GEORGE BROWN
THE MAKERS OF CANADA

GEORGE BROWN

BY

JOHN LEWIS

TORONTO
MORANG AND CO., LIMITED
1912
Entered according to Act of the Parliament of Canada in the year 1906 by Morang & Co., Limited, in the Department of Agriculture
THE title of this series, "Makers of Canada," seemed to impose on the writer the obligation to devote special attention to the part played by George Brown in fashioning the institutions of this country. From this point of view the most fruitful years of his life were spent between the time when the Globe was established to advocate responsible government, and the time when the provinces were confederated and the bounds of Canada extended from the Atlantic to the Pacific. The ordinary political contests in which Mr. Brown and his newspaper engaged have received only casual notice, and the effort of the writer has been to trace Mr. Brown's connection with the stream of events by which the old legislative union of Canada gave place to the confederated Dominion.

After the establishment of responsible government, the course of this stream is not obscure. Brown is found complaining that Upper Canada is inadequately represented and is dominated by its partner. Various remedies, such as dissolution of the union, representation by population and the "double majority," are proposed; but ultimately the solution is found in federation, and to this solution, and the events leading up to it, a large part of the book is devoted. Mr. Brown was also
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an ardent advocate of the union with Canada of the country lying west to the Rocky Mountains, and to this work reference is made.

Mr. Brown was one of those men who arouse strong friendships and strong animosities. These have been dealt with only where they seemed to have a bearing upon history, as in the case of Sir John A. Macdonald and of the Roman Catholic Church. It seems to be a profitless task for a biographer to take up and fight over again quarrels which had no public importance and did not affect the course of history.

The period covering Mr. Brown's career was one in which the political game was played roughly, and in which strong feelings were aroused. To this day it is difficult to discuss the career of the Hon. George Brown, or of Sir John A. Macdonald, without reviving these feelings in the breasts of political veterans and their sons; and even one who tries to study the time and the men and to write their story, finds himself taking sides with men who are in their graves, and fighting for causes long since lost and won. The writer has tried to resist the temptation of building up the fame of Brown by detracting from that of other men, but he has also thought it right in many cases to present Brown's point of view, not necessarily as the whole truth, but as one of the aspects of truth.

In dealing with the question of confederation, my endeavour has been simply to tell the story of
PREFACE

Brown’s work and let it speak for itself, not to measure the exact proportion of credit due to
Brown and to others. It is hard to believe, how-
ever, that the verdict of history will assign to him
a place other than first among the public men of
Canada who contributed to the work of confedera-
tion. Events, as D’Arcy McGee said, were prob-
ably more powerful than any of them.

If any apology is needed for the space devoted
to the subject of slavery in the United States, it
may be found not only in Brown’s lifelong opposi-
tion to slavery, but in the fact that the Civil War
influenced the relations between the United States
and Canada, and indirectly promoted the confede-
ration of the Canadian provinces, and also in the
fact, so frequently emphasized by Mr. Brown, that
the growth of the institution of slavery on this con-
tinent was a danger to which Canada could not be
indifferent.

Among the works that have been found useful
for reference are John Charles Dent’s Last Forty
Years (Canada since the union of 1841); Gray
on Confederation; Côté’s Political Appointments
and Elections in the Province of Canada; Dr.
Hodgins’ Legislation and History of Separate
Schools in Upper Canada; the lives of Lord
Elgin, Dr. Ryerson and Joseph Howe in “The
Makers of Canada” series; the Hon. Alexander
Mackenzie’s Life and Speeches of the Hon. George
Brown; the Hon. James Young’s Public Men
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and Public Life in Canada. Mr. Mackenzie's book contains a valuable collection of letters, to which frequent reference is made in the chapters of this book dealing with confederation. The account of the relations of the Peel government with Governor Sir Charles Bagot is taken from the Life of Sir Robert Peel, from his correspondence, edited by C. S. Parker. The files of the Banner and the Globe have been read with some care; they were found to contain an embarrassing wealth of most interesting historical material.

To Dr. James Bain, Librarian of the Toronto Free Library, and to Mr. Avern Pardoe, of the Library of the Legislative Assembly, I am deeply indebted for courtesy and assistance.

JOHN LEWIS.
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CHAPTER I
FROM SCOTLAND TO CANADA

GEORGE BROWN was born at Alloa, a sea-port on the tidal Forth, thirty-five miles inward from Edinburgh, on November 29th, 1818. His mother was a daughter of George Mackenzie, of Stornoway, in the Island of Lewis. His father, Peter Brown, was a merchant and builder. George was educated at the High School and Southern Academy in Edinburgh. "This young man," said Dr. Gunn, of the Southern Academy, "is not only endowed with high enthusiasm, but possesses the faculty of creating enthusiasm in others." At the risk of attaching too much significance to praise bestowed on a school-boy, it may be said that these words struck the keynote of Brown's character and revealed the source of his power. The atmosphere of the household was Liberal; father and son alike hated the institution of slavery, with which they were destined to become more closely acquainted. "When I was a very young man," said George Brown, denouncing the Fugitive Slave Law before a Toronto audience, "I used to think that if I ever had to speak before such an audience as this, I would choose African Slavery as my theme in preference to any other topic. The subject seemed to
afford the widest scope for rhetoric and for fervid appeals to the best of human sympathies. These thoughts arose far from here, while slavery was a thing at a distance, while the horrors of the system were unrealized, while the mind received it as a tale and discussed it as a principle. But, when you have mingled with the thing itself, when you have encountered the atrocities of the system, when you have seen three millions of human beings held as chattels by their Christian countrymen, when you have seen the free institutions, the free press and the free pulpit of America linked in the unrighteous task of upholding the traffic, when you have realized the manacle, and the lash, and the sleuth-hound, you think no more of rhetoric, the mind stands appalled at the monstrous iniquity, mere words lose their meaning, and facts, cold facts, are felt to be the only fit arguments."

Again, as George grew to manhood, the struggle which ended in the disruption of the Church of Scotland was approaching its climax, and the sympathies of the Brown household were with those who declared that it "is the fundamental law of this Church that no pastor shall be intruded on any congregation contrary to the will of the people."

In 1838 reverses in business led the father and son to seek their fortunes in America. Arriving in New York, Peter Brown turned to journalism, finding employment as a contributor to the Albion, a weekly newspaper published for British residents
BRITISH SYMPATHIES

of the United States. The Browns formed an unfavourable opinion of American institutions as represented by New York in that day. To them the republic presented itself as a slave-holding power, seeking to extend its territory in order to enlarge the area of slavery, and hostile to Great Britain as a citadel of freedom. They always regarded the slave-holding element in the United States as that which kept up the tradition of enmity to England. An American book entitled, *The Glory and Shame of England*, aroused Peter Brown's indignation, and he published a reply in a little volume bearing the name of *The Fame and Glory of England Vindicated*. Here he paid tribute to British freedom, contrasted it with the domination of the slave holders, and instanced the fact that in Connecticut a woman had been mobbed and imprisoned for teaching coloured girls to read. Further light is thrown upon the American experience of the Browns by an article in the *Banner*, their first Canadian venture in journalism. The writer is answering an accusation of disloyalty and Yankee sympathies, a stock charge against Reformers in that day. He said: "We have stood in the very heart of a republic, and fearlessly issued our weekly sheet expressing our fervent admiration of the limited monarchy of Great Britain, though surrounded by Democratic Whigs, Democratic Republicans, Irish Repealers, slave holders, and every class which breathes the most inveterate hostility to British institutions."
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And we are not to be turned from maintaining the genuine principles of the constitution because some of our contemporaries are taken with a fit of sycophancy, and would sacrifice all at the shrine of power.”

In December, 1842, the Browns established in New York the *British Chronicle*, a paper similar to the *Albion*, but apparently designed more especially for Scottish and Presbyterian readers in the United States and Canada. In an effort to promote Canadian circulation, George Brown came to Canada early in 1843. The *Chronicle* had taken strong ground on the popular side of the movement then agitating the Church of Scotland; and this struggle was watched with peculiar interest in Canada, where the relations between Church and State were burning questions. Young Brown also met the members of a Reform administration then holding power under Governor Metcalfe, and the ministers became impressed with the idea that he would be a powerful ally in the struggle then impending.

There is on record an interesting pen picture of George Brown as he appeared at this time. The writer is Samuel Thompson, editor of the *Colonist*. “It was, I think, somewhere about the month of May, 1843, that there walked into my office on Nelson Street a young man of twenty-five years, tall, broad-shouldered, somewhat lantern-jawed and emphatically Scottish, who introduced himself to me as the travelling agent of the New York *British*
REMOVAL TO TORONTO

Chronicle, published by his father. This was George Brown, afterwards editor and publisher of the Globe newspaper. He was a very pleasant-mannered, courteous, gentlemanly young fellow, and impressed me favourably. His father, he said, found the political atmosphere of New York hostile to everything British, and that it was as much as a man's life was worth to give expression to any British predilections whatsoever (which I knew to be true). They had, therefore, thought of transferring their publication to Toronto, and intended to continue it as a thoroughly Conservative journal. I, of course, welcomed him as a co-worker in the same cause with ourselves, little expecting how his ideas of Conservatism were to develop themselves in subsequent years." His Conservatism—assuming that the young man was not misunderstood—was perhaps the result of a reaction from the experience of New York, in which democracy had presented itself in an unlovely aspect. Contact with Toronto Toryism of that day would naturally stiffen the Liberalism of a combative man.

As a result of George Brown's survey of the Canadian field, the publication of the British Chronicle in New York ceased, and the Browns removed to Toronto, where they established the Banner, a weekly paper partly Presbyterian and partly political, and in both fields championing the cause of government by the people. The first number was issued on August 18th, 1843. Refer-
ring to the disruption of the "Scottish Church" that had occurred three months before, the *Banner* said: "If we look to Scotland we shall find an event unparalleled in the history of the world. Nearly five hundred ministers, backed by several thousand elders and perhaps a million of people, have left the Church of their fathers because the civil courts have trampled on what they deem the rights of the Christian people in Scotland, exhibiting a lesson to the world which must produce results that cannot yet be measured. The sacrifice made by these devoted ministers of the Gospel is great; their reward is sure."

The columns of the *Banner* illustrate in a striking way the intermingling, common in that day, of religion and politics. The *Banner's* chief antagonist was the *Church*, a paper equally devoted to episcopacy and monarchy. Here is a specimen bit of controversy. The *Church*, arguing against responsible government, declares that as God is the only ruler of princes, princes cannot be accountable to the people; and perdition is the lot of all rebels, agitators of sedition, demagogues, who work under the pretence of reforming the State. All the troubles of the country are due to parliaments constantly demanding more power and thereby endangering the supremacy of the mother country. The *Banner* is astonished by the unblushing avowal of these doctrines, which had not been so openly proclaimed since the days of "High Church and Sacheverell,"
OLD STYLE JOURNALISM

and which if acted upon would reduce the people to the level of abject slaves. Whence, it asks, comes this doctrine of the irresponsibility of kings? "It has been dug up from the tombs of Roman Catholic and High Church priests and of Jacobite bigots. Wherever it gets a footing it carries bloodshed and persecution in its train. It cramps the freedom of thought. It represses commercial enterprise and industry. It dries up the springs of the human understanding. To what does Britain owe all her greatness but to that free range of intellectual exertion which prompted Watt and Arkwright in their wonderful discoveries, which carried Anson and Cook round the globe, and which enabled Newton to scale the heavens? Is the dial to be put back? Must the world once more adopt the doctrine that the people are made for kings and not kings for the people? Where will this treason to the British Constitution find the slightest warrant in the Word of God? We know that power alone proceeds from God, the very air we breathe is the gift of His bounty, and whatever public right is exercised from the most obscure elective franchise to the king upon his throne is derived from Him to whom we must account for the exercise of it. But does that accountability take away or lessen the political obligations of the social compact?—assuredly not."

This style of controversy was typical of the time. Tories drew from the French Revolution warnings
against the heedless march of democracy. Reformers based arguments on the "glorious revolution of 1688." A bill for the secularization of King's College was denounced by Bishop Strachan, the stalwart leader of the Anglicans, in language of extraordinary vehemence. The bill would hold up the Christian religion to the contempt of wicked men, and overturn the social order by unsettling property. Placing all forms of error on an equality with truth, the bill represented a principle "atheistical and monstrous, destructive of all that was pure and holy in morals and religion." To find parallels for this madness, the bishop referred to the French Revolution, when the Christian faith was abjured, and the Goddess of Reason set up for worship; to pagan Rome, which, to please the natives she had conquered, "condescended to associate their impure idolatries with her own."

These writings are quoted not merely as illustrations of extravagance of language. The language was the natural outcome of an extraordinary situation. The bishop was not a voice crying in the wilderness; he was a power in politics as well as in the Church, and had, as executive councillor, taken an important part in the government of the country. He was not making extravagant pretensions, but defending a position actually held by his Church, a position which fell little short of absolute domination. Religious equality was to be established, a great endowment of land converted from sectarian
A NEW CRISIS

to public purposes, and a non-sectarian system of education created. In this work Brown played a leading part, but before it could be undertaken it was necessary to vindicate the right of the people to self-government.

