Holton [Chateaugay] was understood to ask whether it was intended that the estimates just submitted would be considered now in Committee.

Alexander Galt [Sherbrooke, Minister of Finance] replied in the affirmative, and went on to explain that the course respecting votes of credit had been somewhat various. There was one course observed in England, and two or three different courses in Canada. The course the Government now intended to take was the one it considered best, under the circumstances, and most constitutional. It was the course which the Government of Mr. Baldwin adopted in 1848.

In this case, the Government proposed to prorogue the House, shortly, and, therefore, it was desirable that the other branch of the Legislature should have its constitutional right to revise the proceedings of the House in reference to the passage of the Supply Bill. That being the case, he was not aware that anything would be gained by a delay of what he felt to be a correct vote; and he therefore

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



TUESDAY,
MARCH 14, 1865

At the hour appointed, Mr. Speaker and the House attended upon His Excellency [Viscount Monck] with the Address to Her Majesty on the subject of the Union of the British North American Provinces.

And being returned, Mr. Speaker reported that the House had waited on His Excellency [Viscount Monck] with the Address to Her Majesty on the

¹ Starting at “The Supplies” is a supplementary addition we have included. Source: [“Provincial Parliament.” \[Quebec\] Morning Chronicle \(Mar. 15, 1865\)](#). There’s also a small debate in between Monck’s answer and “The Supplies” that is unrelated to Confederation, but can be read at the link provided.

proposed with a view of expediting the business of the House, to move that the Speaker now leave the Chair, and that the House go into Committee of Supply, in order that we might give the explanations and reasons why the Government asks the supply.

Luther Holton [Chateauguay] contended that this was an exceptional case, and that those explanations should be given before the Speaker leave the Chair.

Alexander Galt [Sherbrooke, Minister of Finance] thought the first point raised by the hon. member for Chateauguay [Luther Holton] was fully met by the Government on a recent occasion. The reasons that induced the Government to propose this course were fully stated by the Hon. Attorney General West [John A. Macdonald] quite recently. He (Mr. Galt) therefore did not think the Government were called on to add anything to the general explanations of their policy which had been already given.

After some further discussion—

Luther Holton [Chateauguay] asked whether it was the intention of the Finance Minister [Alexander Galt] to give to the House the full information in the possession of the Government relative to defence question?

Alexander Galt [Sherbrooke, Minister of Finance] said that if the hon. gentleman would only allow the House to go into Committee he would hear the reasons which induced the Government to place this sum for the permanent defence of the country on the Estimates, and he believed these reasons would be found wholly satisfactory.

The motion for the House in Committee of Supply was then carried, and the House went into Committee, Thomas Street [Welland] in the Chair.

Alexander Galt [Sherbrooke, Minister of Finance] then said:—In proceeding to move in Committee the adoption of two resolutions, which embrace the estimates that have been

brought down by a message from His Excellency [Viscount Monck], I think it proper that I should explain somewhat fully the causes which have induced the Government to ask Supplies to be voted in this particular form. I do not propose to enter into a full financial statement. Such a statement would more properly come in the Committee of Ways and Means, when it may be desirable that I should offer to the House information with regard to the income, revenue and resources of the Province, in making provision for the vote which the House may now pass. But I do not think it is necessary on the present occasion that I should enter on that branch of the subject, which would more properly be dealt with when at a future state I have the honor, with the concurrence of the House, to make provision for the vote of Supply in Committee of Ways and Means.

I shall endeavor, therefore, on this occasion to confine myself to the two resolutions which are in your hands. And first let me refer to the vote of two millions for the remaining service of 1864-'65. I may state that the Government, in bringing down these Estimates, have had in view only the ordinary expenditures, with such exceptions as I shall point out. It has been felt by the Government that it would not be proper for them, in asking the House for authority to disburse this large sum of money, to seek to apply it to objects which have not been under the consideration of the House heretofore and have not been voted upon by the House. But there is one branch of expenditure which is so important that it is proper I should state to the Committee the extent to which the Government intend to make provision.

I refer to the expenditure for the protection of the frontier by the volunteer force, and for the maintenance also a police force on the frontier. The House has already voted the sum necessary to maintain that force on the frontier up to the 1st of May. It is also the opinion of the Government, that the police force which has been sent there, and whose services have been productive of great benefit, will also require to

be maintained. Therefore the Government have felt bound to include a reference to them in the amount for which they have asked, up to the 1st of July, and for the succeeding three months. At the same time it is my duty to state that, unless further exigencies than we now foresee should arise, it may not be necessary to maintain the whole of the force during that time. It would not be proper, however, to allow Parliament to separate without receiving from it authority to maintain that force on the frontier, which in the past we have found it necessary to have there.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—I may state that the sum required for this purpose, in addition to what has already been voted in committee, is \$350,000. This is a portion of the two millions, and is the sum we propose to hold for the payment of the frontier force from the 1st May to the 30th September. As regards the expenditure for the police force, it will naturally occur to the Committee that it has been somewhat considerable. But the Government are of opinion that so long as the present disturbed state of the frontier exists, so long as the American war lasts, we must have a force on the frontier, in the shape of a police force, and also in the shape of a militia force, to support the civil authority, in order that we may fulfil the obligations we are under to act the part of good neighbors towards the United States.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—The rest of the vote is for the usual expenditure of Civil Government and the ordinary outlay which will be required within the Province during the first quarter of the year. The only item which has been in the contemplation of the Government beyond the ordinary expenditure is a small grant for the purpose of enabling the Province to be represented at the World's Fair to be held in Dublin. For this purpose it had been proposed to bring down the usual Estimates a vote of \$5,000. I may also state that, in compliance with the undertaking entered into with the

House last session, that before any vote was asked for Charities, the whole subject, and a variety of evidence connected with it, should be brought under the revision of the House, the Government have felt it to be their duty to withhold for the present until the House meets again, the voting of the usual sums for those objects.

In doing so the Government do not pronounce any opinion that those grants should be withheld; but they consider that, in accordance with the engagement entered into with the House, the required information as to all those Charities should be submitted to Parliament, and they do not wish to assume the payment of that money until authority is given. There will be, therefore, some delay in making the payment of these sums, which are usually paid some time in July. If from any cause the House does not meet in July, there will of course be further delay until the House can vote such sums as they choose for these purposes. The Government, however, hope to be able to meet Parliament before the end of the financial year, and in that case little or no delay can arise.

Luther Holton [Chateauguay]—What about the supplementary grant for Education?

Alexander Galt [Sherbrooke, Minister of Finance]—With reference to education, the same remark applies. A certain statutory provision is made for education. That statutory provision will of course be disbursed in the usual way. But there is also a sum of money usually voted for the support of Superior Education in Lower Canada, and in Upper Canada. The Government have considered that matter, and think the grant for these purposes can with advantage be postponed, until the next meeting of the House, inasmuch as that meeting will take place before the money is usually expended—and besides there was an arrangement, the same as with reference to the Hospitals and Charities, that the subject of Superior Education should be fully considered, and information with respect to it laid before Parliament. In compliance with that

engagement, the Government do not intend to take upon themselves the responsibility of disbursing the sums usually paid.

Antoine-Aimé Dorion [Hochelaga]—Have the Hospitals and Charities been paid up to the 30th June?

Alexander Galt [Sherbrooke, Minister of Finance]—They have been paid for the current year, by the sums I am speaking of belong to the Supplies for the year commencing 1st July next. We believe they will be paid in July, but on consequence of the engagements with the House to which I have referred, the Government do not propose to include them in the general vote of credit.

Luther Holton [Chateauguay]—The hon. gentleman has stated the aggregate sum for the militia and police. Will he please mention the amount for each?

Alexander Galt [Sherbrooke, Minister of Finance]—I stated merely the amount for the militia. For the police, it is estimated that \$25,000 will be required as the cost of services under the Extradition Treaty. There is also an estimate of \$42,000 for the detective police.

Antoine-Aimé Dorion [Hochelaga]—What will be the expense for the militia generally, apart from the cost of the special service on the frontier?

Alexander Galt [Sherbrooke, Minister of Finance]—\$350,000 will be ample both for the maintenance of the force on the frontier, and for all the ordinary militia expenses, besides those fixed by [Militia Act](#)².

Luther Holton [Chateauguay]—I understood the hon. gentleman to say he does not intend to make any expenditure whatever other than those usually submitted to Parliament. It would be remembered that last year a good deal of credit was claimed for the amended [Audit Bill](#)³ introduced which was to restrain the Government from effecting any expenditure without the specific sanction of

Parliament. Well that bill had scarcely been in operation six months, during which its provisions could scarcely be said to be fairly tried, before the Government asked us for authority to appropriate sums of money *en bloc*. They were forbidden making any expenditures under the [Audit Act](#)⁴ without the sanction of the House, but this vote of credit would authorize them to pay out such sums of money as they deemed fit.

Alexander Galt [Sherbrooke, Minister of Finance]—Now it is because the Audit Bill has been a most effective act, that the Government, instead of proceeding as has been done over and over again formerly to prorogue Parliament and then going on by their own authority solely to spend money, are obliged to come to Parliament and ask its sanction to their expenditures. It is not because we do not expect that parliament will meet in time, but because the Audit Act stands in the way of the Government's making any unauthorized expenditures.

Luther Holton [Chateauguay]—You are suspending it now.

Alexander Galt [Sherbrooke, Minister of Finance]—We are not. I would like to know how we are over-riding the Audit Act in asking the House to repose that confidence in the Government necessary to enable it to carry on the business of the country, and give it that Supply Bill requisite to that purpose.

Luther Holton [Chateauguay]—You are getting rid of the provisions of that act.

Alexander Galt [Sherbrooke, Minister of Finance]—Nothing of the kind. In order to be sure that no detriment to the public service may arise, we ask the House to give us credit so that we may carry on the Government of the country until the 20th of September. The Government would be wanting in its duty if it hesitated to ask the House to give them the necessary authority to meet the requirements

² [An Act Respecting the Militia \(Province of Canada, 1863\)](#). The Act was also amended slightly in 1864 with [An Act to amend the Acts "respecting the Militia," and the "Volunteer Militia Force" \(Province of Canada, 1864\)](#).

³ The bill would become [An Act to amend the law respecting the Public Accounts, and the Board of Audit \(Province of Canada, 1864\)](#).

⁴ [ibid.](#)

of the public service during that time. But, supposing the Government, instead of asking for two million dollars, had asked for only five hundred thousand dollars, surely they would have been able to mispend this appropriation as well as the larger one.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—The Government believe the necessities of the country require them to ask this act of confidence on the part of the House. We believe it is for the interest of the country that certain subjects should be prominently brought before the Imperial Government without loss of time. In that belief we ask Parliament to arm us with those powers, and I trust they will give them to us—

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—and that they will not be led aside by such feeble arguments as those of the member for Chateaugay [Luther Holton], in raising a doubt whether the Government will fulfil its duty to Parliament—a duty which will require us to come down to this House and shew what we have done with every penny they have voted. It is to be supposed this House will not take strict cognizance of what is done under this vote? The Government propose that a detailed statement of the expenditure under this vote shall be brought down at the next meeting of Parliament.

Luther Holton [Chateaugay]—What remedy is there if you do wrong?

Alexander Galt [Sherbrooke, Minister of Finance]—There is the political remedy—and, if we are guilty of malversation of office, there is another remedy, and a more severe one. The Government run far more risk in this matter than the House. When they ask the House for the right to assume responsibility, if they err under that responsibility, they imperil their position and run the risk of being turned out of Parliament. But in coming down in the way they do, the Government are giving the strongest pledge they could give to the people of this country, that they feel their responsibility and do not shrink from it.

Joseph Dufresne [Montcalm] asked if the Government included in the vote of credit the amount for colonization purposes.

Alexander Galt [Sherbrooke, Minister of Finance]—I have no difficulty in answering that question. The expenditure for colonization roads has been so long regularly voted by Parliament that it may be considered now part of our ordinary expenditure. The Government have had it in contemplation in the Estimate now sent down.

Luther Holton [Chateaugay]—What amount?

Alexander Galt [Sherbrooke, Minister of Finance]—The amount will be according to the vote of 1864, but we know perfectly well that the whole of the money will not be spent in three months.

John A. Macdonald [Kingston, Attorney-General West]—The House will have the control of that subject.

Alexander Galt [Sherbrooke, Minister of Finance]—Of course it will.

Joseph Perrault [Richelieu] was understood to ask whether this vote would include a grant to the Board of Agriculture.

Alexander Galt [Sherbrooke, Minister of Finance] said the grant will be given to the Board of Agriculture as usual. I now propose to offer a few remarks in regard to the important question of the vote asked for the permanent defence of the country. In referring to this subject, which is certainly the most important that could be considered in this country, it is perhaps necessary I should enter into a little explanation.

When my friend the Hon. Attorney General West [John A. Macdonald] stated the other day that the Government felt that the vote at the recent elections in New Brunswick had rendered it necessary that a delegation of members of the Canadian Administration should visit England, he referred at that time to the question of defence as being more or less mixed up with Confederation.

I may state that in the communications which have passed between the Government of Canada and the Imperial Government on

the question of defence, the subject of what might be or should be the relative duties of the colonies and the mother-country in this respect has been postponed. The consideration of that subject was felt to be one which could be more properly taken up by the Confederated Provinces than by the Colonies singly.

For that reason it was considered that under Confederation there would be offered the most favorable opportunity of considering this subject in concert with the Imperial Government. The effect of the partial delay which it may be expected will arise from the result of the elections in New Brunswick has shewn that the whole question of Confederation may be further delayed for a certain time; but it was considered that the question of defence could not therefore be left in abeyance.

Some Hon. Members—*Cheers.*

Alexander Galt [Sherbrooke, Minister of Finance]—It was felt that the defence of the country is a matter which requires the instant and urgent attention of the Government at all times, and it was considered that the Canadian Government would be failing in its duty if, from any cause, it allowed delay in reference to this important matter to take place. Therefore those points which it was thought required to be discussed between the Imperial Government and the Government of the Confederation, in reference to the general relations which the colonies should bear towards the mother-country in the matter of defence have, owing to the anticipated delay which may arise, assumed an appearance that requires the Government of this Province to approach the Imperial Government in order to obtain a decision on this very important subject. The members of this House have all read the debate which took place in the House of Lords recently, and remember the statement made by the Attorney General West [John A. Macdonald] on the receipt of the telegram giving us information on the subject, to the effect that that report was no correct as regards the amount stated to have been voted for

putting the defences in order.

Now, the position which the Canadian Government assumed towards the Imperial Government relative to the defence of the country was this:—The defence of these colonies must depend on the united action of the Empire and the Colonies. It is perfectly plain that no one who considers the position of Canada, as a country which is not wealthy, and whose inhabitants depend as it were on their daily labor for the support of their families, would be ill able to undertake the financial burthen of a war with such a great power as the United States, unless the empire is prepared to assume what would be regarded as a fair proportion of this liability, under such lamentable circumstances.

It is quite plain that the demand on this country to undertake alone the duty of defence is one which whatever may be the disposition in Canada—and I believe there is a strong disposition on the part of all in the country to do their duty to maintain their political institutions intact, it would be impossible for them to do so unaided.