In November, 1843, the resignation of Metcalfe's ministers created a crisis which soon absorbed the energy of the Browns and eventually led to the establishment of the *Globe*. In the issue of December 8th, 1843, the principles of responsible government are explained, and the *Banner* gives its support to the ministers. It cannot see why less confidence should be bestowed by a governor-general in Canada than by a sovereign in the British empire. It deplores the rupture and declares that it still belongs to no political party. It has no liking for "Democracy," a word which even Liberals at that time seemed to regard with horror. It asks Presbyterians to stand fast for the enjoyment of civil and religious liberty. It exhorts the people of Canada to be firm and patient and to let no feeling of disappointment lead their minds to republicanism. Those who would restrict the liberties of Canada also dwell on the evils of republicanism, but they are the very people who would bring it to pass. The *Banner*’s ideal is a system of just and equal government. If this is pursued, a vast nation will grow up speaking the same language, having the same laws and customs, and bound to the mother country by the strongest bonds of affection. The
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Banner, which had at first described itself as independent in party politics, soon found itself drawn into a struggle which was too fierce and too momentous to allow men of strong convictions to remain neutral. We find politics occupying more and more attention in its columns, and finally on March 5th, 1844, the Globe is established as the avowed ally of Baldwin and Lafontaine, and the advocate of responsible government. It will be necessary to explain now the nature of the difference between Metcalfe and his ministers.
CHAPTER II

METCALFE AND THE REFORMERS

THE Browns arrived in Canada in the period of reconstruction following the rebellion of 1837-8. In Lord Durham's Report the rising in Lower Canada was attributed mainly to racial animosity—"two nations warring in the bosom of a single state"—"a struggle not of principles but of races." The rising in Upper Canada was attributed mainly to the ascendancy of the "family compact"—a family only in the official sense. "The bench, the magistracy, the high offices of the episcopal church, and a great part of the legal profession, are filled by their adherents; by grant or purchase they have acquired nearly the whole of the waste lands of the province; they are all-powerful in the chartered banks, and till lately shared among themselves almost exclusively all offices of trust and profit. The bulk of this party consists, for the most part, of native born inhabitants of the colony, or of emigrants who settled in it before the last war with the United States; the principal members of it belong to the Church of England, and the maintenance of the claims of that Church has always been one of its distinguishing characteristics." Reformers discovered that even when they triumphed at
the polls, they could not break up this combination, the executive government remaining constantly in the hands of their opponents. They therefore agitated for the responsibility of the executive council to the legislative assembly.

Lord Durham's remedy was to unite Upper and Lower Canada, and to grant the demand for responsible government. He hoped that the union would in time dispose of the racial difficulty. Estimating the population of Upper Canada at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, "the union of the two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English immigration; and I have little 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."

The future mapped out by Lord Durham for the French-Canadians was one of benevolent assimilation. He underestimated their tenacity and their power of adapting themselves to new political conditions. They not only retained their distinctive language and customs, but gained so large a measure of political power that in time Upper Canada complained that it was dominated by its partner. The union was effected soon after the report, but the granting of responsible government was long
A RETROSPECT

delayed. From the submission of Lord Durham's Report to the time of Lord Elgin, the question of responsible government was the chief issue in Canadian politics. Lord Durham's recommendations were clear and specific. He maintained that harmony would be restored "not by weakening but strengthening the influence of the people on its government; by confining within much narrower bounds than those hitherto allotted to it, and not by extending, the interference of the imperial authorities on the details of colonial affairs." The government must be administered on the principles that had been found efficacious in Great Britain. He would not impair a single prerogative of the Crown, but the Crown must submit to the necessary consequences of representative institutions, and must govern through those in whom the representative body had confidence.

These principles are now so well established that it is hard to realize how bold and radical they appeared in 1839. Between that time and 1847, the British government sent out to Canada three governors, with various instructions. Whatever the wording of these instructions was, they always fell short of Durham's recommendations, and always expressed a certain reluctance to entrusting the government of Canada unreservedly to representatives of the people.

From 1842 to 1846 the government in Great Britain was that of Sir Robert Peel, and it was
that government which set itself most strongly against the granting of autonomy to Canada. It was Conservative, and it probably received from correspondents in Canada a good deal of misinformation and prejudiced opinion in regard to the aims of the Reformers. But it was a group of men of the highest character and capacity, concerning whom Gladstone has left on record a remarkable testimony. "It is his conviction that in many of the most important rules of public policy, that government surpassed generally the governments which have succeeded it, whether Liberal or Conservative. Among them he would mention purity in patronage, financial strictness, loyal adherence to the principle of public economy, jealous regard to the rights of parliament, a single eye to the public interest, strong aversion to extension of territorial responsibilities, and a frank admission of the rights of foreign countries as equal to those of their own."

With this high estimate of the general character of the Peel government must be coupled the undoubted fact that it entirely misunderstood the situation in Canada, gave its support to the party of reaction, and needlessly delayed the establishment of self-government. We may attribute this in part to the distrust occasioned by the rebellion; in part to the use of partisan channels of information; but under all this was a deeper cause— inability to conceive of such a relation as exists between Great Britain and Canada to-day. In that
respects Peel and his colleagues resembled most of the public men of their time. They could understand separation; they could understand a relation in which the British government and its agents ruled the colonies in a kindly and paternal fashion; but a union under which the colonies were nations in all but foreign relations passed their comprehension. When the colonies asked for complete self-government it was supposed that separation was really desired. Some were for letting them go in peace. Others were for holding them by political and commercial bonds. Of the latter class, Stanley, colonial secretary under Peel, was a good type. He believed in "strong" governors; he believed in a system of preferential trade between Great Britain and the colonies, and his language might have been used, with scarcely any modification, by the Chamberlain party in the recent elections in Great Britain. When, in 1843, he introduced the measure giving a preference to Canadian wheat, he expressed the hope that it would restore content and prosperity to Canada; and when that preference disappeared with the Corn Laws, he declared that the basis of colonial union was destroyed.

From the union to September, 1842, no French-Canadian name appears in a Canadian government. French-Canadians were deeply dissatisfied with the terms of the union; there was a strong reluctance to admitting them to any share of power, and they complained bitterly that they were politically ostra-
cized by Sydenham, the first governor. His successor, Bagot, adopted the opposite policy, and earned the severe censure of the government at home.

On August 23rd, 1842, Sir Robert Peel wrote to Lord Stanley in terms which indicated a belief that Governor Bagot was experiencing great difficulty in carrying on the government. He spoke of a danger of French-Canadians and Radicals, or French-Canadians and Conservatives, combining to place the government in a minority. He suggested various means of meeting the danger, and said, "I would not voluntarily throw myself into the hands of the French party through fear of being in a minority."

Before instructions founded on this letter could reach the colony, the governor had acted, "throwing himself," in the words of Peel's biographer, "into the hands of the party tainted by disaffection." What had really happened was that on September 16th, 1842, the Canadian government had been reconstructed, the principal change being the introduction of Lafontaine and Baldwin as its leading members. This action aroused a storm in Canada, where Bagot was fiercely assailed by the Tories for his so-called surrender to rebels. And that view was taken also in England.

On October 18th, 1842, Mr. Arbuthnot wrote to Sir Robert Peel: "The Duke [Wellington] has been thunderstruck by the news from Canada. Between
ourselves, he considers what has happened as likely to be fatal to the connection with England; and I must also, in the very strictest confidence, tell you that he dreads lest it should break up the cabinet here at home."

On October 21st, Sir Robert Peel wrote to Lord Stanley, pointing out the danger of the duke's strong and decisive condemnation: "In various quarters the Duke of Wellington denouncing the arrangement as a tame surrender to a party tainted with treason, would produce an impression most dangerous to the government, if it could get over the effects produced by the first announcement of his retirement, on the ground of avowed difference of opinion." After reading Sir Charles Bagot's explanations, he admitted that the governor's position was embarrassing. "Suppose," he said in a subsequent letter, "that Sir C. Bagot was reduced to such difficulties that he had no alternative but to take the best men of the French-Canadian party into his councils, and that it was better for him to do this before there was a hostile vote; still, the manner in which he conducted his negotiations was a most unwise one. He makes it appear to the world that he courted and rejoiced in the necessity for a change in his councils." On October 24th the Duke of Wellington wrote expressing his agreement with Peel, and adding: "However, it appears to me that we must consider the arrangement as settled and adopted by the legislature of Canada.
GEORGE BROWN

It will remain to be considered afterwards what is to be done with Sir Charles Bagot and with his measures."

The question was solved by the death of the governor who had been unfortunate enough to arouse the storm, and to create a ministerial crisis in Great Britain. It is believed that his end was hastened by the news from England. He fell ill in November, grew steadily worse, and at last asked to be recalled, a request which was granted. At his last cabinet council he bade an affectionate farewell to his ministers, and begged them to defend his memory. His best vindication is found in the failure of Metcalfe’s policy, and in the happy results of the policy of Elgin.

The events connected with the retirement of Bagot, which were not fully understood until the publication of Sir Robert Peel’s papers a few years ago, throw light upon the reasons which determined the selection of Sir Charles Metcalfe. Metcalfe was asked by Lord Stanley whether he would be able and disposed to assume “most honourable and at the same time very arduous duties in the public service.” Metcalfe wrote to Captain Higginson, afterwards his private secretary: “I am not sure that the government of Canada is a manageable affair, and unless I think I can go to good purpose I will not go at all.” Sir Francis Hincks says: “All Sir Charles Metcalfe’s correspondence prior to his departure from England is indicative of a feeling
that he was going on a forlorn hope expedition," and Hincks adds that such language can be explained only on the assumption that he was sent out for the purpose of overthrowing responsible government. It is certainly established by the Peel correspondence that the British government strongly disapproved of Sir Charles Bagot's policy, and selected Sir Charles Metcalfe as a man who would govern on radically different lines. It is perhaps putting it rather strongly to say that he was intended to overthrow responsible government. But he must have come to Canada filled with distrust of the Canadian ministry, filled with the idea that the demand for responsible government was a cloak for seditious designs, and ready to take strong measures to preserve British connection. In this misunderstanding lay the source of his errors and misfortunes in Canada.

It is not therefore necessary to enter minutely into the dispute which occasioned the rupture between Metcalfe and his advisers. On the surface it was a dispute over patronage. In reality Baldwin and Lafontaine were fighting for autonomy and responsible government; Metcalfe, as he thought, was defending the unity of the empire. He was a kindly and conscientious man, and he held his position with some skill, always contending that he was willing to agree to responsible government on condition that the colonial position was recognized, the prerogative of the Crown upheld,
and the governor not dominated by one political party.

The governor finally broke with his advisers in November, 1843. For some months he was to govern, not only without a responsible ministry, but without a parliament, for the legislature was immediately prorogued, and did not meet again before dissolution. His chief adviser was William Henry Draper, a distinguished lawyer, whose political career was sacrificed in the attempt to hold an impossible position. Reformers and Tories prepared for a struggle which was to continue for several years, and which, in spite of the smallness of the field, was of the highest importance in settling a leading principle of government.

On March 5th, 1844, as a direct consequence of the struggle, appeared the first issue of the Toronto Globe, its motto taken from one of the boldest letters of Junius to George III: "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." The leading article was a long and careful review of the history of the country, followed by a eulogy on the constitution enjoyed by Great Britain since "the glorious revolution of 1688," but denied to Canada. Responsible government was withheld; the governor named his councillors in defiance of the will of the legislature. Advocates of responsible government were stigmatized by the governor's friends as rebels, traitors, radicals and republicans. The Globe
THE CAMPAIGN OPENS

proclaimed its adherence to Lord Durham’s recommendation, and said: “The battle which the Reformers of Canada will fight is not the battle of a party, but the battle of constitutional right against the undue interference of executive power.” The prospectus of the paper contained these words: “Firmly attached to the principles of the British Constitution, believing the limited monarchy of Great Britain the best system of government yet devised by the wisdom of man, and sincerely convinced that the prosperity of Canada will best be advanced by a close connection between it and the mother country, the editor of the Globe will support all measures which will tend to draw closer the bonds of a mutually advantageous union.”

On March 25th, 1844, the campaign was opened with a meeting called by the Toronto Reform Association. Robert Baldwin, “father of responsible government,” was in the chair, and William Hume Blake was the orator of the night. The young editor of the Globe, a recruit among veterans, seems to have made a hit with a picture of a ministry framed on the “no party” plan advocated by Governor Metcalfe. In this imaginary ministry he grouped at the same council table Robert Baldwin and his colleague Francis Hincks; Sir Allan MacNab, the Tory leader; William Henry Draper, Metcalfe’s chief adviser; John Strachan, Bishop of Toronto; and Dr. Ryerson, leader of the Methodists and champion of the governor. His Excellency is on a
chair raised above the warring elements below. Baldwin moves that King’s College be opened to all classes of Her Majesty’s subjects. At once the combination is dissolved, as any one who remembers Bishop Strachan’s views on that question will understand.

Dr. Ryerson, whose name was used by Brown in this illustration, was a leader among the Methodists, and had fought stoutly for religious equality against Anglican privilege. But he had espoused the side of the governor-general, apparently taking seriously the position that it was the only course open to a loyal subject. In a series of letters published in the summer of 1844, he warned the people that the Toronto Reform Association was leading them to the edge of a precipice. “In the same manner,” he said, “I warned you against the Constitutional Reform Association, formed in 1834. In 1837 my warning predictions were realized, to the ruin of many and the misery of thousands. What took place in 1837 was but a preface of what may be witnessed in 1847.” The warning he meant to convey was that the people were being drawn into a conflict with the imperial authorities. “Mr. Baldwin,” he said, “practically renounces the imperial authority by refusing to appeal to it, and by appealing through the Toronto Association to the people of Canada. If the people of Canada are the tribunal of judgment on one question of constitutional prerogative, they are so on every question of constitu-
RYERSON'S INTERVENTION

tional prerogative. Then the governor is no longer responsible to the imperial authority, and Canada is an independent country. Mr. Baldwin's proceeding, therefore, not only leads to independence but involves (unconsciously, I admit, from extreme and theoretical views), a practical declaration of independence before the arrival of the 4th of July!"