Some Hon. Members—*Cheers.*

Alexander Galt [Sherbrooke, Minister of Finance]—The Government of Canada cannot—on considering this question, on considering the liability which would have to be assumed by the country under such circumstances—lose sight of the position in which the trade, commerce and credit of this country are situated. It is perfectly plain that the war raging in the United States has seriously affected every one of these interests. It has injured our trade, diminished our commerce and revenue, and seriously affected our credit. Under these circumstances the position in which Canada is called upon to contribute largely and liberally is, I am sure, one surrounded with a great deal of difficulty. It is quite plain that the Government of Canada cannot go on the mere security or credit of this country in the London market for a war loan, which is practically an announcement to the capitalists of England that hostilities between the United States and

Canada are considered imminent, without adding to that depreciation which has already taken place in our securities, now below 80 in the London market.

Therefore any expenditure which Canada may feel called upon to assume in the fulfillment of what must be regarded as her engagements towards the Empire—any expenditure which this Government shall contract, with reference to this subject, must be on the understanding that this will be sustained by the Imperial credit. It is plain that if we look to the unaided efforts of Canada in such a struggle, the difficulties will appear insurmountable; and it is felt that, in asking the Imperial guarantee for the sums which might be required for the defence of this country, Canada was asking no more than what the Empire would be ready to give the other colonies.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—Canada would be called upon to make the greatest sacrifices—she would have to expose her sons to battle and her daughters to indignity, her industry to be subjected to complete paralysis; and under these circumstances the necessary securities for the expenses she may enter upon may fairly be asked to be guaranteed at the hands of our fellow-subjects in a happier portion of the Empire. Under such circumstances we surely had a right to ask that the credit of the country should be sustained by the Empire. It is evident that any war that might affect Canada must be a war that will arise from Imperial causes. We share with the other portions of the Empire in the blessings of peace, and I am sure no one is prepared to shrunk from the burthen that may be entailed upon us in the defence of the dignity of the Empire in the event of war.

Some Hon. Members—*Cheers.*

Alexander Galt [Sherbrooke, Minister of Finance]—But when we admit our liability in this respect it cannot be denied there is a mutual responsibility on the part of other

portions of the Empire to do their duty towards us. If by the accident of our position we are to become the battle-field in the event of hostilities between Great Britain and the United States, we are entitled to ask of our fellow-subjects in England that they share the risks and share the expenses.

Some Hon. Members—Hear.

Alexander Galt [Sherbrooke, Minister of Finance]—Of course I will not go into any details after the statement of the Attorney General West [John A. Macdonald]; but quite enough has been given in [the report of Col. Jervois](#)⁵ to show that a very considerable outlay must be made to enable the partially trained troops of this country to retain the military occupation of the Province. My hon. friend reminds me that the report refers to both east and west; but the Government feel that their responsibility extends much further than [this report of Col. Jervois](#) comprises. The responsibility rests on the Government of giving protection not to one part of the Province or to the other, but to every man in the country.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—It has been asked why no answer has been made to the report. Answers have been made, negotiations are going on, and it is because these are still going on that the Government are desirous of proceeding to England to press them to an issue. The Government take this ground that the expense should be assured in part by the Imperial Government and under an Imperial guarantee. I have no hesitation in saying that difficulties have arisen in obtaining that guarantee, and unless these difficulties are removed the government are not prepared to say that this million of dollars will be expended on these works. But it is most important, in the opinion of the Government, as it has been said that Canada is unwilling to do her share in the defence of the country, that their hands should be strengthened, so that

⁵ [William Jervois, Report on the Defence of Canada \(1864\).](#)

they may proceed to England and show the Imperial authorities that the people of this Province are willing to meet any fair demand made upon them. It is with that view that this grant is asked,—with a view of enabling the Government to go to England and show the people there that this country is prepared to take its share of the British Empire.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—Of course the Government is not going to enter into engagements which are not subject to the sanction of the Parliament of Canada; but is absolutely necessary that the views of the Imperial Government should be compared with those of the Provincial Government, and when this has been done it will then be the duty of the Provincial Government to meet parliament and lay these views before it. And I trust, and believe, that notwithstanding what may be said in the press or elsewhere, we shall find in England, in the heart of old England, what desire to sustain this portion of the Empire which has always hitherto been manifested.

Some Hon. Members—*Cheers.*

Alexander Galt [Sherbrooke, Minister of Finance]—And I think that the time has come when it is necessary that that frank explanation should be had, for if the tone which has prevailed in England of the colonies being only a burthen to the mother-country it is to continue, it is time that we should know it.

Some Hon. Members—Hear, hear, *and cheers.*

Alexander Galt [Sherbrooke, Minister of Finance]—It is well that the people of England should know that we do not go to them as mendicants, but prepared to assume our share of the duties of defence devolving upon us as a portion of the Empire.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—I believe, and the Government believes, that the people of this country are willing to make any sacrifice in their power to maintain their connection with Great Britain.

We believe that that in the position of every man in the country, and it is in that belief that we will carry out such engagements as may be entered into for the defence of the country.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga]—Am I to understand the hon. gentleman that no part of this money will be expended until the Government meets Parliament again.

Alexander Galt [Sherbrooke, Minister of Finance]—Certainly not. If the House votes the money it places it at the disposition of the Government for works of defence. Otherwise it would be a perfect mockery to go to England. Whatever may be required for works of general defence, which will be submitted to Parliament before the Government takes any action, in asking this vote the Government intend to exercise their discretion to expend it or not as the public interests may require. And in no other way could we do our duty. The position of England is this, they want to see that the people of this country are willing to undertake the responsibility of providing for their own protection, and when we show that we are prepared to do that, if we are not met in a similar spirit it will be time then for this country to consider the future. But I trust that the feeling exhibited in the press that the Colonies, not only Canada, but all the Colonies, are merely burthens to the Empire, will be found to be only skin deep, and that when the necessity arises she will be found ready as she always has been found ready to perform whatever her position in regard to us as a portion of the Empire demands at her hands.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—The question of defence is not merely confined to the erection of certain works. That is only one means of defence which will have to be resorted to. Any one who looks at the Western portion of the Province must see that the great lakes there will have to be defended; that the defence of that portion of the country requires that gun-boats should be placed on these lakes. Well,

the Province of Canada is not able, and cannot be expected to place gun-boats on those lakes, but the Empire is. All those points have to be met and considered with the Imperial Government, so that we may not be thrust into a position which it would only be an idle sacrifice for the people of this country to try to endure.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—I will not enlarge upon this point, but will only say that the Government feel that when the Imperial Government has come down with £200,000 stg.—though they only propose to expend £50,000 this year—this House will show that it is willing to go even beyond what the Empire has done; for if the defence of this country is to depend upon the petty vote of £50,000 a year, then it may be better to adopt the words of one who is no longer among us, but who occupies a seat on the Bench, and say that the best armament for this country is no armament at all.

Some Hon. Members—Hear, hear.

Alexander Galt [Sherbrooke, Minister of Finance]—I trust that this House will arm the Government, by a unanimous vote, to show that the people of Canada are in earnest in this matter. I trust that the taking of this vote without a dissentient voice will show to the people of England that now when the danger is before us we are ready to bear our share of it; that we clothe our Government with power, and ask them to unite their resources with our resources; and with these means united in the defence of this country, I am perfectly certain that we can resist any attack that may be made upon us, from whatever quarter it may come.

Some Hon. Members—*Cheers.*

John Cameron [Peel] said that so long as we were British subjects it was our duty to vote not only a million of dollars, but the largest amount we possibly could towards the

defences of the country. He believed if we voted this million of dollars, it would place our Government in the best possible position to obtain the Imperial guarantee. If those members of our Government who went to England, had this vote of credit with them to shew the good will of the people of Canada, in the matter of defence, he believed it would dispel any false impression which might exist in the mother-country on the subject of our willingness to defend the country, and would induce the Imperial Government to do their share towards the defences of Canada.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—He trusted there would be no difference of opinion on this subject.

Antoine-Aimé Dorion [Hochelaga] said it was not fair to insinuate that hon. gentlemen on the Opposition side of the House were throwing any obstacles in the way of measures for defence, whereas all we did was ask for explanations on the subject of the burthens which we were going to undertake. We were entitled to know whether this millions of dollars was a fifth part or a twentieth part of what was to be required of us. The hon. gentleman went on to say that, notwithstanding the clamor which hon. gentlemen opposite raised respecting their alleged desire to make provision for the proper defence of the country, yet the measure that had been introduced by hon. gentlemen on this side, while they were in office, proved most effective—far better than the celebrated [Lysons' Bill](#)⁶ which would have imposed such burthens upon the country.

Alexander Galt [Sherbrooke, Minister of Finance] said that the millions of dollars was not a payment on account at all; it was a sum placed at the disposal of the Government for the general defence of the country.

Antoine-Aimé Dorion [Hochelaga] went on

⁶ The Lysons' Bill refers to the [Militia Bill that was presented by John A. Macdonald to the Assembly in the 1862 Session](#). Col. Daniel Lysons was appointed in January 1862 along with John A. Macdonald and others to a Commission mandated to re-organize the Canadian military force in light of the increasing danger of conflict with the United States. The bill was defeated in its second reading, and the Premier, George-Étienne Cartier, tendered his resignation. Col. Lysons was closely associated with the proposed Militia Bill. See [Col. D. Lysons, Parting Words on the Rejected Militia Bill \(1862\)](#).

to contend that we should know what was demanded of us.

George-Étienne Cartier [Montreal East, Attorney-General East] said it was in the character of minds such as those of the hon. member for Hochelaga [Antoine-Aimé Dorion] not be satisfied even with the lucid explanation of the Hon. Finance Minister [Alexander Galt]. He desired to join issue with the hon. gentleman as to the merits of the [Lysons' Bill](#)⁷. All that was good in the present act, for which hon. gentlemen claimed so much credit, was taken from the [Lysons' Bill](#).

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Had the latter bill become law, instead of being dependent upon a few thousand volunteers in the towns, we should have had a large body of militia organized in every one of the eighteen military districts in which the country was to be divided. We would have had this advantage at a cost of some four hundred or five hundred thousand dollars per annum.

Some Hon. Members—Hear, hear, and *Opposition cries of oh, oh.*

George-Étienne Cartier [Montreal East, Attorney-General East]—He repeated, we would have been enabled to train twenty-five thousand of our militia every year, with his outlay. The advantages of the act of hon. gentlemen opposite was confined to the military schools throughout the country, the benefits of which he at once cordially admitted, and the few thousand volunteers in the city, whereas with the [Lysons' Bill](#), as it was called, the training would not have been confined to the officers, but would have been general, and would have given us an organized militia. An expenditure of \$260,000 would have been required the first year for armories, but after that a sum of \$400,000 or \$500,000 would have sufficed for the annual expenditure on the militia force.

Some Hon. Members—Hear, hear.

It being six o'clock the Speaker left the Chair.

The Legislative Assembly stopped for dinner recess.

After the recess—

The House again went into Committee of Supply.

Luther Holton [Chateauguay] asked that the first resolution for the \$2,000,000, for the general expenses, be read.

The Chairman read the resolution.

1. *Resolved*, That there be granted, for the completion of the several services of the Government, not otherwise provided for, for the remainder of the Financial year ending 30th June, 1865, and for the first quarter of the year ending 30th June, 1866, a sum not exceeding \$2,000,000.00.⁸

Luther Holton [Chateauguay] demanded the particulars of the bulk sum for which a vote was sought.

Alexander Galt [Sherbrooke, Minister of Finance] gave the required explanation, and a sort of conversational discussion ensued on the details or items of the estimate.

John Sandfield Macdonald [Cornwall] complained that it was wrong to ask us to vote this large amount of money without letting us know what burthens we should have to bear. The hon. gentleman was beginning at the wrong end. He was putting the cart before the horse, inf act. It would have been but common fairness to let us know how it was proposed to meet this heavy sum for which a vote of credit was sought.

Alexander Galt [Sherbrooke, Minister of Finance] pointed out that the course he took was in perfect accordance with British Parliamentary practice.

A lengthy debate of a rather discursive nature on the relative merits of [the Lysons' Bill](#) and [the](#)

⁷ *Supra* footnote 7.

⁸ [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 213.](#) Inserted for completeness.

[present Militia Act](#)⁹ ensured, in which Hon. Messrs. J.S. Macdonald, Cartier, Galt, and Messrs. Cartwright, A. Mackenzie and others took part.

David Jones [Leeds South] complained that nothing, so to speak, had been done for the country volunteers, while everything was done for the benefit of the city volunteers. He had been connected with the volunteers since [the Trent difficulty](#)¹⁰, and he could say that in his own locality there were two as efficient companies as any in the Province, yet they actually had not a place in which to drill.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—This was not fair, inasmuch as the country volunteer corps were more useful than those in the cities—they were formed of farmers and farmers' sons who were permanent residents of the localities, and not mechanics and others who were here to-day and away to-morrow, like so many of the city volunteers. They were provided with a suit of clothing, it was true, but they were subjected to a variety of incidental expenses to which the encouragement afforded them bore no proportion whatever. From forage caps to drill-sheds they had to bear the cost themselves.

Some Hon. Members—Hear, hear.

David Jones [Leeds South]—This was not as it ought to be. The country volunteers should to say the least, have the same advantages as those of the cities, yet each successive Government extended too little consideration to the volunteers in the country districts. In conclusion, he would vote for the item of one million dollars for the permanent defence of the country, and he only regretted that it was not two millions of dollars, so that our representatives could go home and say to the Imperial Government, that while they only proposed to grant a small sum of fifty

thousand pounds for the defence of this colony, we were willing to give five hundred thousand pounds.

Some Hon. Members—Hear, hear, and cheers.

Frederick Haultain [Peterborough] thought the question was one of a great importance and which should be discussed in a very temperate spirit. He would vote cheerfully for the appropriation of one million dollars for defensive purposes, believing such a step was necessary in the interests of the country. He was ashamed to hear of so paltry a sum having been voted in the British Parliament for the defence of Canada, for which so large an amount was required. He did not think that the present volunteer system was adequate to our wants.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—He did not think that the present force of volunteers was sufficient for the defence of the country and that the desultory course of training now given was at all calculated to create an efficient force. He believed that a certain number of men should receive a continuous training to fit them for the duties of an effective militia.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough]—No explanations as to the form or manner in which the million dollars should be spent out to be asked from the Government.

Thomas Scatcherd [Middlesex West] also spoke upon the question, in opposition to the vote in question for the purposes of defence.

François Evanturel [Quebec County] was glad to see that the Government asked for this money in order to put the country in a proper state of defence; but if he thought the Government would be required to expend it before knowing what was our portion of the

⁹ [An Act Respecting the Militia \(Province of Canada, 1863\)](#). *Supra* footnote 2.