In this language Dr. Ryerson described with accuracy the attitude of the British government. That government had, as we have seen, disapproved of Governor Bagot's action in parting with so large a measure of power, and it was fully prepared to support Metcalfe in pursuing the opposite course. Dr. Ryerson was also right in saying that the government of Great Britain would be supported by parliament. In May, 1844, the affairs of Canada were discussed in the British House of Commons, and the governor's action was justified by Peel, by Lord Stanley, and by Lord John Russell. The only dissentient voices were those of the Radicals, Hume and Roebuck.

Metcalf and his chiefs at home can hardly be blamed for holding the prevailing views of the time, which were that the changes contemplated by Durham, by Bagot, and by Baldwin were dangerous and revolutionary. The idea that a colony could remain connected with Great Britain under such a system of autonomy as we enjoy to-day was then conceived by only a few men of exceptional
breadth and foresight, among whom Elgin was one of the most eminent.

The wise leadership of Baldwin and Lafontaine and the patience and firmness of the Reformers are attested by their conduct in very trying circumstances. Finding their demand for constitutional reform opposed not only by the Canadian Tories, but by the governor-general and the imperial government and parliament, they might have become discouraged, or have been tempted into some act of violence. Their patience must have been sorely tried by the persistent malice or obstinate prejudice which stigmatized a strictly constitutional movement as treason. They had also to endure the trial of a temporary defeat at the polls, and an apparent rejection of their policy by the very people for whose liberties they were contending.

In the autumn of 1844 the legislature was dissolved and a fierce contest ensued. Governor Metcalfe's attitude is indicated by his biographer.¹ "The contest," he says, "was between loyalty on the one side and disaffection to Her Majesty's government on the other. That there was a strong anti-British feeling abroad, in both divisions of the province [Upper and Lower Canada] Metcalfe clearly and painfully perceived. The conviction served to brace and stimulate him to new exertions. He felt that he was fighting for his sovereign against a rebellious people." The appeal was successful; Upper Canada

A LOYALTY ELECTION

was swept by the loyalty cry, and in various polling places votes were actually cast or offered for the governor-general. The Globe described a conversation that occurred in a polling place in York: "Whom do you vote for?" "I vote for the governor-general." "There is no such candidate. Say George Duggan, you blockhead." "Oh, yes, George Duggan; it's all the same thing." There were candidates who described themselves as "governor-general's men"; there were candidates whose royalist enthusiasm was expressed in the name "Cavaliers." In the Montreal election petition it was charged that during two days of polling the electors were exposed to danger from the attacks of bands of fighting men hired by the government candidates or their agents, and paid, fed, and armed with "bludgeons, bowie-knives, and pistols and other murderous weapons" for the purpose of intimidating the Liberal electors and preventing them from gaining access to the polls; that Liberals were driven from the polls by these fighting men, and by cavalry and infantry acting under the orders of partisan magistrates. The polls, it was stated, were surrounded by soldiers, field-pieces were placed in several public squares, and the city was virtually in a state of siege. The charges were not investigated, the petition being rejected for irregularity; but violence and intimidation were then common accompaniments of elections.

In November the governor was able to record his
victory thus: Upper Canada, avowed supporters of his government, thirty; avowed adversaries, seven; undeclared and uncertain, five. Lower Canada, avowed supporters, sixteen; avowed adversaries, twenty-one; undeclared and uncertain, four. Remark ing on this difference between Upper and Lower Canada, he said that loyalty and British feeling prevailed in Upper Canada and in the Eastern Townships of Lower Canada, and that disaffection was predominant among the French-Canadian constituencies. Metcalfe honestly believed he had saved Canada for the empire; but more mischief could hardly have been done by deliberate design. In achieving a barren and precarious victory at the polls, he and his friends had run the risk of creating that disaffection which they feared. The stigma of disloyalty had been unjustly affixed to honest and public-spirited men, whose steadiness alone prevented them, in their resentment, from joining the ranks of the disaffected. Worse still, the line of political cleavage had been identified with the line of racial division, and “French-Canadian” and “reb el” had been used as synonymous terms.

The ministry and the legislative assembly were now such as the governor had desired, yet the harmony was soon broken. There appeared divisions in the cabinet, hostile votes in the legislature, and finally a revolt in the Conservative press. An attempt to form a coalition with the French-Canadian

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members drew a sarcastic comment from the *Globe*:
“Mr. Draper has invited the men whom he and his party have for years stigmatized before the country as rebels and traitors and destructives to join his administration.” Reformers regarded these troubles as evidence that the experiment in reaction was failing, and waited patiently for the end. Shortly after the election the governor was raised to the peerage, an honour which, if not earned by success in Canada, was fairly due to his honest intentions. He left Canada at the close of the year 1845, suffering from a painful disease, of which he died a year afterwards.

Soon after the governor’s departure the young editor of the *Globe* had a curious experience. At a dinner of the St. Andrew’s Society, Toronto, the president, Judge MacLean, proposed the health of Lord Metcalfe, eulogized his Canadian policy, and insisted that he had not been recalled, “as certain persons have most impertinently and untruly assumed and set forth.” Brown refused to drink the toast, and asked to be heard, asserting that he had been publicly insulted from the chair. After a scene of uproar, he managed to obtain a hearing, and said, addressing the chairman: “I understand your allusions, sir, and your epithet of impertinence as applied to myself. I throw it back on you with contempt, and will content myself with saying that your using such language and dragging such matters before the society was highly improper. Lord
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Metcalfe, sir, has been recalled, and it may yet be seen that it was done by an enlightened British government for cause. The toast which you have given, too, and the manner in which it was introduced, are highly improper. This is not the place to discuss Lord Metcalfe's administration. There is a wide difference of opinion as to it. But I refrain from saying one word as to his conduct in this province. This is not a political but a benevolent society, composed of persons of very varied political sentiments, and such a toast ought never to have been brought here. Lord Metcalfe is not now governor-general of Canada, and I had a right to refuse to do honour to him or not as I saw fit, and that without any disparagement to his conduct as a gentleman, even though the person who is president of this society thinks otherwise." This incident, trivial as it may appear, illustrates the passion aroused by the contest, and the bold and resolute character of the young politician.

Lord Metcalfe's successor was Earl Cathcart, a soldier who concerned himself little in the political disputes of the country, and who had been chosen because of the danger of war with the United States, arising out of the dispute over the Oregon boundary. The settlement of that dispute does not come within the scope of this work; but it may be noted that the Globe was fully possessed by the belligerent spirit of the time, and frankly expressed the hope that Great Britain would fight, not merely
BELLIGERENT VIEWS

for the Oregon boundary, but "to proclaim liberty to the black population." The writer hoped that the Christian nations of the world would combine and "break the chains of the slaves in the United States, in Brazil and in Cuba."
CHAPTER III
RESPONSIBLE GOVERNMENT

IN England, as well as in Canada, events were moving towards self-government. With the repeal of the Corn Laws in 1846 disappeared the preference to Canadian wheat. "Destroy this principle of protection," said Lord Stanley in the House of Lords, "and you destroy the whole basis upon which your colonial system rests." Loud complaints came from Canada, and in a despatch from Earl Cathcart to the colonial secretary, it was represented that the Canadian waterways had been improved on the strength of the report made to Great Britain, and that the disappointment and loss resulting from the abolition of the preference would lead to alienation from the mother country and "annexation to our rival and enemy, the United States." Gladstone, in his reply, denied that the basis of imperial unity was protection, "the exchange, not of benefits, but of burdens;" the true basis lay in common feelings, traditions and hopes. The Globe held that Canada had no right to complain if the people of the United Kingdom did what was best for themselves. England, as an exporter of manufactures, had to meet competition at the world's prices, and must have cheap food supplies. Canada had surely
a higher destiny than to export a few hundred bushels of wheat and flour to England. Canadian home manufactures must be encouraged, and efforts made to obtain free trade with the United States. "The Tory press," said the Globe, "are out in full cry against free trade. Their conduct affords an illustration of the unmitigated selfishness of Tory-ism. Give them everything they can desire and they are brimful of loyalty. They will shout psalms till they are sick, and drink goblets till they are blind in favour of 'wise and benevolent governors' who will give them all the offices and all the emoluments. But let their interests, real or imaginary, be affected, and how soon does their loyalty evaporate! Nothing is now talked of but separation from the mother country, unless the mother continues feeding them in the mode prescribed by the child."

Some time afterwards, Lord Elgin, in his communications to the home government, said that the Canadian millers and shippers had a substantial grievance, not in the introduction of free trade, but in the constant tinkering incident to the abandoned system of imperial protection. The preference given in 1843 to Canadian wheat and to flour, even when made of American wheat, had stimulated milling in Canada; but almost before the newly-built mills were fairly at work, the free trade measure of 1846 swept the advantage away. What was wrong was not free trade, but Canadian dependence on imperial tariff legislation.
LORD ELGIN

Elgin was one of the few statesmen of his day who perceived that the colonies might enjoy commercial independence and political equality, without separation. He declared that imperial unity did not depend on the exercise of dominion, the dispensing of patronage, or the maintenance of an imperial hot-bed for forcing commerce and manufactures. Yet he conceived of an empire not confined to the British Islands, but growing, expanding, "strengthening itself from age to age, and drawing new supplies of vitality from virgin soils."

With Elgin's administration began the new era of self-government. The legislature was dissolved towards the close of the year 1847, and the election resulted in a complete victory for the Reformers. In Upper Canada the contest was fairly close, but in Lower Canada the Conservative forces were almost annihilated, and on the first vote in parliament the government was defeated by a large majority. The second Baldwin-Lafontaine government received the full confidence and loyal support of the governor, and by its conduct and achievements justified the reform that had been so long delayed, and adopted with so many misgivings. But the fight for responsible government was not yet finished. The cry of French and rebel domination was raised, as it had been raised in the days of Governor Bagot. A Toronto journal reproachfully referred to Lord Elgin's descent from "the Bruce," and asked how a man of royal ancestry could so
degrade himself as to consort with rebels and political jobbers. "Surely the curse of Minerva, uttered by a great poet against the father, clings to the son." The removal of the old office-holders seemed to this writer to be an act of desecration not unlike the removal of the famous marbles from the Parthenon. In a despatch explaining his course on the Rebellion Losses Bill, Lord Elgin said that long before that legislation there were evidences of the temper which finally produced the explosion. He quoted the following passage from a newspaper: "When French tyranny becomes insupportable, we shall find our Cromwell. Sheffield in olden times used to be famous for its keen and well-tempered whittles. Well, they make bayonets there now, just as sharp and just as well-tempered. When we can stand tyranny no longer, it will be seen whether good bayonets in Saxon hands will not be more than a match for a mace and a majority." All the fuel for a conflagration was ready. There was race hatred, there was party hostility, there was commercial depression and there was a sincere, though exaggerated, loyalty, which regarded rebellion as the unforgivable sin, and which was in constant dread of the spread of radical, republican and democratic ideas.

The Rebellion Losses Bill was all that was needed to fan the embers into flame. This was a measure intended to compensate persons who had suffered losses during the rebellion in Lower Can-
It was attacked as a measure for "rewarding rebels." Lord Elgin afterwards said that he did not believe a rebel would receive a farthing. But even if we suppose that some rebels or rebel sympathizers were included in the list, the outcry against the bill was unreasonable. A general amnesty had been proclaimed; French-Canadians had been admitted to a full share of political power. The greater things having been granted, it was mere pedantry to haggle about the less, and to hold an elaborate inquiry into the principles of every man whose barns had been burned during the rebellion. When responsible government was conceded, it was admitted that even the rebels had not been wholly wrong. It would have been straining at a gnat and swallowing a camel to say "we will give you these free institutions for the sake of which you rebelled, but we will not pay you the small sum of money necessary to recompense you for losses arising out of the rebellion."

However, it is easier to discuss these matters coolly in 1906 than it was in 1849, and in 1849 the notion of "rewarding the rebels" produced another rebellion on a small scale. A large quantity of important legislation was brought down by the new government when it met the legislature early in 1849, but everything else was forgotten when Mr. Lafontaine introduced the resolution on which the Rebellion Losses Bill was founded. In various parts of Upper Canada meetings were held and
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protests made against the measure. In Toronto the protests took the form of mob violence, foreshadowing what was to come in Montreal. Effigies of Baldwin and Blake were carried through the streets and burned. William Lyon Mackenzie had lately returned to Canada, and was living at the house of a citizen named Mackintosh. The mob went to the house, threatened to pull it down, and burned an effigy of Mackenzie. The windows of the house were broken and stones and bricks thrown in. The Globe office was apparently not molested, but about midnight the mob went to the dwelling-house of the Browns, battered at the door and broke some windows. The Globe in this trying time stood staunchly by the government and Lord Elgin, and powerfully influenced the public opinion of Upper Canada in their favour. Addresses calling for the withdrawal of Lord Elgin were met by addresses supporting his action, and the signatures to the friendly addresses outnumbered the other by one hundred and twenty thousand. George Brown, Col. C. T. Baldwin, and W. P. Howland were deputed to present an address from the Reformers of Upper Canada. Sir William Howland has said that Lord Elgin was so much affected that he shed tears.

This is not the place, however great the temptation may be, to describe the stirring scenes that were enacted in Montreal; the stormy debate, the fiery speech in which William Hume Blake hurled
THE ANNEXATION MANIFESTO

back at the Tories the charge of disloyalty; the tumult in the galleries, the burning of the parliament buildings, and the mobbing and stoning of the governor-general.