¹⁰ [The 'Trent Affair'](#) refers to the U.S. seizure of the British mail steamer RMS *Trent* and the arrest of two confederate diplomats James M. Mason and John Slidell, and two under-secretaries, in November 1861. Prince Albert demanded reparations, an apology, and the immediate release of the four Southerners. As tense diplomatic notes were exchanged through the autumn of 1861, British North American feared and prepared for possible war. Imperial reinforcements were provided to the colony in December. War was suddenly averted with the release of the southern diplomats and secretaries.

burthen of defence to be borne by the whole of the Empire, he would vote against it. He thought, however, the present vote would have the effect of bringing about a settlement as to the relative proportion we were to bear of the expense of the defence.

The first item of the Estimates was carried.

1. Resolved, That there be granted, for the completion of the several services of the Government, not otherwise provided for, for the remainder of the Financial year ending 30th June, 1865, and for the first quarter of the year ending 30th June, 1866, a sum not exceeding \$2,000,000.00.¹¹

On the second item, being the sum of one million dollars, for the permanent defence of the country,¹²

John Sandfield Macdonald [Cornwall] objected to the incurring of debts, or laying on of burdens to provide for such a contingency as war, of which there was no immediate danger. The best way to act was to avoid heaping up a national debt, but to treasure our resources so that when the time came for incurring expense to resist the aggressor, the country might be strong and comparatively wealthy.

John Macdonald [Toronto West] was not prepared to incur the responsibility of voting against this proposed appropriation. He would vote for the money and hold Ministers responsible for tis expenditure.

The Committee then rose and reported the resolutions as carried.

Alexander Galt [Sherbrooke, Minister of Finance] *then moved*

That concurrence in the resolutions be taken to-morrow afternoon at three p.m.

Carried.

¹¹ Reinserted for clarity. *Supra* footnote 8.

¹² The full resolution reads, "2. Resolved, That there be granted for the permanent Defences of the Country, a sum not exceeding \$1,000,000.00." *Supra* footnote 8.

1. Resolved, That there be granted, for the completion of the several services of the Government not otherwise provided for, for the remainder of the Financial year ending 30th June, 1865, and for the first quarter of the year ending 30th June, 1866, a sum not exceeding \$2,000,000 00.

2. Resolved, That there be granted, for the permanent Defence of the Country, a sum not exceeding \$1,000,000 00.²

On the motion for the second reading—

Luther Holton [Chateauguay] *rose to move an amendment.* He said the proposition before the House was of such an extraordinary nature that he deemed he would be wanting in duty if he did not call the attention of hon. members to what he believed to be its objectionable character, and to protest against it. The Hon. Finance Minister [Alexander Galt] had not yesterday controverted his (Mr. Holton's) assertion that no precedent could be found for such a proceeding as that now taken by the Government. The hon. gentleman briefly reviewed the circumstances under which the votes of credit taken during the past few years had been asked for, as also those in connection with the votes of credit referred to by the Hon. Finance Minister [Alexander Galt] yesterday.

Now, what were the circumstances under which the present vote was solicited? We were asked to vote *en bloc* all the Government might see fit to expend within the limits of \$2,000,000, for the first quarter of the ensuing fiscal year. Here, at an early period of the year, at an early day of the session, we were denied a detailed statement respecting our financial position, and asked to repose confidence in the Government, and put it in a position to spend money at discretion during the ensuing quarter of the financial year.

And why? There was no other reason alleged than the fact that the people of New Brunswick had, in the recent elections, voted

DEBATES OF
THE
LEGISLATIVE
ASSEMBLY



WEDNESDAY,
MARCH 15, 1865¹

Concurrence in the Estimates

Alexander Galt [Sherbrooke, Minister of Finance] *moved*

That the report of the Committee of Supply be concurred in.

The two resolutions reported from the Committee were read a first time.

¹ Source: "[Provincial Parliament,](#)" [Quebec] *Morning Chronicle* (Mar. 16, 1865).

² [Journals of the Legislative Assembly of the Province of Canada \(1865\), p. 227.](#) Added for completeness.

against Confederation³. But the real reason was that the Finance Minister [Alexander Galt] was afraid to offer a detailed financial statement, afraid to take the vote upon many of the items, to support which they apprehended their followers would not allow themselves to be dragged further through the mud.

Some Hon. Members—*Ministerial derisive cheers.*

Luther Holton [Chateauguay]—The effect of this vote of credit would be to relieve the Government of the obligations it contracted on the introduction of their [audit bill](#)⁴. They would thus manage to evade the operation of their own act for two years. Why should the Liberal members of this House, as well as those in the Government, be asked, in supporting this vote, to trample upon and belie all those great political principles which they had professed to admire throughout their former life? Why should the Liberal Party, merely for the purpose of retaining in office a few months longer the present occupants of the Treasury benches, be urged to vote down their life-long principles?

Some Hon. Members—Hear, hear *and counter-cheers.*

Luther Holton [Chateauguay]—He would move in amendment

That the said resolution be not read a second time, but that it be resolved that, while this House will cheerfully grant the supplies required for the public service, regrets there should be any departure from the long-established and wise course practiced of inviting the House to base the appropriations of public money for the ordinary service of the year upon detailed estimates submitted by the Crown, and cannot but regard with profound disapprobation a proceeding which tends to subvert the surest safeguards of the rights and liberties of the subject—namely, “the control over the expenditure by the representatives of the people.”

Joseph Bellerose [Laval] made some enquiry about the expenditure of the money. He was not distinctly heard in the Reporters’ Gallery, but was understood to ask whether the claim of one Delisle against the Government for some sixteen thousand or twenty thousand dollars was included in the vote and would be paid.

Alexander Galt [Sherbrooke, Minister of Finance] said it was impossible for him to answer such a question without having notice, so that he might ascertain how the matter stood.

After some conversation the matter dropped—

Jean Chapais [Kamouraska, Commissioner of Public Works] stating that there was no special appropriation under the head of arbitration for the claim referred to by the hon. member for Laval [Joseph Bellerose].

Alexander Galt [Sherbrooke, Minister of Finance] said that it was not at all necessary for the member for Chateauguay [Luther Holton] to be constantly assuming the position of defender of the constitutional rights of the people of Canada, as such were not at all in danger and required not his special safeguard. There was a precedent for this course, however, in the action of the Imperial Government, which had, in 1857, obtained a vote of credit amounting to upwards of £1,500,000, under precisely similar circumstances. This House, however, knew how to deal with its own financial affairs, and need not be bound by precedent against its own wish and convenience. The members of this House represented the tax-payers of Canada, and would take what course it

³ Facing considerable suspicion and fierce hostility to the Quebec Scheme in New Brunswick, Tilley did not submit the scheme to the provincial parliament and a general election on its adoption was inevitable. The legislature was dissolved on February 9th 1865, and writs were issued for a general election to be returned in March 1865. Tilley’s Ministry was soundly defeated, with the Premier himself losing his seat in the legislature, and an anti-confederationist ministry led by Albert Smith was brought into power, taking 35 of 41 seats in the Legislature. Fears of higher tariffs and debt, in addition to lack of clarity on the intercolonial project, and a competing railway project to the United States, raised distrust in the confederation project.

⁴ [An Act to amend the law respecting the Public Accounts, and the Board of Audit \(Province of Canada, 1864\).](#)

pleased in regard to voting supplies for the public service. The present amendment was not presented out of anxiety for the constitutional rights of the public, but simply amounted to a motion of want of confidence in the Government, and a declaration that the House was afraid to entrust it with the expenditure of the money asked for. The motion was merely clap-trap, and the House was able and willing to guard the interests of Canada in regard to money matters.

Some Hon. Members—Hear, hear.

Antoine-Aimé Dorion [Hochelaga] proceeded to attack the Government for the course they pursued, contending that there was neither precedent nor cause for such a course, and that hon. gentlemen opposite had entirely failed in making out such a case of urgency as would justify the House in supporting hon. gentlemen in their course.

Joseph Cauchon [Montmorency] pointed out, briefly, the flimsy nature of the arguments advanced by the hon. member for Hochelaga [Antoine-Aimé Dorion], and contended that never before had we such an important matter before us as the question of Confederation.

Joseph Bellerose [Laval] was understood to express himself satisfied with the explanations which had been elicited in the course of the discussion relative to the question he had put; and to state that he felt confident that the Government would act properly in the matter.

John Sandfield Macdonald [Cornwall] next attacked the Government, denying that there was as much necessity for a vote of credit now as in 1848, and on other occasions cited by hon. gentlemen opposite. The fact was that a number of liabilities were pressing upon these hon. gentlemen and they wanted this vote of credit in order to enable them to clear off these liabilities.

Some Hon. Members—Hear, hear, *and* oh, oh.

George Brown [Oxford South, President Executive Council] knew nothing about, and never heard of this claim before. But he could promise that both with regard to this and all other claims justice would be done and

nothing more. If the member for Cornwall [John Sandfield Macdonald] had listened, he would have heard that there was not a single item of expenditure proposed to be taken out of this vote of \$2,000,000, but \$5,000 in reference to the Dublin exhibition. The money was simply asked for to enable the Government of the country to be carried on till the House met again.

The Hon. Finance Minister [Alexander Galt] had also stated that he hoped that not a penny of the \$2,000,000 would be required to be paid out before the next session. This motion of the hon. member for Chateaugay [Luther Holton] was, therefore, mere clap-trap—it was really intended as a vote of want of confidence in the Government. If the House had confidence in the Administration, then let it grant the present vote to enable us to carry on the business of the country.

Luther Holton [Chateaugay] asked had the Government received any information other than that as to the elections in New Brunswick to lead it to change its policy. Did the necessity for providing for defence, for instance, appear more urgent than before; in short, what had urged the Government to its present course? If the Government had any information or cause for their altered course, they should submit it to the House before asking our approval thereof.

George Brown [Oxford South, President Executive Council] said that there was an easy answer to the question. Negotiations had been going on between the Canadian and Imperial Governments respecting our defence, in view of the passing of Confederation. Those negotiations had not been completed at the time of the result of the elections in New Brunswick, and this led to the necessity of Canadian Government's immediately confessing with the Home Government respecting the defence of the country. In order to do this, the House would have to be prorogued forthwith. In the meantime, the Government of this Province required the means of carrying on the business of the country, and consequently had come before its

representatives for the necessary vote of supply now asked for this purpose. The result of the elections in New Brunswick had rendered the present course of the Government an absolute necessity.

Some Hon. Members—Hear, hear.

Lucius Huntington [Shefford] did not at all see that the altered circumstances of the case—only altered by the reverses of the confederation policy in New Brunswick—rendered it necessary that we should lay down the whip, drop the reins and rush in hot haste across the Atlantic. It might perhaps be that we did not properly appreciate the state of affairs, but he could not see that the relations between the mother-country and the colony, and the state of the [Reciprocity question](#)⁵, were such as to require such action. In any case he thought we might have spared a few hon. gentlemen out of this House to proceed as delegates to England to carry on whatever negotiations might be necessary, while we, in the meantime, went on with the business of the session in the usual way.

James Biggar [Northumberland East] believed it was right and necessary that the delegates should proceed to England, and he was not, therefore, prepared to offer any factious opposition to them on this vote. If they made a good use of the money he would vote for them; and if not, he would vote against them.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre] said that what to his mind was one of the strongest reasons for supporting this vote, was [the relation given us the other day by the Attorney General West \[John A. Macdonald\]](#) of the action of the House of Lords in the matter of our defence⁶. That hon. gentleman had stated that there was not that perfect understanding or accord between the Government of this and the mother-country which was desirable on that

important question. It was this state of things which induced him to support the Government on this vote. The circumstances of the country were pressing, and such as to demand that the House should clothe the Government with the most absolute authority in regard to this matter.

Some Hon. Members—Hear, hear.

*The question was then put on the **Luther Holton's [Chateauguay] amendment**,—*

That the said resolution be not read a second time, but that it be resolved that, while this House will cheerfully grant the supplies required for the public service, regrets there should be any departure from the long-established and wise course practiced of inviting the House to base the appropriations of public money for the ordinary service of the year upon detailed estimates submitted by the Crown, and cannot but regard with profound disapprobation a proceeding which tends to subvert the surest safeguards of the rights and liberties of the subject—namely, “the control over the expenditure by the representatives of the people.”⁷

—which was lost on the following division:

YEAS

Bourassa
 Caron
 Coupal
 Dorion (Hochelaga)
 Dorion (Drummond & Arthabaska)
 Dufresne (Iberville)
 Fortier
 Geoffrion
 Holton
 Houde
 Huntington
 Joly
 Labrèche-Viger
 Laframboise
 Lajoie
 Macdonald (Cornwall)
 O'Halloran
 Paquette
 Perrault
 Rymal
 Scatcherd
 Thibaudeau—23.

⁵ [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

⁶ [John A. Macdonald, Legislative Assembly \(Mar. 7, 1865\), p. 703.](#)

⁷ Reinserted from earlier in the debates for clarity.

NAYS

Abbott
 Archambault
 Ault
 Bowman
 Beaubien
 Bellerose
 Biggar
 Blanchet
 Bown
 Brousseau
 Brown
 Burwell
 Cameron (Peel)
 Cameron (Ontario North)
 Carling
 Cartier (Attorney-General East)
 Cartwright
 Cauchon
 Chambers
 Chapais
 Cockburn
 Cornellier
 Cowan
 Currier
 De Boucherville
 Denis
 De Niverville
 Evanturel
 Ferguson (Frontenac)
 Gibbs
 Galt
 Gaudet
 Harwood
 Higginson
 Howland
 Huot
 Haultain
 Irvine
 Jackson
 Jones
 Jones (Leeds & Grenville North)
 Knight
 Langevin
 Le Boutillier
 Magill
 Macdonald (Toronto West)
 Macdonald (Attorney-General)
 Mackenzie (Lambton)
 Mackenzie (Oxford North)
 McConkey
 McDougall
 McFarlane
 McGee

McGiverin
 McIntyre
 McKellar
 Morris
 Morrison
 Parker
 Pinsonneault
 Pope
 Poulin
 Poupore
 Powell
 Raymond
 Rémillard
 Robitaille
 Rose
 Ross (Champlain)
 Ross (Dundas)
 Ross (Prince Edward)
 Scoble
 Shanly
 Smith (Toronto East)
 Smith (Durham East)
 Somerville
 Stirton
 Street
 Tremblay
 Thompson
 Wallbridge (Hastings North)
 Walsh
 Webb
 Wells
 White
 Wilson
 Wood
 Wright (York East)
 Wright (Ottawa County)—93.

The first resolutions of the Committee of Supply—

1. Resolved, That there be granted, for the completion of the several services of the Government not otherwise provided for, for the remainder of the Financial year ending 30th June, 1865, and for the first quarter of the year ending 30th June, 1866, a sum not exceeding \$2,000,000 00.⁸

—was then carried.

On the second resolution for \$1,000,000, for the permanent defence of the country:—

2. Resolved, That there be granted, for the permanent Defence of the Country, a sum not exceeding \$1,000,000 00.⁹

⁸ [Journals, p. 227](#). Inserted for completeness.

⁹ [ibid., p. 229](#).

John Rose [Montreal Centre] said, I feel that the duty which devolves upon the Government, with reference to this measure, is one of the most serious character.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—It is one of a nature which, I hope, will not very often arise in this or any other colony. I think it is the duty of the House and of every member who loves the country and its future prosperity, and who has a regard for the defence of it, to strengthen the hands of the Government in every possibly way. I feel it is desirable that they should be enabled in their intercourse with the Imperial Government to feel that they represent not merely a party in this country, but the unanimous opinion of nearly three millions of British subjects.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—I trust, therefore, that the resolution to which the Government are asking our assent will meet with the unanimous concurrence of the House; because I do feel that, in dealing with the Imperial Government, they who go to England to represent the interests of Canada should be really conscious that they speak the voice of nearly three millions of colonists, and not a mere portion of the people of a divided country. The Canadian delegation to England will have no enviable task. It is a serious and solemn responsibility that will devolve upon them, and for which the Province will hold them to a strict account. I say this because I feel that the vote which the Government are asking for must be looked up on merely as an instalment, or an earnest of what the desire and intention of this country is with reference to its own defence. It is useless for us to do anything unless we are prepared to adopt such measures as will enable the country to be put in an efficient state of defence.

It would be useless for us to spend—as the

Imperial Government appeared, by [the recent debate in the House of Lords](#)¹⁰, inclined to do—the small sum of £50,000 this year and £30,000 per annum for two or three succeeding years in our defence, unless the assent of that Government is obtained to co-operate with this country in that fair and liberal expenditure for defensive purposes, which, if it is to be of any service, must be made within the shortest possible time; and it is because I feel we ought to strengthen the hands of our Government in its negotiations with the Home Government upon this important question, that I trust there will be no dissent from this resolution.

I believe that of the Government can go to England with a spirit of conciliation, and, at the same time, of firmness, knowing what this country is prepared to do, on the one hand, and what it is their right to demand, on the other, that we should receive that same measure of consideration from the Imperial Government ever before extended to us. There is no reason to apprehend anything else.

I feel, at the same time, that the crisis is very grave—for there is no doubt a crisis in our national affairs is upon us—and that we have not only to enlist the assent and approval of the Government of England, but the sympathies of the people of England, but the sympathies of the people of England, in order that full justice be done to us on this side of the water by those on the other side. I know the influence of that school of politicians in England who affect to despise the colonial connexion and shirk the obligation it entails, and that consequently my hon. friends on the Treasury benches will have a stubborn battle to fight with that school and to overcome its influence with the Government and home; and in the present juncture when the Imperial Parliament is upon the eve of a dissolution, and when it may be its desire to strengthen its

¹⁰ [UK, House of Lords, “Defences of Canada—Reports of Colonel Jervois—Question” \(Feb. 20, 1865\)](#). In the Lords’ debate, Earl De Grey, mentions that £200,000 is to be the full amount—£50,000 being for this year alone. The £30,000 amount that Rose also gives seems to be an incorrect amount that had circulated in some newspapers. See, for example, [“By Telegraph,” \[Quebec\] Morning Chronicle \(Mar. 8, 1865\)](#).

hands by conciliating its influence will not, probably, be an easy one. I, therefore, consider it the more incumbent upon this House and the people of this country to back up the Government of this country and increase its weight with the Home Government in the conduct of those negotiations about to be entered upon.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—But, at the same time, there are other considerations which the delegation from this country can present—and which from the confidence I have in them I feel sure they will present to the attention of the Imperial authorities, and if need be, to that of the English people, if justice cannot be got from the other quarter—which I believe will have the effect of obtaining for us that co-operation on the part of England necessary—but also those solemn assurances which are necessary to our coming to an explicit and right understanding with reference to the question of defence. It is high time that an explicit understanding should be arrived at on this subject. We have had too much quarrelling, recrimination and bandying on both sides.

On our part, we have been accused of neglecting our duty, and we, at the same time, have accused the Imperial Government of neglect and lukewarmness in the matter of the defence of Canada. It is time, in this time of danger, that these misunderstandings and bickerings should cease between us, and that we should arrive at an explicit knowledge of what England expects from this country, and a decision as to what we are prepared to do. This is what should be done, not only to escape from a temporary difficulty, but in order that our relations with England should be placed on such a footing as to put an end to all those misunderstandings, recriminations and disagreeable bandyings on either one side or the other.

Some Hon. Members—*Cheers.*

John Rose [Montreal Centre]—The first duty of the Government is to arouse the public attention in England in reference to our present position—to press upon the English Government and people the gravity of the present crisis—because this is a crisis in our history, and one which must be dealt with by a very temperate, but, at the same time, with a very firm hand. I feel that if the Government of England cannot be influenced by our Ministers to meet us in a fair, frank, and liberal way in the work of defending the country, that we can call upon the people of England to give us that aid and sympathy to which, in our performing our part, we are justly entitled.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—This is one of the considerations to which the attention of the Imperial Parliament may be profitably called:—We know our defence has been made a much more difficult matter in consequence of the manner in which the rectification of the frontier has been carried out, and that the negotiations leading to this were those in which Canada had nothing to do. We all know the history of the [Old Red Line of Franklin's map](#)¹¹, which gave us a boundary many more miles to the southward than the present line between us and the United States. We know that the frontier has been brought much nearer the heart of our country than it should have—that it is now almost within sight of the place in which we stand. The result of this rectification has been to hand over to the United States the important position of Rouse's Point.

I believe that the effect of the surrender of this portion of our territory to our neighbors has almost doubled the difficulty of the defence of the country. We know what Daniel Webster said in [his speech in defence of the Washington Treaty](#)—viz: that if he had gained that, and that only (the concession Rouse's Point), it would have been worth all the other equivalents and concessions made to

¹¹ [Benjamin Franklin's map, with a red line indicating the boundaries of 1782 between what would be the United States and British North America.](#)

England¹². This involves, consequently, the construction of the defences at Montreal, and the employment of 20,000 or 30,000 men to man them. I think, then, that the English Government should be told that they have, by previous negotiations, made this question of defence much more difficult than before. I feel that the Government will not overlook this point when they come to deal with the Home Government, and that our Ministers will not fail to represent to them, not only their duty to vote [some £50,000 for the fortification of Quebec](#)¹³, but to contribute their fair share towards our defence, in view of their having rendered it much more difficult by concessions, in negotiations with which Canada had nothing whatever to do. This ought to have its full weight in the consideration of the matters.

Some Hon. Members—*Cheers.*

John Rose [Montreal Centre]—Here is what [Daniel Webster said on the invasion of Canada](#):—

“Of one thing I am certain, that the true way to Canada is by way of Lake Champlain. That is the old path. I take to myself the credit of having said here (Congress) thirty years ago, speaking of the mode of taking Canada, that, when our American woodsman undertakes to fell a tree, he does not begin by lopping off the branches, but he strikes his axe at once into the trunk. The trunk, in relation to Canada, is Montreal, and the St. Lawrence down to Quebec; and so we found in the last wars.”¹⁴

England should not be allowed to forget that, by giving up this piece of territory,

including Rouse’s Point, she has rendered the defence of the country ten times more difficult than before. There is another point which I am sure our Government will not fail to urge upon the home authorities, this point—namely, that in the whole history of the difficulties which have arisen between England and the United States there is not a single one to be found that originated with Canada. For instance, there was the difficulty respecting the right of search¹⁵, the boundaries of New Brunswick and of Oregon¹⁶, the question respecting Ruatan¹⁷, in South America, the enlistment question¹⁸, [the Alabama difficulty](#)¹⁹ and [Trent affair](#)²⁰—of all those causes of trouble between Great Britain and the United States, which almost involved those two countries in war, not one was attributable to the policy or action of Canada. It might be said, however, that the [St. Albans affair](#)²¹ was one cause of trouble between those two great powers for which Canada was responsible. I deny the allegations.

All that we had to do with the difficulty arose merely from our position geographically. Is it to be supposed that if it had not been the intention of parties to embroil England with the United States, that we should have had any difficulty whatever in relation to the St. Albans’ raid? I say that the causes of our danger are not those which Canada might be responsible for, but which will, probably, always arise from questions of Imperial policy. But, on the other hand, the very fact of our being connected with England,

¹² [Daniel Webster, United States, Senate \(Apr. 7, 1846\).](#)

¹³ [UK, House of Lords, “Defences of Canada—Reports of Colonel Jervois—Question” \(Feb. 20 1865\).](#)

¹⁴ [Daniel Webster, United States, Senate \(Apr. 6, 1846\).](#)

¹⁵ Britain’s search of American ships for deserters is seen as one of the causes of the War of 1812.

¹⁶ [Webster-Ashburton Treaty \(1842\)](#) & [Oregon Treaty \(1846\).](#)

¹⁷ U.S. and British dispute over Ruatan and the meaning of the [Clayton-Bulwer Treaty of 1850.](#)

¹⁸ Britain’s neutrality policy between Spain and her colonies in South America.

¹⁹ [The Alabama, alongside other British ships, were used by the Confederate Army against the United States.](#) They were disguised as merchant ships to avoid falling foul of British neutrality policy.

²⁰ [The ‘Trent Affair’](#) refers to the U.S. seizure of the British mail steamer RMS *Trent* and the arrest of two confederate diplomats James M. Mason and John Slidell, and two under-secretaries, in November 1861. Prince Albert demanded reparations, an apology, and the immediate release of the four Southerners. As tense diplomatic notes were exchanged through the autumn of 1861, British North American feared and prepared for possible war. Imperial reinforcements were provided to the colony in December. War was suddenly averted with the release of the southern diplomats and secretaries.

²¹ [Confederate raiders robbed banks in St. Albans, Vermont.](#) They did so from the Province of Canada in the U.S. Civil War.

while a source of danger, was, also, a sort of guarantee of protection to us; because war with Canada is a war with England—with her armies on land and her fleets on every sea. That, certainly is a source of protection to us.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—There is another point I would like to allude to. I think it is all important that the Government at home should, at the present moment, know that there is a readiness on the part of our people to bear its full share, whatever it may be, in the defence of the country, no matter what sacrifices it involves. I believe that is the opinion, not only of 19 out of every 20 men in the country, but of 99 out of every 100. But if Canada and England would calmly consider what the Empire owed to us, and what we owed to ourselves and the Empire at large, and come to a fair, amicable conclusion with reference thereto, I do not believe there is a man in this country who is not prepared to fulfil the full measure of our duty.

I am sure that the country is prepared not only as to money, but as to men, and to everything else to contribute to the largest possible extent to its own defence. But what concerns us largely, also, is that those bickerings and recriminations which have been going on between this and the mother-country should cease; and I do augur from the mission of our Ministers that they and the British Government will come to a right understanding, once for all, on this question of defence. Let us not have the two countries, in the moment of danger, puddling, squabbling and bargaining about what each is to do, and with regard to the shortcomings of each other, but let us set to work and labor earnestly and practically for the attainment of the object we all have so much at heart.

It has been stated in the House of Lords and

in the English newspapers—“Oh, we can hold Quebec and Halifax, in any event.” They speak of those two cities as if they were rocks in the sea, isolated from the Provinces of which they form part, seeming to forget there are such places as Canada and Nova Scotia. It is supposed possible for England to hold the fortifications here and those of Halifax without, at the same time, possessing the affections and sympathies of the people of Nova Scotia and Canada. It is absurd to speak then of holding these two points as England holds Gibraltar and Malta, as mere military stations.

The idea of giving up the colonies and at the same time retaining Quebec and Halifax is purely nonsensical, and the sooner people got rid of such an absurd supposition the better. It has been stated by men who ought to know better that if this country were at war the troops, in case of defeat in the open field, could retire to those fortresses and hold the country in this way. How many hours could those cities be held, with all their fortifications, if the rest of the country were in the possession of our enemy? If this colony is to be abandoned, how long will it be before England will also have to give up all the other British Colonies both on Atlantic and Pacific Coast, the West Indies and Pacific Islands.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—I have no doubt that if the question of our defence, and our rights in the matter, be boldly, firmly and manfully put before, not only the Government, but the people of England—I have no fear whatever but that the doctrine of colonial abandonment will be exploded, and the views and doctrines of the [Manchester men](#)²², which have received more consideration than they were entitled to, because the English Government have

²² Goldwin Smith was a British historian who advocated anti-imperialism. Smith held, “a conviction that ‘colonial emancipation’ should take place as rapidly as possible because it was – except for India and Ireland – inevitable. This conclusion appeared in a series of articles published in the *London Daily News* in 1862–63 and then in pamphlet form as *The Empire* in 1863. There he presented a distillation of the opinions of his friends John Bright, Richard Cobden, and others of the so-called Manchester school who believed that Britain’s economic power, under free trade, was so great that the formal, political empire could be disbanded without economic loss.” [Ramsey Cook, “Smith, Goldwin,” *Dictionary of Canadian Biography* \(2003\).](#)

required their votes and assistance, will soon cease to have any weight in England. I do not believe that any Ministry that could be formed in England would venture to propound, as a practical question to be submitted to the approval of the English people, and abandonment of the colonies. We have a practical illustration of this fact in [the speech of Lord Ellenborough the other day](#)²³.

Look at his speech last year²⁴, to which the *Times* devoted a leader, and compare it with [that made lately in the House of Lords](#)²⁵, in which, in stirring language, he denounced the absurd trifling amount the Government proposed expending upon the fortifications of Quebec. That noble Lord stated on the latter occasion that what he meant before was that England should supply this colony with every military necessary, and then look to Canada for the men required to defend the country—that to the latter, on this condition, England should supply all the armaments, ships, material of war, and so forth, required for the defence of this Province. We find this nobleman so apathetic before when danger now fairly threatens, the first to hold the English Government to a strict and solemn account for the defence of Canada.

I believe it will ever be thus in England with the majority of her statesmen and people. I do not deny that there are very grave difficulties to be considered at this juncture, but I consider that this is the greater reason why the hands of the Government should be strengthened so that they may be able to speak plainly and firmly and with the united voice of nearly three millions of people when they go to England to confer respecting our defence. As I understand this vote it is taken for this purpose—as an earnest of what the people of Canada are prepared to do in behalf of themselves—that in reference to any fair scheme that may be discussed, and respecting

any fair conclusion which may be come to by this country and England, Canada is prepared to bear her full weight of responsibility.

I do not understand this vote as meaning that we are to expend one million of dollars as a contribution towards any particular defensive works, but merely this, that the Government, on going home, can say—the people of Canada are serious in this matter, and as an earnest of what they are prepared to do for defence, they have armed us with authority to say—we are prepared to spend money if necessary for this object, on condition that a correct understanding be come to with reference to the future entire system of defence, and that all those anterior misunderstandings which have existed between the two countries should be brought to an end. I will refer to a passage in Dr. Russell's book, on Canada, in illustration of this point; and I may say that no man understands better the real feelings of the people of England with reference to this question than he. But first, I will observe that I do not wish to raise any feeling against hon. gentlemen opposite with regard to the defeat of the [militia bill](#)²⁶ of the Cartier-Macdonald Ministry²⁷. People in England should remember that it is only three years since this question of defence, or call upon Canada to do so much for herself, has been mooted at all.

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—We have done a good deal in this direction, and I feel that, whatever our own party difficulties may have been then or are now, we should let bygones be bygones, and enter upon a new career—a new understanding between ourselves, so that in dealing with the Imperial Government the question of defence may be settled to the best advantage.