Lord Elgin's bearing under this severe trial was admirable. He was most desirous that blood should not be shed, and for this reason avoided the use of troops or the proclamation of martial law; and he had the satisfaction of seeing the storm gradually subside. A less dangerous evidence of discontent was a manifesto signed by leading citizens of Montreal advocating annexation to the United States, not only to relieve commercial depression, but "to settle the race question forever, by bringing to bear on the French-Canadians the powerful assimilating forces of the republic." The signers of this document were leniently dealt with; but those among them who afterwards took a prominent part in politics, were not permitted to forget their error. Elgin was of opinion that there was ground for discontent on commercial grounds, and he advocated the removal of imperial restriction on navigation, and the establishment of reciprocity between the United States and the British North American provinces. The annexation movement was confined chiefly to Montreal. In Upper Canada an association called the British American League was formed, and a convention held at Kingston in 1849. The familiar topics of commercial depression and French domination were discussed; some violent
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language was used, but the remedies proposed were sane enough; they were protection, retrenchment, and the union of the British provinces. Union, it was said, would put an end to French domination, and would give Canada better access to the sea and increased commerce. The British American League figures in the old, and not very profitable, controversy as to the share of credit to be allotted to each political party for the work of confederation. It is part of the Conservative case. But the platform was abandoned for the time, and confederation remained in the realm of speculation rather than of action.
CHAPTER IV
DISSENSION AMONG REFORMERS

Within the limits of one parliament, less than four years, the Baldwin-Lafontaine government achieved a large amount of useful work, including the establishment of cheap and uniform postage, the reforming of the courts of law, the remodelling of the municipal system, the establishment of the University of Toronto on a non-sectarian basis, and the inauguration of a policy by which the province was covered with a network of railways. With such a record, the government hardly seemed to be open to a charge of lack of energy and progressiveness, but it was a time when radicalism was in the air. It may be more than a coincidence that Chartism in England and a revolution in France were followed by radical movements in both Canadas.

The counterpart to the Rouge party in Lower Canada, elsewhere referred to, was the Clear Grit party in Upper Canada. Among its leaders were Peter Perry, one of the founders of the Reform party in Upper Canada, Caleb Hopkins, David Christie, James Lesslie, Dr. John Rolph and William Macdougall. Rolph had played a leading part in the movement for reform before the rebellion,
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and is the leading figure in Dent's history of that period. Macdougall was a young lawyer and journalist fighting his way into prominence.

"Grit" afterwards became a nickname for a member of the Reform or Liberal party, and especially for the enthusiastic followers of George Brown. Yet in all the history of a quarrelsome period in politics there is no more violent quarrel than that between Brown and the Clear Grits. It is said that Brown and Christie were one day discussing the movement, and that Brown had mentioned the name of a leading Reformer as one of the opponents of the new party. Christie replied that the party did not want such men, they wanted only those who were "Clear Grit." This is one of several theories as to the derivation of the name. The Globe denounced the party as "a miserable clique of office-seeking, bunkum-talking cormorants, who met in a certain lawyer's office on King Street [Macdougall's] and announced their intention to form a new party on Clear Grit principles." The North American, edited by Macdougall, denounced Brown with equal fury as a servile adherent of the Baldwin government. Brown for several years was in this position of hostility to the Radical wing of the party. He was defeated in Haldimand by William Lyon Mackenzie, who stood on an advanced Radical platform; and in 1851 his opponent in Kent and Lambton was Malcolm Cameron, a Clear Grit, who had joined the Hincks-Morin
THE CLEAR GRITS

government. The nature of their relations is shown by a letter in which Cameron called on one of his friends to come out and oppose Brown: "I will be out and we will show him up, and let him know what stuff Liberal Reformers are made of, and how they would treat fanatical beasts who would allow no one liberty but themselves."

The Clear Grits advocated, (1) the application of the elective principle to all the officials and institutions of the country, from the head of the government downwards; (2) universal suffrage; (3) vote by ballot; (4) biennial parliaments; (5) the abolition of property qualification for parliamentary representations; (6) a fixed term for the holding of general elections and for the assembling of the legislature; (7) retrenchment; (8) the abolition of pensions to judges; (9) the abolition of the Courts of Common Pleas and Chancery and the giving of an enlarged jurisdiction to the Court of Queen's Bench; (10) reduction of lawyers' fees; (11) free trade and direct taxation; (12) an amended jury law; (13) the abolition or modification of the usury laws; (14) the abolition of primogeniture; (15) the secularization of the clergy reserves, and the abolition of the rectories. The movement was opposed by the Globe. No new party, it said, was required for the advocacy of reform of the suffrage, retrenchment, law reform, free trade or the liberation of the clergy reserves. These were practical questions, on which the Reform party was united. But
these were placed on the programme merely to cloak its revolutionary features, features that simply meant the adoption of republican institutions, and the taking of the first step towards annexation. The British system of responsible government was upheld by the *Globe* as far superior to the American system in the security it afforded to life and property.

But while Brown defended the government from the attacks of the Clear Grits, he was himself growing impatient at their delay in dealing with certain questions that he had at heart, especially the secularization of the clergy reserves. He tried, as we should say to-day, "to reform the party from within." He was attacked for his continued support of a ministry accused of abandoning principles while "he was endeavouring to influence the members to a right course without an open rupture." There was an undercurrent of discontent drawing him away from the government. In October, 1850, the *Globe* contained a series of articles on the subject. It was pointed out that there were four parties in the country: the old-time Tories, the opponents of responsible government, whose members were fast diminishing; the new party led by John A. Macdonald; the Ministerialists; and the Clear Grits, who were described as composed of English Radicals, Republicans and annexationists. The Ministerialists had an overwhelming majority over all, but were disunited. What was the trouble? The
FRIENDLY CRITICISM

ministers might be a little slow, a little wanting in tact, a little less democratic than some of their followers. They were not traitors to the Reform cause, and intemperate attacks on them might be disastrous to that cause. A union of French-Canadians with Upper Canadian Conservatives would, it was prophesied, make the Reform party powerless. Though in later years George Brown became known as the chief opponent of French-Canadian influence, he was well aware of the value of the alliance, and he gave the French-Canadians full credit for their support to measures of reform. "Let the truth be known," said the Globe at this time, "to the French-Canadians of Lower Canada are the Reformers of Upper Canada indebted for the sweeping majorities which carried their best measures." He gave the government credit for an immense mass of useful legislation enacted in a very short period. But more remained to be done. The clergy reserves must be abolished, and all connection between Church and State swept away. "The party in power has no policy before the country. No one knows what measures are to be brought forward by the leaders. Each man fancies a policy for himself. The conductors of the public press must take ground on all the questions of the day, and each accordingly strikes out such a line as suits his own leanings, the palates of his readers, or what he deems for the good of the country. All sorts of vague schemes are thus thrown on the sea of public opinion to
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agitate the waters, with the triple result of poisoning the public mind, producing unnecessary divisions, and committing sections of the party to views and principles which they might never have contemplated under a better system."

For some time the articles in the Globe did not pass the bounds of friendly, though outspoken, criticism. The events that drew Brown into opposition were his breach with the Roman Catholic Church, the campaign in Haldimand in which he was defeated by William Lyon Mackenzie, the retirement of Baldwin and the accession to power of the Hineks-Morin administration.

Towards the end of 1850 there arrived in Canada copies of a pastoral letter by Cardinal Wiseman, defending the famous papal bull which divided England into sees of the Roman Catholic Church, and gave territorial titles to the bishops. Sir E. P. Taché, a member of the government, showed one of these to Mr. Brown, and jocularly challenged him to publish it in the Globe. Brown accepted the challenge, declaring that he would also publish a reply, to be written by himself. The reply, which will be found in the Globe of December 19th, 1850, is argumentative in tone, and probably would not of itself have involved Brown in a violent quarrel with the Church. The following passage was afterwards cited by the Globe as defining its position: "In offering a few remarks upon Dr. Wiseman's production, we have no intention to discuss the tenets
of the Roman Catholic Church, but merely to look at the question in its secular aspect. As advocates of the voluntary principle we give to every man full liberty to worship as his conscience dictates, and without penalty, civil or ecclesiastical, attaching to his exercise thereof. We would allow each sect to give to its pastors what titles it sees fit, and to prescribe the extent of spiritual duties; but we would have the State recognize no ecclesiastical titles or boundaries whatever. The public may, from courtesy, award what titles they please; but the statute-book should recognize none. The voluntary principle is the great cure for such dissensions as now agitate Great Britain."

The cause of conflict lay outside the bounds of that article. Cardinal Wiseman's letter and Lord John Russell's reply had thrown England into a ferment of religious excitement. "Lord John Russell," says Justin McCarthy, "who had more than any man living been identified with the principles of religious liberty, who had sat at the feet of Fox and had for his closest friend the poet, Thomas Moore, came to be regarded by the Roman Catholics as the bitterest enemy of their creed and their rights of worship."

It is evident that this hatred of Russell was carried across the Atlantic, and that Brown was regarded as his ally. In the Haldimand election a hand-bill signed, "An Irish Roman Catholic" was circulated. It assailed Brown fiercely for the support
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he had given to Russell, and for the general course of the Globe in regard to Catholic questions. Russell was described as attempting "to twine again around the writhing limbs of ten millions of Catholics the chains that our own O'Connell rescued us from in 1829." A vote for George Brown would help to rivet these spiritual chains round the souls of Irishmen, and to crush the religion for which Ireland had wept oceans of blood; those who voted for Brown would be prostrating themselves like cowardly slaves or beasts of burden before the avowed enemies of their country, their religion and their God. "You will think of the gibbets, the triangles, the lime-pits, the tortures, the hangings of the past. You will reflect on the struggles of the present against the new penal bill. You will look forward to the dangers, the triumphs, the hopes of the future, and then you will go to the polls and vote against George Brown."

This was not the only handicap with which Brown entered on his first election contest. There was no cordial sympathy between him and the government, yet he was hampered by his connection with the government. The dissatisfied Radicals rallied to the support of William Lyon Mackenzie, whose sufferings in exile also made a strong appeal to the hearts of Reformers, and Mackenzie was elected.

In his election address Brown declared himself for perfect religious equality, the separation of
Baldwin Resigns

Church and State, and the diversion of the clergy reserves from denominational to educational purposes. "I am in favour of national school education free from sectarian teaching, and available without charge to every child in the province. I desire to see efficient grammar schools established in each county, and that the fees of these institutions and of the national university should be placed on such a scale as will bring a high literary and scientific education within the reach of men of talent in any rank of life." He advocated free trade in the fullest sense, expressing the hope that the revenue from public lands and canals, with strict economy, would enable Canada "to dispense with the whole customs department."

Brown's estrangement from the government did not become an open rupture so long as Baldwin and Lafontaine were at the head of affairs. In the summer following Brown's defeat in Haldimand, Baldwin resigned owing to a resolution introduced by William Lyon Mackenzie, for the abolition of the Court of Chancery. The resolution was defeated, but obtained the votes of a majority of the Upper Canadian members, and Mr. Baldwin regarded their action as an indication of want of confidence in himself. He dropped some expressions, too, which indicated that he was moved by larger considerations. He was conservative in his views, and he regarded the Mackenzie vote as a sign of a flood of radicalism which he felt powerless to stay.

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Shortly afterwards Lafontaine retired. He, also, was conservative in his temperament, and weary of public life. The passing of Baldwin and Lafontaine from the scene helped to clear the way for Mr. Brown to take his own course, and it was not long before the open breach occurred. When Mr. Hincks became premier, Mr. Brown judged that the time had come for him to speak out. He felt that he must make a fair start with the new government, and have a clear understanding at the outset. A new general election was approaching, and he thought that the issue of separation of Church and State must be clearly placed before the country. In an article in the Globe entitled "The Crisis," it was declared that the time for action had come. One parliament had been lost to the friends of religious equality; they could not afford to lose another. It was contended that the Upper Canadian Reformers suffered by their connection with the Lower Canadian party. Complaint was made that the Hon. E. P. Taché had advised Roman Catholics to make common cause with Anglicans in resisting the secularization of the clergy reserves, had described the advocates of secularization as "pharisaical brawlers," and had said that the Church of England need not fear their hostility, because the "contra-balancing power" of the Lower Canadians would be used to protect the Anglican Church. This, said the Globe, was a challenge which the friends of religious equality could not refuse. Later on, Mr.
LETTERS TO HINCKS

Brown wrote a series of letters to Mr. Hincks, setting forth fully his grounds of complaint against the government: failure to reform the representation of Upper Canada, slackness in dealing with the secularization of the clergy reserves, weakness in yielding to the demand for separate schools. All this he attributed to Roman Catholic or French-Canadian influence.
CHAPTER V

THE CLERGY RESERVES

The clergy reserves were for many years a fruitful source of discontent and agitation in Canada. They had their origin in a provision of the Constitutional Act of 1791, that there should be reserved for the maintenance and support of a "Protestant clergy" in Upper and Lower Canada "a quantity of land equal in value to a seventh part of grants that had been made in the past or might be made in the future." It was provided also that rectories might be erected and endowed according to the establishment of the Church of England. The legislatures were to be allowed to vary or repeal these enactments, but such legislation was not to receive the royal assent before it had been laid before both Houses of the imperial parliament.

Did the words "Protestant clergy" apply to any other body than the Church of England? A vast amount of legal learning was expended on this question; but there can be little doubt that the intention to establish and endow the Church of England was thoroughly in accord with the ideas of colonial government prevailing from the conquest to the end of the eighteenth century. In the instructions to Murray and other early governors
there are constant injunctions for the support of a Protestant clergy and Protestant schools, "to the end that the Church of England may be established both in principles and practice." Governor Simcoe, we are told, attached much importance to "every establishment of Church and State that upholds a distinction of ranks and lessens the undue weight of the democratic influence." "The episcopal system was interwoven and connected with the monarchical foundations of our government." In pursuance of this idea, which was also that of the ruling class in Canada, the country was to be made as much unlike the United States as possible by the intrenchment of class and ecclesiastical privileges, and this was the policy pursued up to the time that responsible government was obtained. Those outside the dominant caste, in religion as in politics, were branded as rebels, annexationists, Yankees, republicans. And as this dominant caste, until the arrival of Lord Elgin, had the ear of the authorities at home, it is altogether likely that the Act of 1791 was framed in accordance with their views.

The law was unjust, improvident, and altogether unsuited to the circumstances of the colony. Lord Durham estimated that the members and adherents of the Church of England, allowing its largest claim, were not more than one-third, probably not

1 Instructions to Governor Murray, Canadian Archives of 1904, p. 218.
2 Professor Shortt in the Canadian Magazine, September, 1901.
CLERGY RESERVES

more than one-fourth, of the population of Upper Canada. Methodists, Presbyterians, and Roman Catholics, each claimed a larger membership. He declared that the sanction given to the exclusive claims of the Church of England by Sir John Colborne’s establishment of fifty-seven rectories, was, in the opinion of many persons, the chief predisposing cause of the rebellion, and it was an abiding and unabated cause of discontent.¹

Not only was the spirit of the colony opposed to the establishment and domination of any Church, but settlement was retarded and the hardships of the settler increased by the locking up of enormous tracts of land. In addition to the clergy reserves, grants were made to officials, to militia men, to the children of United Empire Loyalists and others, in the hope that these persons would settle on the land. Many of these fell into the hands of speculators and jobbers, who bought farms of two hundred acres for prices ranging from a gallon of rum to £5. "The greater part of these grants," said Mr. Hawke, a government official whose evidence is given in the appendix to Durham’s Report, "remain in an unimproved state. These blocks of wild land place the actual settler in an almost hopeless condition; he can hardly expect during his lifetime to see his neighbourhood contain a population sufficiently dense to support mills, schools, post-offices,

places of worship, markets or shops, without which civilization retrogrades. Roads, under such circumstances, can neither be opened by the settlers nor kept in proper repair. In 1834 I met a settler from the township of Warwick, on the Caradoc Plains, returning from the grist mill at Westminster, with the flour and bran of thirteen bushels of wheat. He had a yoke of oxen and a horse attached to his wagon, and had been absent nine days and did not expect to reach home until the following evening. Light as his load was, he assured me that he had to unload, wholly or in part, several times, and after driving his wagon through the swamps, to pick out a road through the woods where the swamps or gullies were fordable, and to carry the bags on his back and replace them in the wagon."

It is unnecessary here to discuss differences of opinion as to the interpretation of the law, attempts to divide the endowment among various denominations, or other efforts at compromise. The radical wing of the Reform party demanded that the special provision for the support of the Church of England should be abolished, and a system of free popular education established. With this part of their platform Brown was heartily in accord; on this point he agreed with the Clear Grits that the Baldwin-Lafontaine government was moving too slowly, and when Baldwin was succeeded by Hincks in 1851, the restraining influence of his respect for Baldwin being removed, his discon-
STATE AND CHURCH

tent was converted into open and determined opposition.

Largely by the influence of Brown and the *Globe*, public opinion in 1851 was aroused to a high degree, and meetings were held to advocate the secularization of the clergy reserves. The friends of the old order were singularly unfortunate in their mode of expressing their opinions. Opposition to responsible government was signalized by the burning of the parliament buildings, and the mobbing of Lord Elgin in Montreal. Opposition to religious equality was signalized by the mobbing of an orderly assembly in Toronto. One meeting of the opponents of the clergy reserves was broken up by these means, and a second meeting was attacked by a mob with such violence as to necessitate the calling out of a company of British soldiers. This meeting was held in St. Lawrence Hall, over the city market bearing that name. Mr. Brown was chosen to move a resolution denouncing State endowments of religion, and did so in a speech of earnestness and argumentative power. He compared the results of Church establishments with those of voluntary effort in England, in Scotland, in France, and in Canada, and denounced "State-churchism" as the author of pride, intolerance and spiritual coldness. "When," he said, "I read the history of the human race, and trace the dark record of wars and carnage, of tyranny, robbery and injustice in every shape, which have been the fruits of State-churchism in every
age; when I observe the degenerating effect which it has ever had on the purity and simplicity of the Gospel of Christ, turning men's minds from its great truths, as a religion of the heart, to the mere outward tinsel, to the forms and ceremonies on which priestcraft flourishes; when I see that at all times it has been made the instrument of the rich and powerful in oppressing the poor and weak, I cannot but reject it utterly as in direct hostility to the whole spirit of the Gospel, to that glorious system which teaches men to set not their hearts on this world, and to walk humbly before God." He held that it was utterly impossible for the State to teach religious truth. "There is no standard for truth. We cannot even agree on the meaning of words." Setting aside the injustice of forcing men to pay money for the support of what they deemed religious error, it was "most dangerous to admit that the magistrate is to decide for God—for that is the plain meaning of the establishment principle. Once admit that principle, and no curb can be set upon its operation. Who shall restrict what God has appointed? And thus the extent to which the conscience of men may be constrained, or persecution for truth's sake may be carried, depends entirely on the ignorance or enlightenment of the civil magistrate. There is no safety out of the principle that religion is a matter entirely between man and his God, and that the whole duty of the magistrate is to secure every one in the peaceful obser-
A RIVAL MEETING

vance of it. Anything else leads to oppression and injustice, but this can never lead to either.”

A notable part of the speech was a defence of free, non-sectarian education. “I can conceive,” he said, “nothing more unprincipled than a scheme to array the youth of the province in sectarian bands—to teach them, from the cradle up, to know each other as Methodist boys, and Presbyterian boys, and Episcopal boys. Surely, surely, we have enough of this most wretched sectarianism in our churches without carrying it further.”

To protect themselves from interruption, the advocates of secularization had taken advantage of a law which allowed them to declare their meeting as private, and exclude disturbers. Their opponents held another meeting in the adjoining market-place where by resolution they expressed indignation at the repeated attempts of “a Godless association” to stir up religious strife, and declared that the purposes of the association, if carried out, would bring about not only the severance of British connection, but socialism, republicanism, and infidelity. The horrified listeners were told how Rousseau and Voltaire had corrupted France, how religion was overthrown and the naked Goddess of Reason set up as an object of worship. They were told that the clergy reserves were a gift to the nation from “our good King George the Third.” Abolish them and the British flag would refuse to float over anarchy and confusion. Finally, they were assured that
they could thrash the St. Lawrence Hall audience in a stand-up fight, but were nevertheless advised to go quietly home. This advice was apparently accepted in the spirit of the admonition: “Don’t nail his ears to the pump,” for the crowd immediately marched to St. Lawrence Hall, cheering, groaning, and shouting. They were met by the mayor, two aldermen, and the chief constable, and told that they could not be admitted. Stones and bricks were thrown through the windows of the hall. The Riot Act was read by an alderman, and the British regiment then quartered in the town, the 71st, was sent for. There was considerable delay in bringing the troops, and in the meantime there was great disorder; persons leaving the hall were assaulted, and the mayor was struck in the face with a stone and severely cut. A company of the 71st arrived at midnight, after which the violence of the mob abated.¹

The steps leading up to the settlement of the question may be briefly referred to. In 1850 the Canadian parliament had asked for power to dispose of the reserves, with the understanding that emoluments derived by existing incumbents should be guaranteed during their lives. The address having been forwarded to England, Lord John Russell informed the governor-general that a bill would be introduced in compliance with the wish of the Canadian parliament. But in 1852 the Russell

¹ The Globe, July, 1851.
HINCKS'S DELAY

government resigned, and was succeeded by that of the Earl of Derby. Derby (Lord Stanley) had been colonial secretary in the Peel government, which had shown a strong bias against Canadian self-government. Sir John Pakington declared that the advisers of Her Majesty were not inclined to aid in the diversion to other purposes of the only public fund for the support of divine worship and religious instruction in Canada, though they would entertain proposals for new dispositions of the fund. Hincks, who was then in England, protested vigorously against the disregard of the wishes of the Canadian people. When the legislature assembled in 1852, it carried, at his instance, an address to the Crown strongly upholding the Canadian demand. Brown contended that the language was too strong and the action too weak. He made a counter proposal, which found little support, that the Canadian parliament itself enact a measure providing for the sale of the clergy lands to actual settlers, and the appropriation of the funds for the maintenance of common schools.

With the fall of the Derby administration in England, ended the opposition from that source to the Canadian demands. But Hincks, who had firmly vindicated the right of the Canadian parliament to legislate on the matter, now hesitated to use the power placed in his hands, and declared that legislation should be deferred until a new parliament had been chosen. The result was that the
work of framing the measure of settlement fell into the hands of John A. Macdonald, the rising star of the Conservative party. The fund, after provision had been made for the vested rights of incumbents, was turned over to the municipalities.
CHAPTER VI
BROWN'S FIRST PARLIAMENT

In the autumn of 1851 parliament was dissolved, and in September Mr. Brown received a requisition from the Reformers of Kent to stand as their candidate, one of the signatures being that of Alexander Mackenzie, afterwards premier of Canada. In accepting the nomination he said that he anticipated that he would be attacked as an enemy of the Roman Catholic Church; that he cordially adhered to the principles of the Protestant reformation; that he objected to the Roman Catholic Church trenching on the civil rights of the community, but that he would be ashamed to advocate any principle or measure which would restrict the liberty of any man, or deprive him on account of his faith of any right or advantage enjoyed by his fellow-subjects. In his election address he advocated religious equality, the entire separation of Church and State, the secularization of the clergy reserves, the proceeds to go to national schools, which were thus to be made free. He advocated, also, the building of a railway from Quebec to Windsor and Sarnia, the improvement of the canals and waterways, reciprocity with the Maritime Provinces and the United States, a commission for the
GEORGE BROWN

reform of law procedure, the extension of the franchise and the reform of representation. Representation by population afterwards came to be the watchword of those who demanded that Upper Canada should have a larger representation than Lower Canada; but as yet this question had not arisen definitely. The population of Upper Canada was nearly doubled between 1842 and 1851, but it did not appear until 1852 that it had passed the lower province in population.

The advocacy of free schools was an important part of the platform. During the month of January, 1852, the Globe contained frequent articles, reports of public meetings, and letters on the subject. It was contended by some of the opponents of free schools that the poor could obtain free education by pleading their poverty; but the Globe replied that education should not be a matter of charity, but should be regarded as a right, like the use of pavements. The matter was made an issue in the election of school trustees in several places, and in the Toronto election the advocates of free schools were successful.

It will be convenient to note here that Brown's views on higher education corresponded with his views on public schools. In each case he opposed sectarian control, on the ground that it would dissipate the energies of the people, and divide among half a dozen sects the money which might maintain one efficient system. These views were fully set
HIGHER EDUCATION

forth in a speech made on February 25th, 1853, upon a bill introduced by Mr. Hincks to amend the law relating to the University of Toronto. Brown denounced the measure as a surrender to the sectaries. There were two distinct ideas, he said, in regard to higher education in Upper Canada. One was that a university must be connected with a Church and under the management of the clergy, without whose control infidelity would prevail. The Reform party, led by Mr. Baldwin and Mr. Hincks, had denounced these views as the mere clap-trap of priestcraft. They held that there should be one great literary and scientific institution, to which all Canadians might resort on equal terms. This position was founded, not on contempt for religion, but on respect for religion, liberty, and conscience. "To no one principle does the Liberal party owe so many triumphs as to that of non-sectarian university education." Until 1843 Anglican control prevailed; then various unsuccessful efforts at compromise were made, and finally, in 1849, after twenty years of agitation, the desire of the Liberal party was fulfilled, and a noble institute of learning established. This act alone would have entitled Robert Baldwin to the lasting gratitude of his countrymen.

Continuing, Brown said that the Hincks bill was reactionary—that the original draft even contained a reference to the godless character of the institution—that the plan would fritter away the endow-
ment by dividing it among sects and among localities. He opposed the abolition of the faculties of law and medicine. Rightly directed, the study of law was ennobling, and jurists should receive an education which would give them broad and generous views of the principles of justice. The endowment of the university ought to be sufficient to attract eminent teachers, and to encourage students by scholarships. "We are laying the foundations of a great political and social system. Our vote today may deeply affect, for good or evil, the future of the country. I adjure the House to pause ere destroying an institution which may one day be among the chief glories of a great and wise people."

Brown was elected by a good majority. The general result of the election was favourable to the Hincks-Morin administration. A large part of the interval between the election and the first session of the new parliament was spent by Mr. Hincks in England, where he made some progress in the settlement of the clergy reserve question, and where he also made arrangements for the building of the Grand Trunk Railway from Montreal westward through Upper Canada. Negotiations for the building of the Intercolonial Railway, connecting Lower Canada with the Maritime Provinces, fell through, and the enterprise was delayed for some years.

It was a matter of some importance that the first parliament in which Mr. Brown took part was held
COURAGEOUS ELOQUENCE

in the city of Quebec. He had entered on a course which made Catholics and French-Canadians regard him as their enemy, and in Quebec French and Catholic influence was dominant. Brown felt keenly the hostility of his surroundings, and there are frequent references in his speeches and in the correspondence of the Globe to the unfriendly faces in the gallery of the chamber, and to the social power exercised by the Church. "Nothing," says the Hon. James Young, "could exceed the courage and eloquence with which Brown stood up night after night, demanding justice for Upper Canada in the face of a hostile majority on the floor of the chamber and still more hostile auditors in the galleries above. So high, indeed, did public feeling run on some occasions that fears were entertained for his personal safety, and his friends occasionally insisted after late and exciting debates, lasting often till long after midnight, on accompanying him."¹ Mr. Young adds that these fears were not shared by Mr. Brown, and that they proved to be groundless. Mr. Brown, in fact, did not regard the Quebec influence as a personal grievance, but he argued that on public grounds the legislature ought not to meet in a city where freedom of speech might be impaired by local sentiment. That he harboured no malice was very finely shown when parliament met four years afterwards in Toronto. He had just concluded a powerful speech. The galleries were

¹ Young's Public Men and Public Life in Canada, p. 83.
crowded, this time with a friendly audience, which at length broke into applause. Brown checked the demonstration. "I have addressed none," he said, "but members of this House, and trust that members from Lower Canada will not be overawed by any manifestation of feeling in this chamber. I shall be ready on all occasions to discourage it. In Lower Canada I stood almost alone in supporting my views, and I well know how painful these manifestations are to a stranger in a strange place. I do sincerely trust that gentlemen of French origin will feel as free to speak here as if they were in Quebec."