Some Hon. Members—*Cheers.*

John Rose [Montreal Centre]—This is the

²³ [UK, House of Lords, "Defences of Canada—Reports of Colonel Jervois—Question" \(Feb. 20 1865\).](#)

²⁴ Lord Ellenborough, UK, House of Lords. Unconfirmed reference.

²⁵ [Supra footnote 23.](#)

²⁶ [Bill: An Act Respecting the Militia \(1862\).](#)

²⁷ Led by George-Étienne Cartier & John A. Macdonald (1858-1862).

passage I will quote from [Dr. Russell's book](#):—

"In the face of very frigid warnings from the press, and very lukewarm enunciations of policy from her best friends, Canada had some reason to fear that there is a secret desire to let her 'slide,' and that nothing would please England so much as a happy chance which placed the Province beyond our care without humiliation or war. The duty of Canadians to their own country is very plain indeed. If the people of England refuse to give them distinct guarantees that, under certain conditions, they will give them the whole aid of money, men and ships that is required; but those are implied in the very fact of suzerainty of the Crown.

It must, however, be made known—if it be not plain to every Englishman, that the abandonment of Canada implies a surrender of British Columbia, of New Brunswick, Nova Scotia, Prince Edward, Newfoundland, if not also the West India Islands. Many bitter words, written and spoken here, rankle in the breasts of Canadians, and I have quoted the words in which a Canadian statesman has placed before Englishmen the terrible consequences which Canada may suffer from war, because she is a part of the British Empire, engaged in a quarrel, on Imperial grounds, with the Government of the United States. We do, undoubtedly, owe something to Canada, from the bare fact that for many years she resisted temptation and remained under the flag, unmoved by the blandishments and threats of the United States. In my poor judgment, the abandonment of Canada would be the most signal triumph of the principle of democracy, and the most pregnant sign of the decadence of the British Empire, which could be desired by our enemies. No matter by what sophistry, or by what expediency justified, the truth would creep out through the fact itself that we were retiring, as the Romans did, from Britain, Gaul and Dacia, but that the retreat would be made in the face of united and civilized enemies, and that the sound of our recall would animate every nation in the world to come forth and despoil us. As yet there is no reason for such a pusillanimous policy."²⁸

Some Hon. Members—Hear, hear.

John Rose [Montreal Centre]—I believe that is the feeling and political doctrine of the heart of England. I do not care what political exigency the present English Government may have to consider, or what difficulty it may have to deal with, I believe that if the real estate of our position be considered, as also the consequences that would result from their not co-operating heartily and generously with us

in the policy of defence, and aiding us when disposed to aid ourselves—if this matter was properly put before the English people—that the answer would be what I have said already. I believe that they would never think of abandoning, but that, on the contrary, our willingness to aid ourselves, as expressed in the present resolutions before the House, being known, we would find no backwardness or unwillingness, and no reticence on the part of the English Government to do their full share in our behalf.

Some Hon. Members—*Loud cheers.*

Thomas Street [Welland] hardly thought that sufficient explanations had been given by the Government relative to this money for permanent defence. He heartily approved, however, of the idea of our Ministers going to England to discuss the question of defence, so that we should understand fairly and fully what our proportion of the burthen of defence would be.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—After that, it would be right and proper to discuss the matter on the floor of this House, and he thought the people of Canada, through their representatives would be found willing to do all that could be expected of them, all that was in their power to, defend their soil from invasion. But it would be utterly unreasonable to expect us to do so unless we had the hearty co-operation of England.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—[The report of Col. Jervois](#)²⁹ seemed actually to involve the abandonment of a large portion of Western Canada—one of the most wealthy and important parts of the Province. He indignantly repudiated such an idea; he indignantly repudiated such a proposal as that of voting a mere paltry sum for the defence of Quebec, which was considered an Imperial fortress, while all the rest of the country was to

²⁸ [W. Howard Russell, *Canada: Its Defences, Condition, and Resources* \(1865\), pp. 207-208.](#)

²⁹ [William Jervois, *Report on the Defence of Canada* \(1864\).](#)

be left utterly defenceless.

Some Hon. Members—Hear.

Thomas Street [Welland]—He knew the loyal hearts of the people of this country; he knew that they were truly and firmly loyal; they had proved it in the past and they were ready to do so again whenever called upon; they were ready to take their fair share and proportion of the defence of the Province, but they should know what was expected of them. We should know whether there was any proper, reliable and complete scheme for the defence of the Province. We should have the details so that we might judge of them, and know what was our real position. We were told that part of the scheme of the defence of the country was the placing of gunboats on the lakes; but how were they going to do this without keeping the Welland Canal open, and he did not see that there was any proposition, or scheme of any kind for the protection of the Welland Canal. This canal was a most important point if you intended to defend the western part of the country. If it was not intended to defend the West, why by all means let us know it. We should have full details—we should know why we were called upon to vote a large sum of money and what was going to be done with it, so that we could demonstrate the necessity of it to our constituents.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—He (Mr. Street) would vote for the resolution; he would vote for this appropriation as an earnest of what we were prepared to do.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—The hon. member for Montreal Centre (Mr. Rose) had given the same reason, but had stated that he understood this to be the declaration of the Government. In this the hon. gentleman was in error, inasmuch as the Government had stated that it was intended to spend the

money, and that it would be a mere delusion—that it would be absurd to vote the money if it were not intended to spend it.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—We might be told that it would be dangerous to make the information public, but he held that this was wrong. In England there was no such hesitation. [Col. Jervois's report on the defence of the Province](#)³⁰ was unhesitatingly made public.

Some Hon. Members—Hear, hear.

Thomas Street [Welland]—There was no delicacy whatever felt in making public information of this kind. He certainly had confidence in the Government, but he believed they should have equal confidence in us. They should have come down with full particulars as to what was expected of us, what they proposed to do, and in what manner the money was proposed to be expended, so that we might inform our constituents.

Some Hon. Members—Hear, hear *and loud Oppositions cheers.*

It being six o'clock the Speaker left the Chair.

The Legislative Assembly adjourned for dinner recess.

After the recess—

Antoine-Aimé Dorion [Hochelaga], *after some introductory remarks, moved an amendment, in substance to the effect*

That the resolution before the House be not now concurred in, but that it be resolved that inasmuch as sums exceeding one million dollars have already been expended on the militia and volunteers, this House, although recognizing the necessity of defending the country, cannot authorize the expenditure of a large sum for permanent fortifications, without knowing full details—the nature of the proposed works, where they are to be constructed, what they will cost, and what is the proportion of the burthen which we are called upon to bear.³¹

³⁰ [William Jervois, Report on the Defence of Canada \(1864\).](#)

³¹ The full resolution reads, "That all the words after 'That,' to the end the Question be left out, and the words 'the sums already

George-Étienne Cartier [Montreal East, Attorney-General East] said that no one but the hon. member for Hochelaga [Antoine-Aimé Dorion] would have undertaken to propose such an amendment as that which was now before the House.

Some Hon. Members—Hear, hear *and laughter*.

George-Étienne Cartier [Montreal East, Attorney-General East]—What was the real nature of the hon. gentleman's proposition? It was simply this. That the hon. members of this House should become, all at once, military engineers and strategists, and take upon themselves to judge how the Province might be best defended, where defensive work should be erected, and how much they ought to cost.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Hon. gentlemen might speak as they pleased of [Col. Jervois's report](#)³²; but he would say, at any rate, that this gentleman was admitted to be one of the most skilful engineers of the day.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—It was but right we should be put in a position to go to England and shew this vote as an earnest of what we were prepared to do. It was folly for hon. gentlemen to quarrel in advance over the distribution of the expenditure for fortifications, as if they imaged in could be distributed equally among the different localities, according to their population, like the Clergy Reserve or Seigniorial Tenure moneys.

Some Hon. Members—*Laughter and cheers*.

Richard Cartwright [Lennox & Addington]

approved of the course of hon. gentlemen on the Treasury benches, and would vote for the resolution in favor of the appropriation for permanent defences. He thought it would be well if our exertions for the defence of the country were devoted mainly to the thorough organization and training of our militia, and that the Imperial Government should take charge of the construction of fortifications, inasmuch as our own Government might find some difficulty in apportioning the money for that purpose to the satisfaction of the several localities.

He believed the Government had taken the right course in proposing to go home and discuss this question of defences thoroughly, and know what we were required to do; and it was only fair and proper these hon gentlemen should have the power to do so, and should be placed by us in such a position as would enable to do so effectively.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North] said he was prepared to support the resolution of the Hon. Finance Minister [Alexander Galt]; and he thought it was absurd in hon. gentlemen to insist on obtaining information and details which did not exist.

Some Hon. Members—Hear, hear.

Matthew Cameron [Ontario North]—He was somewhat astonished at the course pursued by the hon. member for Welland (Mr. Street). That hon. gentleman did not manifest such anxiety as to cost and financial burthens a few evenings ago, when an expensive plan of Confederation was under discussion. He regretted the attitude of a certain party in England with regard to the questions of colonial connexion and colonial defence; but he believed, should a necessity arise, when we called upon England to aid us we should find

granted for the Militia and for the Volunteer Force employed on the frontier, for the current year, and for the first quarter of the next financial year, exceed \$1,000,000, and that this House, whilst declaring that it will always be disposed to grant whatever sums may be necessary to ensure the proper defence of the Country nevertheless believes that it cannot, without abdicating its right to control the public expenditure, authorize a large expenditure for permanent defences, until the Government shall have informed this House as to what works of defence are intended to be constructed, what will be the probable cost of such works, and what is the proportion to be paid by this Provinces' inserted thereof." [Journals, p. 229.](#)

³² [William Jervois, Report on the Defence of Canada \(1864\).](#)

a ready response. He had opposed the Government strongly on the proposed change in our constitution; but in this matter he was prepared to support them, because that he believed it was necessary they should be fully empowered to act in our own behalf in the settlement of this important question, and that they should bear with them this vote as a guarantee of our readiness to do our share.

Some Hon. Members—Hear, hear *and cheers*.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said he did not hope that the few words he had to say would add much to the information already in the possession of the House on this subject; but he thought the urgency of the case—which some hon. gentlemen opposite affected to doubt—might again be briefly brought before the attention of the House. We were asked what was the urgency? He thought it had been made out satisfactorily, if not in the individual arguments of hon. gentlemen on the side of the House, at least by the circumstances of the case, which were evident to all.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Our position was just this—that before the close of the season upon which we were just now entering, our preparations would come under the ban of the fatal word “too late,” or else our efforts would have the desired effect and the question of defences would be satisfactorily settled.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—What we wished was to be able to take advantage of the very earliest moment in order to settle this question and make proper provision for our defence. Hon. gentlemen who were advocating delay in the matter were in reality advocating the abandonment of the country, although they did not know it, and although they were no doubt sincere in the belief that their conduct was proper under the circumstances. But they were wrong,

inasmuch as we were told by the most reliable authority, by the only authority we could look to, in fact, that whatever we do must be done quickly.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Where?

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—In the report of a prominent public officer, in the debates of the Imperial Government, in documents which the hon. gentleman had seen and in others which perhaps he had not seen.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The hon. member for Hochelaga [Antoine-Aimé Dorion] had said that unless these works were to be used they should not be erected. He thought every hon. member in this House would at once dissent from such a dictum.

He, (Mr. McGee,) for one, sincerely hoped the strength of our defensive works would never be tested. The best means, however, to prevent the possibility of attack was to be well prepared. Undefended we held out a temptation to our neighbors—we offered a premium for invasion. It was argued that the sum was large. But what was even the expenditure of a million dollars in comparison with the destruction of property—not to speak of the loss of valuable life—which a single year's war would involve.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—He was not one of those who believed we could be easily walked over or crushed out by the United States. He was far from thinking that three millions of British freemen in these North American Provinces could be at once and easily overcome.

Some Hon. Members—*Cheers*.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—It was wrong to repeat statements to this effect, and he regretted that this doctrine should find utterance, inasmuch as the first duty of

defence was to keep up the public courage and the public spirit.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The hon. gentleman went on to refer (in answer to some remarks by hon. gentlemen opposite) to the American influence which had been at work in New Brunswick during the elections.

An Hon. Member—How did your countrymen vote?

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said they had been played upon by appealing to their feelings and not their judgment; by stirring up the memories of the past; and by making absurd comparisons between the [legislative union of England and Ireland](#)³³, and the proposed union of the Colonies, although there was not even the shadow of a parallel between the two cases. One had degenerated an historic kingdom into an ill-represented Province, while the other sought to build up the nucleus of a powerful nation—and yet the New Brunswick allies of hon. gentlemen opposite had not for a moment hesitated to use an argument like this against Confederation.

In conclusion, the hon. gentleman, referring to the resolution immediately before the House, said that we should have an understanding on the subject of defence. We should do whatever our resources permitted in a fair and honorable spirit, and the balance must be supplied by the Empire. We should be enabled to go before the Imperial Government and shew that we were determined to do our share, and ready and willing to discuss the whole subject, and to undertake our fair share of the burthen; and when we were enabled to do this we should be in the right course.

Some Hon. Members—*Cheers.*

Lucius Huntington [Shefford] at considerable length, went on to argue that hon. gentlemen on the Opposition side of the House were quite as loyal and as willing to undertake the burthens which might be

necessary for the proper defence of the country as hon. gentlemen opposite.

Alexander Campbell [Lambton] did not [text illegible] anything wrong in the amendment in the abstract; but he believe it was [text illegible], under the circumstances, that the resolution should be allowed to pass unconditionally.

Luther Holton [Chateauguay] said that if war came we would all be ready to do our duty, but he believed this constant cry was doing us the utmost injury. There was less danger of war at the present day than there had been for many years past.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—What was the position of the United States—the only power from which we had any reason to fear attack. The debt of that country was almost beyond calculation; it was involved in a war of which no one could see the end; and its resources were impoverished to a fearful extent. Why should the United States seek a war with England—for a war with Canada meant a war with England—while in such a condition?

Some Hon. Members—Hear, hear, *and cheers.*

Luther Holton [Chateauguay]—Then charges of want of loyalty were made, and the cry of annexationist tendencies or annexationist principles was raised. This was not a blunder alone, it was a crime—a crime of the deepest dye.

Some Hon. Members—Oh, oh, *and* hear, hear.

Luther Holton [Chateauguay]—If there was really any danger from abroad, was this a sound policy? Was it a sound policy to send it forth to the world that we were divided in our allegiance? This was a false and unpatriotic cry, which deserved to be condemned. None but a madman would wish for annexation with a country in the position in which the United States were at present. There was at one time, in 1849, an annexation party in this

³³ [Union with Ireland Act 1800 \(U.K.\)](#) & [Act of Union \(Ireland\) 1800 \(Ireland\)](#).

country—a party who advocated annexation to the neighboring Republic, if agreeable to the majority of the inhabitants of this country, and if the mother-country would consent. The hon. member for Montreal Centre (Mr. Rose) was one of the prominent men in that movement, as was also the hon. member for Sherbrooke [Alexander Galt].