Brown made his maiden speech during the debate on the address. It is described in a contemporary account as "a terrible onslaught on the government." An idea of violence conveyed in this and other comments would appear to have been derived from the extreme energy of Brown's gestures. The printed report of the speech does not give that impression. Though severe, it was in the main historical and argumentative. It contained a review of the political history of Canada from the time of the rupture between Metcalfe and his ministers, up to the time when the principle of responsible government was conceded. Brown argued that Reformers were bound to stand by that principle, and to accept all its obligations. In his judgment it was essential to the right working of responsible government that parties should declare
THEORY OF PARTY

their principles clearly and stand or fall by them. If they held one set of principles out of office and another set in office they would reduce responsible government to a farce. He acknowledged the services which Hincks and Morin had rendered in fighting for responsible government; but he charged them with betraying that principle by their own conduct in office. Two systems of government, he said, were being tested on this continent. The American system contained checks and balances. The British system could be carried on only by the observance of certain unwritten laws, and especially a strict good faith and adherence to principle. Brown, as a party man, adhered firmly to Burke’s definition of party: “A body of men united for promoting by their joint endeavours the national interest, upon some particular principle on which they are all agreed.” Office-holding, with him, was a minor consideration. “There is no theory in the principle of responsible government more vital to its right working than that parties shall take their stand on the prominent questions of the day, and mount to office or resign it through the success or failure of principles to which they are attached. This is the great safeguard for the public against clap-trap professions.”
CHAPTER VII

RISE OF BROWN'S INFLUENCE

The condition of parties in the legislature was peculiar. The most formidable antagonist of the Reform government was the man who was rapidly rising to the leadership of the Reform party. The old Tory party was dead, and its leader, Sir Allan MacNab, was almost inactive. Macdonald, who was to re-organize and lead the new Conservative party, was playing a waiting game, taking advantage of Brown's tremendous blows at the ministry, and for the time being satisfied with a less prominent part in the conflict. Brown rapidly rose to a commanding position in the assembly. He did this without any finesse or skill in the management of men, with scarcely any assistance, and almost entirely by his own energy and force of conviction. His industry and capacity for work were prodigious. He spoke frequently, and on a wide range of subjects requiring careful study and mastery of facts. In the divisions he obtained little support. He had antagonized the French-Canadians, the Clear Grits of Upper Canada were for the time determined to stand by the government, and his views were usually not such as the Conservatives could endorse, although they
occasionally followed him in order to embarrass the government.

Brown's course in parliament, however, was pointing to a far more important result than changes in the personnel of office-holders. Hincks once told him that the logical conclusion of that course was the dissolution of the union. There was a measure of truth in this. If he had said dissolution or modification, he would have been absolutely right. Between the ideas of Upper Canada and Lower Canada there was a difference so great that a legislative union was foredoomed to failure, and separation could be avoided only by a federation which allowed each community to take its own way. Brown did not create these difficulties, but he emphasized them, and so forced and hastened the application of the remedy. Up to the time of his entering parliament, his policy had related mainly to Upper Canada. In parliament, however, a mass of legislation emanating from Lower Canada aroused his strong opposition. In the main it was ecclesiastical legislation incorporating Roman Catholic institutions, giving them power to hold lands, to control education, and otherwise to strengthen the authority of the Church over the people. It is not necessary to discuss these measures in detail. The object is to arrive at Brown's point of view, and it was this: That the seat of government was a Catholic city, and that legislation and administration were largely controlled by the French-Canad-
GROWING POPULARITY

dian priesthood. He complained that Upper Cana-
da was unfairly treated in regard to legislation and expenditure; that its public opinion was disregarded, and that it was not fairly represented. The question of representation steadily assumed more importance in his mind, and he finally came to the conclusion that representation by population was the true remedy for all the grievances of which he complained. Lower Canada, being now numerically the weaker, naturally clung to the system which gave it equality of representation.

In all these matters the breach between George Brown and the Lower Canadian representatives was widening, while he was becoming more and more the voice of Upper Canadian opinion. When, in the intervals between parliamentary sessions, he visited various places in Upper Canada, he found himself the most popular man in the community. He addressed great public meetings. Banquets were given in his honour. The prominent part taken by ministers of the Gospel at these gatherings illustrates at once the weakness and the strength of his position. He satisfied the "Nonconformist con-
science" of Upper Canada by his advocacy not only of religious equality but of the prohibition of the liquor traffic and of the cessation of Sunday labour by public servants. But this very attitude made it difficult for him to work with any political party in Lower Canada.

In 1853 there was a remarkable article in the
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Cobourg Star, a Conservative journal, illustrating the hold which Brown had obtained upon Upper Canadian sentiment. This attitude was called forth by a banquet given to Brown by the Reformers of the neighbourhood. It expressed regret that the honour was given on party grounds. "Had it been given on the ground of his services to Protestantism, it would have brought out every Orangeman in the country. Conservatives disagreed with Brown about the clergy reserves, but if the reserves must be secularized, every Conservative in Canada would join Brown in his crusade against Roman Catholic endowments." Then follows this estimate of Brown's character: "In George Brown we see no agitator or demagogue, but the strivings of common sense, a sober will to attain the useful, the practical and the needful. He has patient courage, stubborn endurance, and obstinate resistance, and desperate daring in attacking what he believes to be wrong and in defending what he believes to be right. There is no cant or parade or tinsel or clap-trap about him. He takes his stand against open, palpable, tangible wrongs, against the tyranny which violates men's roofs, and the intolerance which vexes their consciences. True, he is wrong on the reserves question, but then he is honest, we know where to find him. He does not, like some of our Reformers, give us to understand that he will support us and then turn his back. He does not slip the word of promise to the ear and then
A PERSONAL DESCRIPTION

break it to the lips. Leaving the reserves out of the question, George Brown is eminently conservative in his spirit. His leading principle, as all his writings will show, is to reconcile progress with preservation, change with stability, the alteration of incidents with the maintenance of essentials. Change, for the sake of change, agitation for vanity, for applause or mischief, he has contempitiously repudiated. He is not like the Clear Grit, a republican of the first water, but on the contrary looks to the connection with the mother country, not as fable or unreality or fleeting vision, but as alike our interest and our duty, as that which should ever be our beacon, our guide and our goal.”

In 1853 the relative strength of Brown and the ministers was tested in a series of demonstrations held throughout Canada. The Hon. James Young gives a vivid description of Brown as he appeared at a banquet given in his honour at Galt: “He was a striking figure. Standing fully six feet two inches high, with a well-proportioned body, well balanced head and handsome face, his appearance not only indicated much mental and physical strength, but conveyed in a marked manner an impression of youthfulness and candour. These impressions deepened as his address proceeded, and his features grew animated and were lighted up by his fine expressive eyes.” His voice was strong and soft, with a well-marked Edinburgh accent. His appearance surprised the people who had expected to see an older
and sterner-looking man. His first remarks were disappointing; as was usual with him he stammered and hesitated until he warmed to his subject, when he spoke with such an array of facts and figures, such earnestness and enthusiasm, that he easily held the audience for three hours.¹

On October 1st, 1853, the Globe was first issued as a daily. It was then stated that the paper was first published as a weekly paper with a circulation of three hundred. On November 1st, 1846, it was published twice a week with a circulation of two thousand, which rose to a figure between three thousand and four thousand. In July, 1849, it was issued three times a week. When the daily paper was first published the circulation was six thousand. To anticipate a little, it may be said that in 1855 the Globe absorbed the North American and the Examiner, and the combined circulation was said to be sixteen thousand four hundred and thirty-six. The first daily paper contained a declaration of principles, including the entire separation of Church and State, the abolition of the clergy reserves and the restoration of the lands to the public, cessation of grants of public money for sectarian purposes, the abolition of tithes and other compulsory taxation for ecclesiastical purposes, and restraint on land-holding by ecclesiastical corporations.

An extract from this statement of policy may be given:

¹ Young, op. cit., pp. 58, 59.
BROWN'S PLATFORM

"Representation by population. Justice for Upper Canada! While Upper Canada has a larger population by one hundred and fifty thousand than Lower Canada, and contributes more than double the amount of taxation to the general revenue, Lower Canada has an equal number of representatives in parliament.

"National education.—Common school, grammar school, and collegiate free from sectarianism and open to all on equal terms. Earnest war will be waged with the separate school system, which has unfortunately obtained a footing.

"A prohibitory liquor law.—Any measure which will alleviate the frightful evils of intemperance."

The inclusion of prohibition on this platform was the natural result of the drinking habits of that day. In a pamphlet issued by the Canada Company for the information of intending immigrants, whiskey was described as "a cheap and wholesome beverage." Its cheapness and abundance caused it to be used in somewhat the same way as the "small beer" of England, and it was a common practice to order a jug from the grocer along with the food supply of the family. When a motion favouring prohibition was introduced in the Canadian parliament there were frequent references to the convivial habits of the members. The seconder of the motion was greeted with loud laughter. He good-naturedly said that he was well aware of the cause of hilarity, but that he was ready to sacrifice his
pleasure to the general good. Sir Allan MacNab, the leader of the Opposition, moved a farcical amendment, under which every member was to sign a pledge of abstinence, and to be disqualified if he broke it. Brown made an earnest speech in favour of the motion, in which he remarked that Canada then contained nine hundred and thirty-one whiskey shops, fifty-eight steamboat bars, three thousand four hundred and thirty taverns, one hundred and thirty breweries, and one hundred and thirty-five distilleries.

The marked diminution of intemperance in the last fifty years may be attributed in part to restrictive laws, and in part to the work of the temperance societies, which rivalled the taverns in social attractions, and were effective agents of moral suasion.
CHAPTER VIII
RECONSTRUCTION OF PARTIES

IN June, 1854, the Hincks-Morin government was defeated in the legislature on a vote of censure for delay in dealing with the question of the clergy reserves. A combination of Tories and Radicals deprived Hincks of all but five of his Upper Canadian supporters. Parliament was immediately dissolved, and the ensuing election was a mêlée in which Hincks Reformers, Brown Reformers, Tories and Clear Grits were mingled in confusion. Brown was returned for Lambton, where he defeated the Hon. Malcolm Cameron, post-master-general under Hincks. The Reform party was in a large majority in the new legislature, and if united could have controlled it with ease. But the internal quarrel was irreconcilable. Hincks was defeated by a combination of Tories and dissatisfied Reformers, and a general reconstruction of parties followed. Sir Allan MacNab, as leader of the Conservative opposition, formed an alliance with the French-Canadian members of the Hincks government and with some of its Upper Canadian supporters. Hincks retired, but gave his support to the new combination, "being of opinion that the combination of parties by which the new govern-
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ment was supported presented the only solution of the difficulties caused by a coalition of parties holding no sentiments in common, a coalition which rarely takes place in England. I deemed it my duty to give my support to that government during the short period that I continued in public life.”

Whether the MacNab-Morin government was a true coalition or a Tory combination under that name was a question fiercely debated at that time. It certainly did not stand for the Toryism that had resisted responsible government, the secularization of the clergy reserves, and the participation of French-Canadians in the government of the country. It had at first some of the elements of a coalition, but it gradually came to represent Conservatism and the personal ascendency of John A. Macdonald. Robert Baldwin, from his retirement, gave his approval to the combination, and hence arose the “Baldwin Reformer,” blessed as a convert by one party, and cursed as a renegade by the other.

Reconstruction on one side was followed by reconstruction on the other. Upper Canadian Reformers rallied round Brown, and an alliance was formed with the Quebec Rouges. This was a natural alliance of radical Reformers in both provinces. Some light is thrown on it by an article published in the Globe in 1855. The writer said that in 1849, some young men of Montreal, fresh from the schools and

1 Hineks’s Political History of Canada, p. 80.
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THE QUEBEC ROUGES

filled to the brim with the Republican opinions which had spread from France throughout all Europe, formed associations and established newspapers advocating extreme political views. They declaimed in favour of liberty and against priestcraft and tyranny with all the ardour and freshness of youth. Their talents and the evident purity and sincerity of their motives made a strong impression on their countrymen, contrasting as they did with the selfishness and mediocrity of other French-Canadian leaders, and the result was that the Rouge party was growing in strength both in the House and in the country. With the growth of strength there had come a growing sense of responsibility, greater moderation and prudence. In the legislature, at least, the Rouges had not expressed a single sentiment on general politics to which a British constitutional Reformer might not assent. They were the true allies of the Upper Canadian Reformers, and in fact the only Liberals among the French-Canadians. They had Reform principles, they maintained a high standard of political morality. They stood for the advance of education and for liberty of speech. They were the hope of Canada, and their attitude gave promise that a brighter day was about to dawn on the political horizon.

It was unreasonable to expect that the Liberals could continue to receive that solid support from Lower Canada which they had received in the days of the Baldwin-Lafontaine alliance. In those days the
issue was whether French-Canadians should be allowed to take part in the government of the country, or should be excluded as rebels. The Reformers championed their cause and received the solid support of the French-Canadian people. But when once the principle for which they contested was conceded, it was perceived that Lower Canada, like Upper Canada, had its Conservative element, and party lines were formed. Mr. Brown held that there could be no lasting alliance between Upper Canadian Reformers and Lower Canadian Conservatives, and especially with those Lower Canadians who defended the power and privileges of the Church. He was perfectly willing that electors holding these views should go to the Conservative party, which was their proper place. The Rouges could not bring to the Liberal party the numerical strength of the supporters of Lafontaine, but as they really held Liberal principles, the alliance was solidly based and was more likely to endure.

The leader of the Rouges was A. A. Dorion, a distinguished advocate, and a man of culture, refinement and eloquence. He was Brown's deskmate, and while in physique and manner the two were strongly contrasted, they were drawn together by the chivalry and devotion to principle which characterized both, and they formed a strong friendship. "For four years," said Mr. Brown, in a public address, "I acted with him in the ranks of the Opposition, learned to value most highly the upright-
ness of his character, the liberality of his opinions, and the firmness of his convictions. On most questions of public general policy we heartily agreed, and regularly voted together; on the questions that divided all Upper Canadians and all Lower Canadians alone we differed, and on these we had held many earnest consultations from year to year with a view to their removal, without arriving at the conviction that when we had the opportunity we could find the mode.” Their habit was not to attempt to conceal these sectional differences, but to recognize them frankly with a view to finding the remedy. It was rarely that either presented a resolution to the House without asking the advice of the other. They knew each other’s views perfectly, and on many questions, especially of commerce and finance, they were in perfect accord.

By this process of evolution Liberals and Conservatives were restored to their proper and historic places, and the way was cleared for new issues. These issues arose out of the ill-advised attempt to join Upper and Lower Canada in a legislative union. A large part of the history of this period is the history of an attempt to escape the consequences of that blunder. This was the reason why every ministry had its double name—the Lafontaine-Baldwin, the Hincks-Morin, the Taché-Macdonald, the Brown-Dorion, the Macdonald-Sicotte. This was the reason why every ministry had its attorney-general east for Lower Canada and its attorney-
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general west for Upper Canada. In his speech on confederation Sir John Macdonald said that although the union was legislative in name, it was federal in fact—that in matters affecting Upper Canada alone, Upper Canadian members claimed and usually exercised, exclusive power, and so with Lower Canada. The consolidated statutes of Canada and the consolidated statutes of Upper Canada must be sought in separate volumes. The practice of legislating for one province alone was not confined to local or private matters. For instance, as the two communities had widely different ideas as to Sabbath observance, the stricter law was enacted for Upper Canada alone. Hence also arose the theory of the double majority—that a ministry must, for the support of its general policy, have a majority from each province.

But all these shifts and devices could not stay the agitation for a radical remedy. Some Reformers proposed to dissolve the union. Brown believed that the difficulty would be solved by representation by population, concerning which a word of explanation is necessary. When the provinces were united in 1841, the population of Lower Canada exceeded that of Upper Canada in the proportion of three to two. “If,” said Lord Durham, “the population of Upper Canada is rightly estimated at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, the union of the
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two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English emigration, and I have little doubt that the French, when once placed by the legitimate course of events in a minority, would abandon their vain hopes of nationality." But he added that he was averse to every plan that had been proposed for giving an equal number of members to the two provinces. The object could be attained without any violation of the principles of representation, such as would antagonize public opinion, and "when emigration shall have increased the English population of the Upper Province, 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 arrangement, founded on the present provincial divisions, would tend to defeat the purpose of union and perpetuate the idea of disunion."

Counsels less wise and just prevailed, and the united province was "gerrymandered" against Lord Durham's protest. Lower Canada complained of the injustice, and with good reason. In the course of time Lord Durham's prediction was fulfilled; by immigration the population of Upper Canada overtook and passed that of Lower Canada. The census of 1852 gave Upper Canada a population of nine hundred and fifty-two thousand, and Lower Canada a population of eight hundred and ninety thousand two hundred and sixty-one. Brown began to press
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for representation by population. He was met by two objections. It was argued on behalf of the French-Canadians that they had submitted to the injustice while they had the larger population, and that the Upper Canadians ought to follow their example. Mr. Brown admitted the force of this argument, but he met it by showing that the Lower Canadians had been under-represented for eight years, and that by the time the new representation went into force, the Upper Canadians would have suffered injustice for about an equal term, so that a balance might be struck. A more formidable objection was raised by Mr. Hincks, who said that the union was in the nature of a compact between two nations having widely different institutions; that the basis of the compact was equal representation, and that Brown's proposition would destroy that basis. Cartier said that representation by population could not be had without repeal of the union. The French-Canadians were afraid that they would be swamped, and would be obliged to accept the laws and institutions of the majority.

It is impossible to deny the force of these objections. In 1841 Lower Canada had been compelled to join a union in which the voting power of Upper Canada was arbitrarily increased. If this was due to distrust, to fear of "French domination," French-Canadians could not be blamed for showing an equal distrust of English domination, and for refusing to give up the barrier which, as they believed,
protected their peculiar institutions. Ultimately the solution was found in the application of the federal system, giving unity in matters requiring common action, and freedom to differ in matters of local concern. Towards this solution events were tending, and the importance of Brown's agitation for representation by population, which gained immense force in Upper Canada, lies in its relation to the larger plan of confederation.
CHAPTER IX

SOME PERSONAL POLITICS

AFTER the burning of the parliament buildings in Montreal the seat of government oscillated between Quebec and Toronto. Toronto's turn came in the session of 1856. Macdonald was now the virtual, and was on the point of becoming the titular, leader of the party. Brown was equally conspicuous on the other side. During the debate on the address he was the central figure in a fierce struggle, and some one with a turn for statistics said that his name was mentioned three hundred and seventy-two times. The air was stimulating, and Brown's contribution to the debate was not of a character to turn away wrath.

Smarting under Brown's attack, Macdonald suddenly gave a new turn to the debate. He charged that Brown, while acting as a member and secretary of a commission appointed by the Lafontaine-Baldwin government to inquire into the condition of the provincial penitentiary, had falsified testimony, suborned convicts to commit perjury, and obtained the pardon of murderers to induce them to give false evidence. Though the assembly had by this time become accustomed to hard hitting, this outbreak created a sensation. Brown gave an indig-
nant denial to the charges, and announced that he would move for a committee of inquiry. He was angrily interrupted by the solicitor-general, who flung the lie across the House. The solicitor-general was a son of the warden of the penitentiary who had been dismissed in consequence of the report of the commission. Macdonald was a strong personal friend of the warden, and had attempted some years before to bring his case before the assembly. Brown promptly moved for the committee, and it was not long before he presented that tribunal with a dramatic surprise. It was supposed that the report of the penitentiary committee had been burned, and the attack on Brown was made upon that supposition. When Mr. Brown was called as a witness, however, he produced the original report with all the evidence, and declared that it had never been out of his possession "for one hour." The effect of this disclosure on his assailants is shown in a letter addressed to the committee by VanKoughnet, Macdonald's counsel: "Mr. Macdonald," he said, "had been getting up his case on the assumption and belief that these minutes had been destroyed and could not be procured, and much of the labour he had been allowed to go to by Mr. Brown for that purpose would now be thrown away; the whole manner of giving evidence, etc., would now be altered."

The graver charges of subornation of perjury etc., were abandoned, and Macdonald's friends con-
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fined themselves to an attempt to prove that the inquiry had been unfairly conducted, that the warden had been harshly treated, and the testimony not fairly reported. It was a political committee with a Conservative majority, and the majority, giving up all hope of injuring Brown, bent its energies to saving Macdonald from the consequences of his reckless violence. The Liberal members asked for a complete exoneration of Mr. Brown. A supporter of the government was willing to exonerate Brown if Macdonald were allowed to escape without censure. A majority of the committee, however, took refuge in a rambling deliverance, which was sharply attacked in the legislature. Sir Allan MacNab bluntly declared that the charge had been completely disproved, and that the committee ought to have had the manliness to say so. Drummond, a member of the government, also said that the attack had failed. The accusers were willing to allow the matter to drop, and as a matter of fact the report was never put to a vote. But Mr. Brown would not allow them to escape so easily. Near the close of the session he made a speech which gave a new character to the discussion. Up to this time it had been a personal question between Brown and his assailants. Brown dealt with this aspect of the matter briefly but forcibly. He declared that not only his conduct but the character of the other commissioners was fully vindicated, and that a conspiracy to drive him from
public life had signally failed. Conservative members had met him and admitted that there was no truth in the charges, but had pleaded that they must go with the party. Members had actually been asked to “pair” off on the question of upholding or destroying his character, before they had heard his defence.

From these personal matters he returned to the abuses that had been discovered by the commission. A terrible story of neglect and cruelty was told. These charges did not rest on the testimony of prisoners. They were sustained by the evidence of officers and by the records of the institution. “If,” said the speaker, “every word of the witnesses called by the commissioners were struck out, and the case left to rest on the testimony of the warden’s own witnesses and the official records of the prison, there would be sufficient to establish the blackest record of wickedness that ever disgraced a civilized country.” Amid applause, expressions of amazement and cries of “Shame!” from the galleries, Brown told of the abuses laid bare by the prison commission. He told of prisoners fed with rotten meal and bread infested with maggots; of children beaten with cat and rawhide for childish faults; of a coffin-shaped box in which men and even women were made to stand or rather crouch, their limbs cramped, and their lungs scantily supplied with air from a few holes. Brown’s speech virtually closed the case, although Macdonald strove
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to prove that the accounts of outrages were exaggerated, that the warden, Smith, was himself a kind-hearted man, and that he had been harshly treated by the commissioners.

In a letter written about this time, Macdonald said that he was carrying on a war against Brown, that he would prove him a most dishonest, dishonourable fellow, "and in doing so I will only pay him a debt that I owe him for abusing me for months together in his newspaper."^1 Whatever the provocation may have been, the personal relations of the two men were further embittered by this incident.

Eight years afterwards they were members of the coalition ministry by which confederation was brought about, and Brown's intimate friend, Alexander Mackenzie, says that the association was most distasteful to Brown, on account of the charges made in connection with the prison commission. That the leaders of the two parties were not merely political opponents but personal enemies must have embittered the party struggle; and it was certainly waged on both sides with fury, and with little regard either for the amenities of life or for fair play.

His work on the commission gave Brown a strong interest in prison reform. While the work of the commission was fresh in his mind he delivered an address in the Toronto Mechanics' Institute, in

which he sketched the history of prison reform in England and the United States, and pointed out how backward Canada was in this phase of civilization. He pleaded for a more charitable treatment of those on whom the prison doors had closed. There were inmates of prisons who would stand guiltless in the presence of Him who searches the heart. There were guilty ones outside. We cannot, he said, expect human justice to be infallible; but we must not draw a hard and fast line between the world inside the prison and the world outside, as if the courts of justice had the divine power of judging between good and evil. In Canada, he said, we have no system of reforming the prisoner; even the chaplain or the teacher never enters the prison walls. "Children of eight and ten years of age are placed in our gaols, surrounded by hundreds of the worst criminals in the province." He went on to describe some of the evils of herding together hardened criminals, children, and persons charged with trifling offences. He advocated government inspection of prisons, a uniform system of discipline, strict classification and separation, secular and religious instruction, and the teaching of trades. The prisoner should be punished, but not made to feel that he was being degraded by society for the sake of revenge. Hope should be held out to those who showed repentance. The use of the lash for trifling offences against discipline was condemned. On the whole, his views were such as are
now generally accepted, and he may be regarded as one of the pioneers of prison reform in Canada.

The habit of personal attack was further illustrated in the charge, frequently made by Mr. Brown's enemies, that he had been a defaulter in Scotland. The *North American* had printed this accusation during its fierce altercation with the *Globe*, but the editor, Mr. Macdougall, had afterwards apologized, and explained that it had crept into the paper during his absence and without his knowledge. In the session of 1858, a Mr. Powell, member for Carleton, renewed the attack in the House, and Mr. Brown made a reply of such compelling human interest that not a word can be added or taken away. He said: "This is not the first time that the insinuation has been made that I was a defaulter in my native city. It has been echoed before now from the organs of the ministry, and at many an election contest have I been compelled to sit patiently and hear the tale recounted in the ears of assembled hundreds. For fifteen years I have been compelled to bear in silence these imputations. I would that I could yet refrain from the painful theme, but the pointed and public manner in which the charge has now been made, and the fear that the public cause with which I am identified might suffer by my silence, alike tell me that the moment has come when I ought to explain the transaction, as I have always been able to explain it, and to cast back the vile charge of dis-
honesty on those who dared to make it. That my father was a merchant in the city of Edinburgh, and that he engaged in disastrous business speculations commencing in the inflated times of 1825 and 1826, terminating ten years afterwards in his failure, is undoubtedly true. And it is, unhappily, also true, that he did hold a public office, and that funds connected with that office were, at the moment of his sequestration, mixed up with his private funds, to the extent, I believe, of two thousand eight hundred pounds. For this sum four relatives and friends were sureties, and they paid the money. Part of that money has been repaid; every sixpence of it will be paid, and paid shortly. Property has been long set aside for the payment of that debt to its utmost farthing. My father felt that while that money remained unpaid there was a brand on himself and his family, and he has wrought, wrought as few men have wrought, to pay off, not only that, but other obligations of a sacred character. Many a bill of exchange, the proceeds of his labour, has he sent to old creditors who were in need of what he owed. For myself, sir, I have felt equally bound with my father; as his eldest son I felt that the fruits of my industry should stand pledged until every penny of those debts was paid and the honour of my family vindicated. An honourable member opposite, whom I regret to hear cheering on the person who made the attack, might have known that, under the legal
HIS FATHER'S DEBTS