He (Mr. Holton) was at that time a very humble individual, engaged in the struggle for existence, and he could hardly be blamed if he had been induced to follow the lead of these hon. gentlemen.

Some Hon. Members—Hear, hear, *and laughter.*

Luther Holton [Chateauguay]—Even at that period the hon. gentleman for Montreal Centre [John Rose] occupied a prominent position, and had won the highest honors of his profession. It was not fair for these hon. gentlemen or other hon. gentlemen opposite to charge him (Mr. Holton) with annexation tendencies. It was unjust that, at this time of day, he should be charged with disloyalty. He was as loyal as any man in Her Majesty's broad dominions, and his loyalty was an intelligent loyalty, founded on a thorough appreciation of the blessings we derived from the system under which we lived, and a desire to preserve that system.

Some Hon. Members—*Cheers.*

John Rose [Montreal Centre] could not allow the remarks of the member for Chateauguay [Luther Holton] to pass unnoticed. He had been often taunted with the events of 1849. In the course of no observations that he (Mr. Rose) had made on any occasion had he ever accused any member of the House with disloyalty. He had been content to allow the events that led to the signing of the annexation manifesto in 1849 to pass into oblivion. He did not, therefore, think it was fair or right that the hon. gentleman should, upon every occasion, right or wrong, direct attention to this matter.

He (Mr. Rose) had stated before that the document in question was signed under a momentary feeling of agitation and

excitement, and that the sentiments therein sanctioned would not have been approved of after serious and earnest consideration of and judgment upon the subject. It was useless to recall those events, which could lead to no good result, but merely to that strife and recrimination which could not possibly advance the interests of the country. He believed the people of Canada were all animated by the same sentiment of loyalty. He never impugned any man's loyalty, and would not suffer his own to be called in question.

He was not pusillanimous enough, although a younger man than the member for Chateauguay [Luther Holton], during the annexation excitement, to say he was led or dragged into it by others, and thus endeavor to shrink from the responsibility of this course at that time. What he (Mr. R.) did at that time was done under strong excitement, and he now saw it was wrong. His sole object in supporting this resolution was that the whole country, in which we all had just pride, should be defended in such a way as military men considered best.

He was not actuated by any feeling in favor of Montreal, or by any sectional motive whatever. He did not think as to whether the Western Peninsula, Montreal, Quebec or any place should be defended, being willing to trust this matter to the Government. He did not think this was the proper place or time to discuss the details of defence.

Some Hon. Members—Hear, hear

Luther Holton [Chateauguay] said he was not the aggressor. He had sat silent under a number of attacks and insinuations on this subject—not it was true from his hon. friend from Montreal Centre [John Rose], but from other hon. gentlemen, and from their organs of the press. He had no desire to shrink from the responsibility of his own acts, but he did not wish to be maligned or misrepresented. The other evening the hon. member for Drummond and Arthabaska (Mr. J.B.E. Dorion) made a two hours' speech on Confederation—which had been condensed

into three or four inches and travestied into a declaration in favor of annexation; and he, (Mr. Holton) having had occasion to say "hear, hear," to some remarks about the good management of the New York Canals, was represented as having cheered the hon. member already mentioned (Mr. J.B.E. Dorion) in annexation sentiments. He did not, of course, pretend to hold hon. gentleman opposite personally responsible for these things; but he held that, in a party point of view, they were responsible. He had submitted to things of this kind in silence hitherto, by the was determined to repel them once and forever.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East] said he could not now recall, by the aid of his own memory, what part of the speech of the hon. member for Drummond and Arthabaska [Jean-Baptiste-Éric Dorion] it was that the hon. member for Chateauguay (Mr. Holton) had applauded. He did, however, recollect that the main object of the speech of the hon. member for Arthabaska (Mr. J.B.E. Dorion) was to show that we ought not to go into Confederation, that it would be burthensome, and he had proceeded to shew that it would be far more costly to us than annexation.

Luther Holton [Chateauguay]—No, no.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska]—I deny what you state.

George-Étienne Cartier [Montreal East, Attorney-General East] went on to say that, if there was anything in the state of New York which was grossly mismanaged it was the canals.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—There was, in fact, nothing in the Union so mismanaged as these canals. He (Mr. Cartier) thought he was at least as conversant with the subject as his hon. friend for Chateauguay (Mr. Holton) and he could say that they were worse than even the

Canadian canals under the management of the hon. member for Cornwall [John Sandfield Macdonald].

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—He was therefore surprised to find the hon. member admitting that he had applauded statements relative to the alleged good management of these canals, when he ought to be aware of the great corruption which canal influence in the State of New York had brought about.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—The hon. gentleman went on to relate the history of the rise and progress of canal influence and remarked that it was so strong that it had succeeded in having a tax placed on the New York Central and the Erie and Dunkirk Roads, with a view of crushing any adverse interest.

Some Hon. Members—Hear, hear.

Jean-Baptiste-Éric Dorion [Drummond & Arthabaska] disputed the accuracy of the details given by the Hon. Attorney-General East [George-Étienne Cartier] relative to the New York Canals. He desired, in reference to a statement made by his hon. friend the member for Chateauguay (Mr. Holton) to say that the statement of that hon. gentleman as to the portion of his remarks at which he had said "hear, hear," was correct.

Some Hon. Members—Hear, hear.

John Carling [London] said he had no desire to detain the House at this late hour, but he nevertheless thought it right to make a few remarks before recording his vote. He regretted exceedingly that the Government had not been able to bring down [Col. Jervois's complete report](#)³⁴, inasmuch as he thought it would have allayed a great deal of misapprehension in this country. About a year ago there had been a discussion in the Imperial Legislature and articles in the leading journals, the purport of which was that the Western Peninsula could not be defended; and the

³⁴ [William Jervois, Report on the Defence of Canada \(1864\).](#)

result at the time was that the troops had been withdrawn from that part of the country. The statements then made and the action which was subsequently taken had produced a very bad effect. The portion of [Col. Jervois's report](#), which had been published, spoke of the importance of the fortifications of Quebec and Montreal, but did not say a word about the western peninsula. He therefore regretted that we had not the whole [report](#). He was prepared, however, to accept the guarantee of the Government that the defence of every part of the country would receive attention, and that the western peninsula would not be neglected.

Some Hon. Members—Hear, hear.

John Carling [London]—He therefore cheerfully voted for the appropriation sought for by the Hon. Finance Minister [Alexander Galt], but he hoped that that hon. gentleman would press on the Home Government the desirability of meeting us in a proper spirit, and the necessity of aiding us in any difficulty which might unfortunately arise.

Some Hon. Members—Hear, hear, *and cheers*.

Alexander Galt [Sherbrooke, Minister of Finance] said he had no difficulty, whatever, in replying to any request for information as to the intention of the Government. He would speak in the most explicit terms. The intention of the Government was to send delegates to England, one of whose most important duties would be to discuss with the Imperial Government the question of defence, in all its bearings, and to ascertain the proportion of liability which should be borne by the colonies and mother-country respectively. It was not the intention of the Government to apply that money until after we had been in communication with the Imperial Government on the very important matter of defence.

We have already stated distinctly that we believe it is necessary we should confer with the Imperial Government as to how the country should be defended. The feeling of the people at large, and the tone of this debate

showed that the people of this Province were willing to do their full share; but there was a clear responsibility on the part of their fellow-subjects in England, and this was what we were prepared to discuss and decide.

We wish, however, to be able to show the Imperial Government that our Parliament was fully alive to any possible emergency, and had fully determined to prepare for it—not sending us home penniless, but supporting the resolution, putting us in a position to show the good will of the people of Canada by acts and not by words alone. If there was not a shilling at our disposal how could we presume to go before the Imperial Government and say we were willing to undertake our fair share of the burthen of protecting this country from invasion? Why did we adopt the course we now pursued? Because we did not desire to proceed in an incomplete unsatisfactory or useless manner, but to be able, after a full discussion and thorough understanding of the whole matter to present a complete and effective scheme of defence.

Some Hon. Members—*Cheers*.

Alexander Galt [Sherbrooke, Minister of Finance]—It was folly to say that, with small dribblets meted out to us, we could undertake the proper defence of the country. We could only act efficiently with the full sanction and authority of Parliament. He, therefore, hoped the House would accept the assurance now given it on this matter. If ever there was a time when it was necessary for us to be armed with full powers for the defence of the country it was now. There never was a moment so fraught with consequences as the present, and the relations between the mother-country and the colony must be understood and settled at once. One hour of war would entail a far greater loss upon us than even the expenditure of this million of dollars asked for. The question was—how could peace be best preserved? Not certainly by holding out a bait to our neighbors, but by letting them know they would be met in the frontier by the men, arms and resources, power and wealth—not of Canada alone but of the whole Empire.

England must and would help us, unless she was prepared to see her tide of conquest recede and her own existence as the bulwark of civil and religious liberty imperilled. It was for the representatives of Canada to show we were worthy of the British connexion. The basis of all our liberty was the defence of the institutions we enjoyed, and, if we were not prepared to defend them we were unworthy or their long possession.

Some Hon. Members—*Cheers.*

François Evanturel [Quebec County] said that, as a French Canadian he called upon the Opposition, after the speech of the Hon. Finance Minister [Alexander Galt], after the declaration that hon. gentleman had made—in the name of the people at large, in the name of his countrymen he called upon to withdraw their amendment.

Some Hon. Members—Hear, hear *and cheers.*

François Evanturel [Quebec County]—He trusted his hon. friend (Mr. Dorion) would withdraw the amendment and would allow the resolution to be carried unanimously. If hon. gentlemen persisted in their determination to oppose this resolution, he thought they would have reason to regret that they had not better represented the feelings of the people of Upper and Lower Canada.

Some Hon. Members—*Loud cheers.*

Antoine-Aimé Dorion [Hochelaga] said he was quite prepared to hear the clap-trap which the Hon. Finance Minister [Alexander Galt] had indulged in, but he certainly did not expect to hear such an outburst of military ardor from his hon. friend from the County of Quebec [François Evanturel]. The hon. gentleman went on to contend that Ministers and their supporters had failed to make out such a case with regard to this resolution as would warrant the House in supporting them.

The amendment—

That the resolution before the House be not now concurred in, but that it be resolved that inasmuch as sums exceeding one million dollars have already been expended on the militia and volunteers, this House, although recognizing the necessity of defending the country, cannot authorize the expenditure of a large sum for permanent fortifications, without knowing full details—the nature of the proposed works, where they are to be constructed, what they will cost, and what is the proportion of the burthen which we are called upon to bear.³⁵

—*was then put to the vote and rejected on a division—Yeas 21, Nays 93.*

John Sandfield Macdonald [Cornwall] *then moved in amendment that the following words be added to the resolution—*

“That while this House are unwilling to refuse their consent to a grant of money for the defence of the country, if it be recommended by the responsible advisers of the Crown, they, nevertheless, express regret that full information has not been afforded to Parliament, as well as explanations as to the necessity for such an enormous outlay, which the Provincial Legislature is now called on for the first time to concur in, and which will, inevitably, tend to entail vast additional burdens on the country; and this House is, furthermore, of opinion that no portion of the said grant should be expended until information as to the nature and cost of the various works proposed should be submitted to Parliament.”

The hon. gentleman contended that the Government, notwithstanding their loud protestations, had been extremely remiss in this matter of defence. The same urgency which, they alleged, existed now had existed months ago. Many months ago they had [Col. Jervois' report](#)³⁶ before them, and yet they raised a cry now about the necessity for immediate action, and denounced as wanting in loyalty all who were not of their way of thinking. These attacks on the subject of loyalty were of the most unwarranted and gratuitous order. He thought it was particularly unbecoming in the Hon. Minister of Agriculture (Mr. McGee) to lecture hon. gentlemen about loyalty. The hon. member went on to read [a poem written by the Hon.](#)

³⁵ A.A. Dorion's amendment is reinserted from earlier for clarity. *Supra* footnote 31.

³⁶ [William Jervois, Report on the Defence of Canada \(1864\).](#)

[Minister of Agriculture \[Thomas D'Arcy McGee\]](#) some years ago, entitled "The Celt at Niagara,"³⁷ in which the British flag was spoken of as a "cursed flag."

Some Hon. Members—Oh, oh, *and laughter*.

George Brown [Oxford South, President Executive Council] expressed his surprise that an hon. gentleman who had been a leader of the Government, like the hon. member for Cornwall [John Sandfield Macdonald], persisted in stating that reports and despatches on the defence question ought to have been brought down, and to attack hon. gentlemen on the side of the House, after they declared they did not believe they would be justified in bringing down such information. It was improper in the hon. member to do so, and it was unworthy of the hon. gentleman's position as an old statesman.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said that the hon. member for Cornwall (Mr. J.S. Macdonald) had done him the honor of reading some juvenile poetry written by him many years ago.

John Sandfield Macdonald [Cornwall]—Seven or eight years ago only!

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—Sixteen years ago, and the hon. member should bear in mind that, in Ireland, one was considered a boy until he was married.

Some Hon. Members—*Laughter*.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—But he did not believe that the hon. member for Cornwall [John Sandfield Macdonald] ever was a boy. He believed that, like the Duke of Gloster, he had come into the world with his eye-teeth out, and that he had eaten a crust on the second day of his existence.

Some Hon. Members—*Roars of laughter*.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—The hon. gentleman was mistaken. He (Mr.

McGee) has no desire to lecture him on loyalty, but he might lecture him on honor, and honesty, and propriety, he might lecture him on acts which resulted in obtaining a choice of exist between the door and the window.

Some Hon. Members—Hear, hear.

John Sandfield Macdonald [Cornwall]—What do you mean?

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said he would lecture him on putting eyes to key-holes; he would lecture him on right and wrong.

John Sandfield Macdonald [Cornwall]—Speak out. Explain your meaning.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics] said he would not insult the House; he would not go into details, but he would make this offer to the hon. gentleman—he (Mr. McGee) would take a friend with him and go into a room with the hon. member for Cornwall [John Sandfield Macdonald], accompanied by any friend he might select, and he would convince him that he had spoken truly. The witnesses were within reach, and he was prepared at any moment to fulfil the offer he had made to the hon. gentleman.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—He would convict that hon. gentleman—not of writing rebel poetry in his youth, but of indefensible acts in his manhood.

Some Hon. Members—Hear, hear.

Thomas D'Arcy McGee [Montreal West, Minister of Agriculture and Statistics]—He would not inflict these things on the House, but he made an offer and he would hold to it.

Some Hon. Members—Hear, hear, *and cheers*.

John Sandfield Macdonald [Cornwall] said he looked with contempt on any assertion made by the Hon. Minister of Agriculture [Thomas D'Arcy McGee], but he defied that hon. gentleman, or any other person to prove

³⁷ [Thomas D'Arcy McGee, "The Celt at Niagara." \(n.d.\)](#)

that he had committed any act of which he had reason to feel ashamed.

Some Hon. Members—Hear, hear, *and cheers*.

John Pope [Compton] and **Alexander Mackenzie [Lambton]** spoke briefly in favor of the resolution.

Thomas Scatcherd [Middlesex West] spoke against it.

The question was then put on **John Sandfield Macdonald's [Cornwall] amendment**—

“That while this House are unwilling to refuse their consent to a grant of money for the defence of the country, if it be recommended by the responsible advisers of the Crown, they, nevertheless, express regret that full information has not been afforded to Parliament, as well as explanations as to the necessity for such an enormous outlay, which the Provincial Legislature is now called on for the first time to concur in, and which will, inevitably, tend to entail vast additional burdens on the country; and this House is, furthermore, of opinion that no portion of the said grant should be expended until information as to the nature and cost of the various works proposed should be submitted to Parliament.”³⁸

—*which was lost on a division: Yeas 16³⁹, Nays 84.*

The resolution itself—

2. Resolved, That there be granted, for the permanent Defence of the Country, a sum not exceeding \$1,000,000 00.⁴⁰

—*was then carried*—*Yeas 84, Nays 16.*

³⁸ J.S. Macdonald's amendment is reinserted from earlier for clarity.

³⁹ There are 17 votes in favour. Newspaper makes a mistake here. [Journals, p. 230.](#)

⁴⁰ Reinserted from earlier for clarity. *Supra* footnote 2.

The hon. gentleman said that he was willing to make it noon instead of eleven o'clock, if the House preferred the latter hour.

Several Hon. Members—Noon, noon.

George Brown [Oxford South, President Executive Council] *made the alteration suggested.*

Luther Holton [Chateauguay] said—As this is the last opportunity we may have before the close of the session, and as it is coming to a termination under somewhat unusual and extraordinary circumstances, it may be well to have a little summing up of the reasons and conditions under which the Government have brought this session to a termination, and as it their pledges to the House and country both in regard to the proximate session of Parliament and the nature of the subjects to be brought before it.

The reasons given for the very unusual course taken by hon. gentlemen opposite have been these: first, the subject of Confederation of all the British North American Provinces; second, the defence of the country—the apportionment of the burthens of that defence between the Imperial and Colonial Governments; and, third, with reference to the [Reciprocity Treaty](#)². I understand that hon. gentlemen on the Treasury benches are pledged to convene Parliament, probably in June—in the words of the Hon. Attorney General West [John A. Macdonald]—“early in summer.”

I also understand that they are pledged, if they do not succeed in getting a measure to secure the Confederation of all the B.N.A. Provinces passed by the Imperial Parliament, during the present session, to introduce a measure, at this “early summer session” proposed, respecting the Federation of the two Canadas. In this case, I understand ministers are pledged to introduce measures providing

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



FRIDAY,
MARCH 17, 1865¹

George Brown [Oxford South, President Executive Council] *moved*

That when this House adjourn at the close of its second sitting, it do stand adjourned until Saturday at eleven o'clock.

¹ Source: “Provincial Parliament,” [Quebec] *Morning Chronicle* (Mar. 18, 1865).

² [Canadian-American Reciprocity Treaty of 1854 \(Elgin-Marcy Treaty\)](#). The United States passed a Joint Resolution abrogating the treaty in Jan. 1865. It was formally terminated on Mar. 17, 1866.

for the local institutions of the two Canadas, whether under the larger scheme of Confederation or under the smaller one; that they are pledged, too, to come down to the House with a distinct statement of the position of the country and the burdens it expected to assume in relation to the defence of the country.

I understand further, that, next session, the Government are to be in a position to state what their intentions may be in respect to the commercial policy of the country and in regard to the steps to be taken in order to open negotiations for the continuance of the [Reciprocity Treaty](#)³. I have also understood from what passed last night that at the early summer session the Government will be in a position to submit to the House a policy respecting the North-West Territory and in relation to the proprietary rights of the Hudson Bay Company. These are points on which there should be no misunderstanding, and I think there can be no misunderstanding regarding them after what has passed here during the last few days; but on this the last day of the session, I feel it my duty to state what our understanding of the position is.

This brings me to another point—namely, the composition of [the proposed mission to England](#)⁴. Of course I do not anticipate hon. gentlemen on the Treasury benches will state which of their number is to go to the mother-country; but rumor has it that the Hon. President of the Council [George Brown] is not to be one of the party, but is going to send in his stead the Hon. Provincial Secretary [William McDougall]. I have great respect for the talents and character of this gentleman, but I maintain that, with respect to those questions which have recently been engaging our attention, the Hon. Provincial Secretary [William McDougall] is not in a position to be subjected to the same degree of responsibility

as the Hon. President of the Council [George Brown], and I do believe that if this gentleman shrinks at this moment from the performance of this obvious duty to the party who sustains him in his present position, it will be inferred, and, I think justly, that he so shrinks from it because he anticipates a miserable failure of the mission.

Some Hon. Members—*Opposition cheers.*

George-Étienne Cartier [Montreal East, Attorney-General East] said—I am really surprised at the proceeding of the hon. member for Chateauguay [Luther Holton]. Of course the hon. gentleman has a perfect right to make any comments he may be pleased to make on a motion before the House, when he is in order; and I do not pretend to say that he made use of this privilege against the rules of this House. But the fact is the hon. gentleman is too fond of indulging in comments. In replying to the hon. member I shall divide his remarks into two parts. The first part relates to the policy of the Government, and he has expressed great anxiety to know whether he correctly understood that policy, and stated what he understood it to be. Well, I shall not disturb him in his understanding.

Some Hon. Members—Hear, hear, and *laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—Whether he understood correctly or incorrectly is his own affair; but he has certainly too much shrewdness and too much intelligence not to be able to draw some conclusion.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—But I may ask, with regard to the policy of the Government that it was stated in the most explicit terms by the Hon. Attorney General West [John A. Macdonald] the other day, and that the line of conduct then explained will be carried out.

³ [Canadian-American Reciprocity Treaty of 1854](#). *Supra* footnote 2.

⁴ The Canadian delegation would consist of John A. Macdonald, George-Étienne Cartier, and Alexander Galt. [Their report can be found later in the volume on Aug. 9, 1865, p. C:15](#), where they presented their discussions in London to the Legislative Assembly.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—This is my answer to the first part of the remarks of the hon. member for Chateauguay [Luther Holton]. Then, in the second portion of his discourse the hon. member has expressed great anxiety to know who is going to England. Well, I shall tell the hon. gentleman that we are not a Government of rumors.

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—When we adopt any course, we adopt it advisedly after due deliberation and counsel amongst ourselves. I may, however, state that there is as yet no decision as to who is to go to England.

Some Hon. Members—Hear, hear.

George-Étienne Cartier [Montreal East, Attorney-General East]—Of course the hon. member for Chateauguay [Luther Holton] is at liberty to deal in rumors as much as he pleases. I verily believe, if he were not permitted to pick up all the floating rumors and read the sensation articles which are in circulation, he would die.

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—I repeat, however, that the Government has not come to any decision on the latter point.

Some Hon. Members—Hear, hear.

Frederick Haultain [Peterborough] said that every member of the House felt deeply the present position of the relations between Canada and the mother-country. A great deal, he thought, depended on who went to England. He should be the very last to do what might be construed into a desire to dictate but he thought he might very humbly and respectfully submit his views. He believed that the great bulk of the people of Upper Canada entertained a strong sense of the advisability of the presence in England of the Hon. President of the Council [George Brown]. He was persuaded that nothing but the most important business would prevent that hon. gentleman from proceeding with the

delegation. If it was at all possible for the hon. member to proceed to England he (Col H.) hoped he would do so.

He was equally desirous that the Hon. Attorney General East [George-Étienne Cartier] should form part of the delegation. He trusted that he was not going beyond his position in giving his views on this subject, but he was merely giving utterance to the general opinion of Upper Canada to the effect that at this juncture it was right that an hon. gentleman who had recently been in England, and who was familiar with the views of the Government and people of England on this subject of colonial relations, should represent our case to the mother-country.

James Cockburn [Northumberland West, Solicitor General West] said he hardly thought his hon. friend from Peterborough [Frederick Haultain] had acted strictly within the theory of constitutional Government, as it was understood and practiced in this country, to make any suggestion as to who should form part of the delegation to England. Were the principle enunciated by the hon. gentlemen to hold good, we should have every hon. gentleman in this House rising and making suggestions as to what ought to be done. This was not in accordance with our constitutional principle, which established the unity of the responsibility of our Government.

Francis Jones [Leeds & Grenville North] said he did not wish to make any invidious comparisons, but he thought that, if the whole Ministry went to England, the people of Upper Canada would not derive any benefit from the trip, and if they all stayed at home we should not suffer any loss.

Some Hon. Members—*Laughter and cheers.*

Thomas Ferguson [Simcoe South] said he hoped and trusted such a selection would be made as would represent the public feeling of both Upper and Lower Canada, and if he had not believed that this would be the case he would not have supported Confederation.

Some Hon. Members—Hear, hear.

Thomas Ferguson [Simcoe South]—He did not think it was right for hon. gentlemen to rise

in their place and suggest this one or that one. It was but proper the whole responsibility of the selection should be left with the Government; and that such steps should be taken as would set us right with the Home Government, and restore us to the position we had unfortunately lost on the occasion of the defeat of the Militia Bill two years ago.

William Powell [Carleton] was of opinion that it was rather invidious and indelicate to suggest who should proceed to England. The matter should be left entirely to the Government.

Lucius Huntington [Shefford] said that he failed altogether to see that there was anything improper in summing up the desire to know whether the policy of the Government had been rightly understood. The House was certainly entitled to know that policy; and we should not be taunted by hon. gentlemen opposite when we asked for information on that point.

John Carling [London] said he differed entirely from the remarks of the hon. member for North Leeds [Francis Jones], who believed it was entirely indifferent to the people of Upper Canada whether a delegation of the Ministers proceeded to England or not. This was certainly a most critical period of our history, and it was but right that our representatives should go to the mother-country and have a distinct understanding as to what was expected of us in the matter of defence—to know what we were required to do and to state what we were prepared to do.

Some Hon. Members—Hear, hear.

John Carling [London]—We were ready to do our fair share, and we had a right to ask the Home Government to reciprocate.

Some Hon. Members—*Cheers.*

John Carling [London]—It was not right to make suggestions—the Government was quite able to decide who should act as delegates.

John Cameron [Peel] said he hardly thought it was fair to comment upon the statements of

the hon. member for North Leeds [Francis Jones], inasmuch as he believed his hon. friend was only joking.

Some Hon. Members—Hear, hear.

John Cameron [Peel]—The hon. gentleman went on to say, in reference to the remarks of the hon. member for Chateauguay [Luther Holton], that, as the policy of the Government had been already announced, it was not reasonable to ask Ministers to repeat it.

Luther Holton [Chateauguay] said he had only asked to know whether he had clearly understood the policy of the Government, and he was satisfied from the policy of hon. gentlemen on the Treasury benches that he had correctly understood them.

After some further discussion, in which Hon. Mr. Evanturel, and Messrs. Joly, Denis, Scoble and other hon. gentlemen took part, the motion of George Brown [Oxford South, President Executive Council]

That when this House adjourn at the close of its second sitting, it do stand adjourned until Saturday at eleven o'clock.⁵

—*was carried.*

⁵ Reinserted from the beginning of the debate for clarity.

DEBATES OF
THE
**LEGISLATIVE
ASSEMBLY**



SATURDAY,
MARCH 18, 1865¹

**A Demand for Explanations—
Parliamentary Badinage**

Luther Holton [Chateauguay] rose and with *l'apparent gravity* said he held in his hand a paper which had, reached town this morning, and which contained a statement suggesting an enquiry of some importance.

The Speaker—The want of notice will prevent the question being put.

Luther Holton [Chateauguay]—Well, yes; but we could have some talk about it.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—He knew that hon. gentleman, strictly speaking, were not bound to answer this question, but it was one which they find it convenient to respond to on pain of probable unpleasant consequences hereafter. He found this extraordinary statement in a newspaper (*Huntington Gleaner*)²—that just prior to the vote on the Confederation scheme the other day, the Government gave to certain gentlemen, representing English constituencies in Lower Canada, a written pledge in regard to the provisions of the local constitutions, in respect to the interests these gentleman were supposed to represent³.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay]—Now he could imagine nothing more dangerous, more unparliamentary, more unconstitutional than such a pledge beforehand.

George-Étienne Cartier [Montreal East, Attorney-General East]—Undignified, unbecoming, irrelevant.

Some Hon. Members—*Roars of laughter.*

Luther Holton [Chateauguay] said he could imagine nothing more calculated to sap the foundations of constitutional Government than pledges by a ministry to supporters in regard to any matter, for the purpose of securing their support. When he saw that statement in print he determined to give hon. gentleman fair play.

George-Étienne Cartier [Montreal East, Attorney-General East]—We all know that.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay] said he desired to give them an opportunity—the only one they would have in three months—to

¹ Source: "[Provincial Parliament](#)," [Quebec] *Morning Chronicle* (Mar. 20, 1865).

² Article from the *Huntington Gleaner*. Unconfirmed reference.

³ This charge of a deal—English, Protestant education rights in Lower Canada for votes on Confederation followed Galt until his resignation in 1866. Despite denying any specific deal, he resigned when he was unable to bring the Lower Canada Education Bill into fruition.

contradict the statement if they could. If such pledges been given hon. gentleman from Lower Canada, similar assurances might have been given to other sections of the representation of the country. It might be equally true that such assurance were given the followers of the hon. member for South Oxford [George Brown], and contrary ones given the supporters of the Hon. Attorney-General East [George-Étienne Cartier].

Some Hon. Members—*Ministerial laughter and cheers.*

Luther Holton [Chateauguay]—We were entitled, firstly, to know whether such assurances were given, and, secondly, what they were in respect to all the different classes and races represented in the House; because it might turn out that these assurances were slightly in contradiction to each other; so that, in addition to the unconstitutional course pursued there might be a graver charge against ministers.

George Brown [Oxford South, President Executive Council]—Oh, pshaw, pshaw.

Some Hon. Members—*Ironical cheers from the Ministerial benches.*

Luther Holton [Chateauguay] said he had not had an opportunity of giving notice of this enquiry, as the matter only came under his notice within a few a minutes.

George-Étienne Cartier [Montreal East, Attorney-General East]—What paper?

Luther Holton [Chateauguay]—A very respectable paper published in Mr. Somerville's constituency, and which excused him on the ground that he had obtained a written pledge from the Government in reference to certain portions of the local constitution of Lower Canada, affecting the rights and safety of the English Protestants of Lower Canada. If such assurances were given, he thought they must be considered unconstitutional.

John Cameron [Peel] thought there was enough assurance in this House without giving any extra assurances to particular members.

Some Hon. Members—*Laughter.*

John Cameron [Peel]—He thought the hon. member for Chateauguay [Luther Holton] ought to move for a special committee to enquire and report upon this important matter. There could not be the least doubt it was of immense importance; had assurance been given, as had been stated, to the representatives of the different races and classes—if everybody had got assurances nobody could complain.

Some Hon. Members—*Laughter.*

John Cameron [Peel]—The proper course would be to move that the hon. member for Chateauguay [Luther Holton] be appointed a committee of one, to sit and enquire into this matter during the recess, with power to send for persons and papers.

Some Hon. Members—*Hear, hear, and laughter.*

John Cameron [Peel]—He should also have all the "checks and guarantees" ever heard of, and a vote of credit to pay his expenses.

Some Hon. Members—*Renewed laughter.*

Luther Holton [Chateauguay] said, that perhaps the hon. gentleman could induce his friends to issue a commission of enquiry into the matter. If so, he would undertake to serve without fear of reward, if authorized to act as a commission of enquiry on the subject, with power to call for persons, papers and records, and examine witnesses on oath; and would be prepared to bring down full information on this matter on the first day of next session.

Some Hon. Members—*Hear, hear.*

Luther Holton [Chateauguay]—The hon. gentleman (Mr. Cameron) said that if assurances were given to all no party could complain; but these assurances might vary.

John Cameron [Peel]—*Hear, hear.*

Luther Holton [Chateauguay] said he hope such assurances had not been given, for the sake of the government and for the sake of constitutional government generally. If such assurances had been given, it might be considered that other sections of the representation had also received pledges. He would therefore repeat his question.

George-Étienne Cartier [Montreal East,

Attorney-General East] said that the Government would take into consideration the issuing of a commission, and give due attention to the weighty arguments brought to bear by the hon. gentleman for this object.

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—These arguments were not only weighty but absolutely ponderous.

Luther Holton [Chateauguay]—What about the assurances?

George-Étienne Cartier [Montreal East, Attorney-General East]—With regard to them, we do not deal in such. There was, however, a former Government, of which the hon. gentleman who sits near me (Mr. Brown) was the leader, and hon. member opposite (Mr. Holton) a member—which understood what was meant by “assurances and checks and guarantees.”

Some Hon. Members—*Laughter.*

George Brown [Oxford South, President Executive Council]—What can be said of that Government could be said of no other Government—it had not the slightest fault—it never did wrong—never was and never could be charged with corruption.

Some Hon. Members—*Roars of laughter.*

Luther Holton [Chateauguay]—But the Brown-Dorian government was, however, subjected to great wrong. The hon. member for Dorchester (Mr. Langevin) taking advantage of the issuing of the writ for the city of Montreal, stifled that administration.

Some Hon. Members—*Laughter.*

Luther Holton [Chateauguay]—That was an action which, it was to be hoped, the hon. member for South Oxford [George Brown] would not forget or forgive. It was one of these things which, though he was condoning so much the acts of his present colleagues, he should not forget.

Some Hon. Members—*Laughter and ironical cheers.*

John Cameron [Peel]—Does the hon.

gentleman forget that all that is buried in the grave, and that “forget-me-not” and other flowers are now blooming over it.

Some Hon. Members—*Renewed laughter.*

Luther Holton [Chateauguay] did not desire this serious to be laughed off in this way.

John Cameron [Peel] said he was obliged to check the continuance of this proceeding, by raising the question of order. There was no notice of enquiry on the paper. The House did not understand that such an important matter was to be discussed to-day.

Luther Holton [Chateauguay]—I do not intend dividing the House on the matter.

Some Hon. Members—*Roars of laughter.*

Luther Holton [Chateauguay]—I am aware I cannot demand a categorical answer, under the circumstances. I can put myself in order if necessary, by making a motion; but I merely wish to know whether written assurances were given by the Government to the hon. member for Huntington [Robert Somerville], and other gentleman representing English constituencies in Lower Canada, in respect to the provisions of a measure not yet submitted to this House, in order to induce them to vote in a certain sense on a measure yet to come before the house. That is the point of the enquiry which, I think is serious. Hon. gentleman are bound by grave consideration to answer.

John Cameron [Peel]—I think seriously it should be answered next session, before we have the Speech from the Throne.

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—The hon. member for South Oxford [George Brown] said that the Brown-Dorion Administration⁴ had not been guilty of any reprehensible act; but said that wrong had been done it. That wrong was, however, he (Mr. Cartier) believed, in the main corrected, as he had now as his colleague the Hon. President of the Council [George Brown], the leader of that Government. It was

⁴ Led by George Brown & Antoine-Aimé Dorion (Aug. 2-Aug. 6, 1858).

not the wish of the country that that hon. gentleman should remain longer in opposition; but it appears that the hon. member for Chateauguay [Luther Holton] should remain in Opposition, inasmuch as he acted that part so well.

Some Hon. Members—Hear, hear.

Luther Holton [Chateauguay] said that he could only infer that the statement in the paper relative to the assurances alleged to have been given was true.

George Brown [Oxford South, President Executive Council]—Pshaw, pshaw.

Luther Holton [Chateauguay]—The only deduction was that these assurances had been given in order to influence the action of this House on a measure under consideration. The silence of the Government implied acquiescence in the accuracy of the statement. If it be correct, it would establish against these gentleman one of the gravest charges ever proved against a government administering representative institutions and occupying the place of a Responsible Government, according to the British notion.

George Brown [Oxford South, President Executive Council] said that, before coming to that conclusion, the hon. gentleman should state what these assurances were. It was quite impossible for the Government to know their nature. They might be with regard to the time that Parliament was to meet, with regard to the local Government's, the distribution of the debt, &c.,—in fact, there was an infinity of subjects with regard to which verbal assurances might have been given.

Luther Holton [Chateauguay]—I said written assurances from the Government—not those given at dinner tables.

George Brown [Oxford South, President Executive Council] said that if the hon. gentleman would state what he meant we might be able to answer him. As far as he was concerned, he had not the slightest apprehension of what the hon. member was speaking about.

Luther Holton [Chateauguay] said he would endeavor to make himself understood.

The statement and question were with reference to this—that, pending, and near the close of the discussion on Confederation, hon. ministers gave to the hon. gentleman already referred to, and to other hon. members representing British constituencies in Lower Canada, certain written assurances as to the provisions the Government would introduce into the proposed local constitutions to be submitted next session, on the peculiar protection of the class those gentleman represented. That was the point, respecting which there could be no misunderstanding.

George Brown [Oxford South, President Executive Council] said he was as ignorant now as before, as to the meaning of the assurances spoken about.

Luther Holton [Chateauguay]—I would advise the hon. gentleman to apply to his colleagues for information, and to ask the Hon. Finance Minister [Alexander Galt] whether he knew anything about it; or whether, if he did, it was in his individual capacity or in that of a member of the Government. Perhaps Mr. Wright, of Ottawa, could tell us something of these assurances.

George Brown [Oxford South, President Executive Council]—Yes, yes, bring him out.

Some Hon. Members—*Laughter.*

[Mr. Pope now crossed the House, when Hon. Mr. Holton caught him by the arm, in a friendly manner, apparently for the purpose of extracting from him whether he had received any assurances. Mr. Pope, seemingly unwilling to prolong the interview "broke away" amid the laughter of the members.]

George Brown [Oxford South, President Executive Council] **George Brown [Oxford South, President Executive Council]**—(assuming a grave appearance) I beg to call attention to one of the most unconstitutional and improper proceedings ever witnessed in this House. An hon. member, with a degree of rashness unparalleled, in your presence, Mr. Speaker, and while you were in the Chair, actually laid violent hands on another hon.

member. I saw the deed.

Some Hon. Members—*Roars of laughter.*

George Brown [Oxford South, President Executive Council]—I saw the hon. member for Chateaugay [Luther Holton] seize hold of another hon. member, but I cannot say what the damage was.

Some Hon. Members—*Renewed laughter.*

Luther Holton [Chateaugay]—I can only say, as I am the member alluded to, I have to apologize in the most abject manner to the House, and also I beg to apologize to the hon. member himself (turning towards Mr. Pope) upon whose persons the alleged violence was committed.

Some Hon. Members—*Roars of laughter.*

Luther Holton [Chateaugay]—I think I have now fulfilled all the requirements of Parliamentary law.

Luther Holton [Chateaugay]—As the Pope has given my hon. friend absolution, I hope it is all right.—

Some Hon. Members—*Laughter.*

Luther Holton [Chateaugay]—But I have not given absolution to the Pope. The gentle violence I was seen to practice on His Holiness a moment ago, was not for the purpose of vengeance on that hon. gentleman, but was merely for the public interest.

George Brown [Oxford South, President Executive Council]—I arise to order. I say that is just the plea with all despots since the world began.

Some Hon. Members—*Laughter.*

Luther Holton [Chateaugay]—Then I am a despot in the interest of my country.

Some Hon. Members—*Laughter.*

John Cameron [Peel] said it was in accordance with the rules of Parliament that the hon. gentleman having made an apology should withdraw. I insist on the rule in this case.

Some Hon. Members—*Uproarious laughter and shouts of "withdraw."*

The matter then dropped, and the Speaker left the Chair during pleasure.

Shortly after 2 p.m.—

The Speaker resumed his seat and a number of bills sent down from the Legislative Council with amendments were concurred in.

The Seat of Government

Robert Bell [Russell]—I wish to ask a question, namely—Whether the policy of the Government is the same at present as that communicated to the House, by the Hon. Attorney General West [John A. Macdonald], on the 30th January last—that the seat of Government will be removed to Ottawa during the ensuing summer?

George Brown [Oxford South, President Executive Council]—can have no hesitation in answering the question of my hon. friend. I have the assent of the Government and Opposition in saying that there is no change in our policy in regard to the removal of the Seat of Government to Ottawa.

Robert Bell [Russell]—That is—it is their intention to remove to Ottawa this summer?

George Brown [Oxford South, President Executive Council]—There is no change at all in the policy of the Government.

Luther Holton [Chateaugay] said the facts were slightly different now from what they were on the 30th of January last. Then we were in ordinary session, and it was supposed Parliament would be called together in Ottawa. Since that period we had had another declaration of policy from the Hon. Attorney General West [John A. Macdonald]—namely, that Parliament would be convened, not at the usual period next winter but early in summer probably in June. Well, he (Mr. Holton) understood the pith of the question was this—will Parliament, when summoned in June next, or early summer, be summoned on Ottawa. Because it must be clearly seen that if this promised summer sessions could not be convened in Ottawa, it would be physically impossible that the Government could be removed to Ottawa during the summer.

John Cameron [Peel] arose to question or order. This discussion was entirely contrary to parliamentary rule.

Robert Bell [Russell]—On a question of this kind a discussion is not expected; and as far as what I meant is concerned, I am very much obliged to the hon. member for Chateaugay [Luther Holton] for telling me what I did mean; but I think I knew it quite as well before he told me.

Some Hon. Members—*Laughter.*

Robert Bell [Russell]—I asked whether the policy of the Government was changed;—was it the same as stated by the Attorney General West [John A. Macdonald] on the 30th January last, namely, that the seat of Government would be removed to Ottawa during the ensuing summer. On that day the member for St. John (Mr. Bourassa) asked whether it was the intention of the Government to remove the seat of Government to Ottawa during the ensuing summer. The Hon. Attorney General West [John A. Macdonald] answered that it was the intention. I ask now whether the policy of the government is the same as then stated.

Luther Holton [Chateaugay] *rose to a question of order.*

Robert Bell [Russell] contended that he was in order.—I thank the hon. gentleman for telling me what I meant. The question is now asked. It has been replied that the policy of the Government is not changed. I then add the continuation of this question—"Is it the intention of the Government to remove to Ottawa this summer." To that part of the question, I have not had a decided reply.

George Brown [Oxford South, President Executive Council]—I think the reply was given in that of the Hon. Attorney General West [John A. Macdonald] in January last, namely—that we intended to remove to Ottawa at the very earliest possible moment.

Luther Holton [Chateaugay]—When?

George Brown [Oxford South, President Executive Council]—I am not an engineer, cannot tell when the buildings will be ready, and cannot possibly say what the earliest

moment will be.

Robert Bell [Russell]—Is it the intention of the Government to remove to Ottawa this summer?

George-Étienne Cartier [Montreal East, Attorney-General East]—It is the intention of the Government to carry out the declaration made by the Hon. Attorney General West [John A. Macdonald] on behalf of the Government.

Luther Holton [Chateaugay]—Then it is the intention of the Government to convene Parliament in June in Ottawa? I should like to know whether that is the understanding?

George-Étienne Cartier [Montreal East, Attorney-General East]—The hon. gentleman is aware that an announcement respecting the policy of the Government, concerning the prorogation of this House, and convening of Parliament, was made by the Hon. Attorney General West [John A. Macdonald].

Luther Holton [Chateaugay]—It follows, therefore, that the House is to be convened in Ottawa in June, or early in summer?

George Brown [Oxford South, President Executive Council]—When the proclamation comes out you will have full information.—

Some Hon. Members—*Laughter.*

George-Étienne Cartier [Montreal East, Attorney-General East]—The hon. gentleman (Mr. Holton) pretends to be a great reasoner; he can draw his conclusions from the statement of the Hon. Attorney General West [John A. Macdonald].

John Cameron [Peel]—The Government did not say whether it was in the ordinary summer or the Indian summer that they were to meet.

Some Hon. Members—*Laughter.*

Luther Holton [Chateaugay] hoped the hon. member for Russell [Robert Bell] was entirely satisfied with the answer, and that he believed there had been no "humbugging" of the important interests he represents.

Robert Bell [Russell]—I have no hesitation in saying that I give full credit to the assurances given me, both by Hon. Attorney-General West [John A. Macdonald] and the Hon. Attorney-General East [George-Étienne

Cartier]. They tell me that the policy of the Government is the same as that announced by the former on the 30th January last. That announcement was—"Yes, it is the intention of the Government to remove the seat of Government to Ottawa this summer." They declared this then, and members of the Government have now repeated. I take it that it is the intention of the Government to remove to Ottawa this summer, as declared in this House I am satisfied to take their word.

Luther Holton [Chateauguay] hoped that the hon. members for Ottawa [Alonzo Wright] and Pontiac [John Poupore] were satisfied with the assurance.

Alonzo Wright [Ottawa County]—I have no objection to say that I am perfectly satisfied with all the assurances I have received.

Message from His Excellency

*At twenty minutes past three a message was received from **His Excellency the Governor-General [Viscount Monck]**, desiring the attendance of the members of the Legislative Assembly in the Legislative Council Chamber, wither the members proceeded*

The House then adjourned.

THE CONFEDERATION DEBATES

Included in this three-volume set, for the first time in one location, is the complete record of all the debates on Confederation that took place in the parliament of the Province of Canada in the period between the drafting of the Quebec Resolutions in October 1864 and the coming-into-force of the new constitution in 1867. Historically, the term “Confederation Debates” has been used to describe only a subset of these debates which took place in February and March, 1865.

The present volume includes, in addition, debates from the summer of 1865 and from 1866 that are necessary for a full understanding of the development of the British North America Act.

The book series, **Canada's Primary Constitutional Documents**, has been undertaken by the Canadian Constitution Foundation with the goal of making available a complete record of all surviving primary documents relating to each part of Canada's constitution. The series is an attempt to breathe life back into these documents by making them universally available.

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Volume I : Debates in the Legislative Council (January - March 1865) &
Debates in the Legislative Assembly (January - February 1865)

Volume II: Debates in the Legislative Assembly (March 1865)

Volume III: Debates in the Legislative Council & Legislative Assembly
(August - September 1865 & June - August 1866)