advice of his relative, I long ago secured that in the event of my death before the accomplish-
ment of our long-cherished purpose, after the pay-
ment of my own obligations, the full discharge of those sacred debts of my father should stand as a first charge on my ample estate. Debts, sir, which I was no more bound in law to pay than any gentleman who hears me. For the painful trans-
action to which I have been forced to allude, I am no more responsible than any gentleman in this assembly. It happened in 1836; I was at that time but seventeen years of age, I was totally uncon-
nected with it, but, young as I was, I felt then, as I feel now, the obligation it laid upon me, and I vowed that I should never rest until every penny had been paid. There are those present who have known my every action since I set foot in this country; they know I have not eaten the bread of idleness, but they did not know the great object of my labour. The one end of my desire for wealth was that I might discharge those debts and redeem my father's honour. Thank God, sir, my exertions have not been in vain. Thank God, sir, I have long possessed property far more than sufficient for all my desires. But, as those gentlemen know, it is one thing in this country to have property, and another to be able to withdraw a large sum of money from a business in active operation; and many a night have I laid my head on my pillow after a day of toil, estimating and calculating if the
time had yet arrived, when, with justice to those to whom I stood indebted, and without fear of embarrassment resulting, I might venture to carry out the purpose of my life. I have been accused of being ambitious; I have been charged with aspiring to the office of prime minister of this great country and of lending all my energies to the attainment of that end; but I only wish I could make my opponents understand how infinitely surpassing all this, how utterly petty and contemptible in my thoughts have been all such considerations, in comparison with the one longing desire to discharge those debts of honour and vindicate those Scottish principles that have been instilled into me since my youth. The honourable member for Cornwall [John Sandfield Macdonald] is well aware that every word I have spoken to-night has been long ago told him in private confidence, and he knows, too, that last summer I was rejoicing in the thought that I was at last in a position to visit my native land with the large sum necessary for all the objects I contemplated, and that I was only prevented from doing so by the financial storm which swept over the continent. Such, sir, are the circumstances upon which this attack is founded. Such the facts on which I have been denounced as a public defaulter and refugee from my native land. But why, asked the person who made the charge, has he sat silent under it? Why if the thing is false has he endured it so many years? What, sir, free myself from
VINDICATION

blame by inculpating one so dear! Say 'It was not I who was in fault, it was my father'? Rather would I have lost my right arm than utter such a word! No, sir, I waited the time when the charge could be met as it only might be fittingly met; and my only regret even now is that I have been compelled to speak before those debts have been entirely liquidated. But it is due, sir, to my aged father that I explain that it has not been with his will that these imputations have been so long pointed at me, and that it has only been by earnest remonstrance that I have prevented his vindicating me in public long ere now. No man in Toronto, perhaps, is more generally known in the community, and I think I could appeal even to his political opponents to say if there is a citizen of Toronto at this day more thoroughly respected and esteemed. With a full knowledge of all that has passed, and all the consequences that have flowed from a day of weakness, I will say that an honester man does not breathe the air of heaven; that no son feels prouder of his father than I do to-day; and that I would have submitted to the obloquy and reproach of his every act, not fifteen years, but fifty—ay, have gone down to the grave with the cold shade of the world upon me, rather than that one of his gray hairs should have been injured."

Public opinion was strongly influenced in Mr. Brown’s favour by this incident. “The entire address,” said a leading Conservative paper next day,
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"forms the most refreshing episode which the records of the Canadian House of Commons possess. Every true-hearted man must feel proud of one who has thus chivalrously done battle for his gray-haired sire. We speak deliberately when asserting that George Brown's position in the country is at this moment immeasurably higher than it ever previously has been. And though our political creed be diametrically antipodal to his own, we shall ever hail him as a credit to the land we love so well."
By his advocacy of representation by population, by his opposition to separate schools, and his championship of Upper Canadian rights, Mr. Brown gained a remarkable hold upon the people. In the general elections of 1857 he was elected for the city of Toronto, in company with Mr. Robinson, a Conservative. The election of a Liberal in Toronto is a rare event, and there is no doubt that Mr. Brown's violent conflict with the Roman Catholic Church contributed to his victory, if it was not the main cause thereof. His party also made large gains through Upper Canada, and had a large majority in that part of the province, so that the majority for the Macdonald government was drawn entirely from Lower Canada. Gross election frauds occurred in Russell county, where names were copied into the poll-books from old directories of towns in the state of New York, and in Quebec city, where such names as Julius Caesar, Napoleon Bonaparte, Judas Iscariot and George Washington appeared on the lists. The Reformers attacked these elections in parliament without success, but in 1859 the sitting member for Russell and several others were tried for conspiracy, convicted and
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sentenced to imprisonment. That the government felt itself to be much weakened throughout the country is evident from Mr. John A. Macdonald’s unsuccessful effort to add another to his list of political combinations by detaching Mr. John Sandfield Macdonald from the Reform party, offering seats in the cabinet to him and another Reformer. The personal attack on Mr. Brown in the session of 1858 has already been mentioned. The chief political event of the session was the “Double Shuffle.”

On July 28th, 1858, Mr. Brown succeeded in placing the ministry in a minority on the question of the seat of government. Unable to decide between the conflicting claims of Toronto, Quebec, Montreal and Kingston, the government referred the question to the queen, who decided in favour of Ottawa. Brown had opposed the reference to the queen, holding that the question should be settled in Canada. He also believed that the seat of government should not be fixed until representation by population was granted, and all matters in dispute between Upper and Lower Canada arranged. He now moved against Ottawa and carried his motion. During the same sitting the government was sustained on a motion to adjourn, which by understanding was regarded as a test of confidence. A few hours later the ministers met and decided that, although they had been sustained by a majority of the House, “it behoved them as the queen’s servants to resent the slight which had
been offered Her Majesty by the action of the assembly in calling in question Her Majesty's choice of the capital." The governor-general, Sir Edmund Walker Head, sent for Mr. Brown as the leader of the Opposition, to form a government. It was contended by Liberals that he ought not to have taken this step unless he intended to give Mr. Brown and his colleagues his full confidence and support. If he believed that the defeat of the government was a mere accident, and that on general grounds it commanded a working majority in the legislature, he ought not to have accepted the resignation, unless he intended to sanction a fresh appeal to the country.

The invitation to form an administration was received by Mr. Brown on Thursday, July 28th. He at once waited on the governor-general and obtained permission to consult his friends. He called a meeting of the Upper Canadian members of his party in both Houses, and obtained from them promises of cordial support. With Dorion he had an important interview. Dorion agreed that the principle of representation by population was sound, but said that the French-Canadian people feared the consequences of Upper Canadian preponderance, feared that the peculiar institutions of French Canada would be swept away. To assure them, representation by population must be accompanied by constitutional checks and safeguards. Brown and Dorion parted in the belief that this
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could be arranged. They believed also that they could agree upon an educational policy in which religious instruction could be given without the evils of separation.

Though Mr. Brown's power did not lie in the manipulation of combinations of men, he succeeded on this occasion in enlisting the services of colleagues of high character and capacity, including besides Dorion, Oliver Mowat, John Sandfield Macdonald, Luther Holton and L. T. Drummond. On Saturday morning Mr. Brown waited upon the governor-general, and informed him that having consulted his friends and obtained the aid of Mr. Dorion, he was prepared to undertake the task of forming an administration. During the day the formation of the ministry was completed. "At nine o'clock on Sunday night," to give the story in Mr. Brown's words, "learning that Mr. Dorion was ill, I went to see him at his apartments at the Rossin House, and while with him the governor-general's secretary entered and handed me a despatch. No sooner did I see the outside of the document than I understood it all. I felt at once that the whole corruptionist camp had been in commotion at the prospect of the whole of the public departments being subjected to the investigations of a second public accounts' committee, and comprehended at once that the transmission of such a despatch could have but the one intention of raising an obstacle in the way
THE GOVERNOR-GENERAL CRITICIZED

of the new cabinet taking office, and I was not mistaken."

The despatch declared that the governor-general gave no pledge, express or implied, with reference to dissolution. When advice was tendered on the subject he would act as he deemed best. It then laid down, with much detail, the terms on which he would consent to prorogation. Bills for the registration of voters and for the prohibition of fraudulent assignments and gifts by leaders should be enacted, and certain supplies obtained.

Mr. Brown criticized both these declarations. It was not necessary for the governor-general to say that he gave no pledge in regard to dissolution. To demand such a pledge would have been utterly unconstitutional. The governor was quite right in saying that he would deal with the proposal when it was made by his advisers. But while he needlessly and gratuitously declared that he would not pledge himself beforehand as to dissolution, he took exactly the opposite course as to prorogation, specifying almost minutely the terms on which he would consent to that step. Brown contended that the governor had no right to lay down conditions, or to settle beforehand the measures that must be enacted during the session. This was an attempt to dictate, not only to the ministry, but to the legislature. Mr. Brown and his colleagues believed that the governor was acting in collusion with the ministers

1 Speech to Toronto electors, August, 1858.
who had resigned, that the intriguers were taken by surprise when Brown showed himself able to form a ministry, and that the Sunday communication was a second thought, a hurriedly devised plan to bar the way of the new ministers to office.

On Monday morning before conferring with his colleagues, Brown wrote to the governor-general, stating that his ministry had been formed, and submitting that "until they have assumed the functions of constitutional advisers of the Crown, he and his proposed colleagues will not be in a position to discuss the important measures and questions of public policy referred to in his memorandum." Brown then met his colleagues, who unanimously approved of his answer to the governor's memorandum, and agreed also that it was intended as a bar to their acceptance of office. They decided not to ask for a pledge as to dissolution, nor to make or accept conditions of any kind. "We were willing to risk our being turned out of office within twenty-four hours, but we were not willing to place ourselves constitutionally in a false position. We distinctly contemplated all that Sir Edmund Head could do and that he has done, and we concluded that it was our duty to accept office, and throw on the governor-general the responsibility of denying us the support we were entitled to, and which he had extended so abundantly to our predecessor."

When parliament assembled on Monday, a vote of want of confidence was carried against the new
DEFEAT

government in both Houses. The newly appointed ministers had, of course, resigned their seats in parliament in order that they might offer themselves for re-election. It is true the majority was too great to be accounted for by the absence of the ministers. But the result was affected by the lack, not only of the votes of the ministers, but of their voices. In the absence of ministerial explanation, confusion and misunderstanding prevailed. The fact that Brown had been able to find common ground with Catholic and French-Canadian members had occasioned surprise and anxiety. On the one side it was feared that Brown had surrendered to the French-Canadians, and on the other that the French-Canadians had surrendered to Brown.

The conference between Brown and Dorion shows that the government was formed for the same purpose as the Brown-Macdonald coalition of 1864—the settlement of difficulties that prevented the right working of the union. The official declaration of its policy contains these words: "His Excellency's present advisers have entered the government with the fixed determination to propose constitutional measures for the establishment of that harmony between Upper and Lower Canada which is essential to the prosperity of the province."

Dissolution was asked on the ground that the new government intended to propose important constitutional changes, and that the parliament did
not represent the country, many of its members owing their seats to gross fraud and corruption. Thirty-two seats were claimed from sitting members on these grounds. The cases of the Quebec and Russell election have already been mentioned. The member elected for Lotbinière was expelled for violent interference with the freedom of election. Brown and his colleagues contended that these practices had prevailed to such an extent that the legislature could not be said to represent the country. Head's reply was that the frauds were likely to be repeated if a new election were held; that they really afforded a reason for postponing the election, at least until more stringent laws were enacted. The dissolution was refused; the Brown-Dorion government resigned, and the old ministers were restored to office.

On the resignation of the Brown-Dorion ministry the governor called upon A. T. Galt, who had given an independent support to the Macdonald-Cartier government. During the session of 1858 he had placed before the House resolutions favouring the federal union of Canada, the Maritime Provinces and the North-West Territory, and it is possible that his advocacy of this policy had something to do with the offer of the premiership. As yet, however, he was not prominent enough, nor could he command a support large enough, to warrant his acceptance of the office, and he declined. Then followed the "Double Shuffle."
THE DOUBLE SHUFFLE

The Macdonald-Cartier government resumed office under the name of the Cartier-Macdonald government, with Galt taking the place of Cayley, and some minor changes. Constitutional usage required that all the ministers should have returned to their constituents for re-election. A means of evading this requirement was found. The statute governing the case provided that when any minister should resign his office and within one month afterwards accept another office in the ministry, he should not thereby vacate his seat. With the object of obviating the necessity for a new election, Cartier, Macdonald, and their colleagues, in order to bring themselves within the letter of the law, although not within its spirit, exchanged offices, each taking a different one from that which he had resigned eight days before. Shortly before midnight of the sixth of August, they solemnly swore to discharge the duties of offices which several of them had no intention of holding; and a few minutes afterwards the second shuffle took place, and Cartier and Macdonald having been inspector-general and postmaster-general for this brief space, became again attorney-general east and attorney-general west.

The belief of the Reformers that the governor-general was guilty of partiality and of intrigue with the Conservative ministers is set forth as part of the history of the time. There is evidence of partiality, but no evidence of intrigue. The biographer of Sir John Macdonald denies the charge of intrigue, but
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says that Macdonald and the governor were intimate personal friends. Dent, who also scouts the charge of intrigue, says that the governor was prejudiced against Brown, regarding him as a mere obstructionist. The governor-general seems to have been influenced by these personal feelings, making everything as difficult as possible for Brown, and as easy as possible for Macdonald, even to the point of acquiescing in the evasion of the law known as the "Double Shuffle."

In the debate on confederation, Senator Ferrier said that a political warfare had been waged in Canada for many years, of a nature calculated to destroy all moral and political principles, both in the legislature and out of it. The "Double Shuffle" is so typical of this dreary and ignoble warfare and it played so large a part in the political history of the time, that it has been necessary to describe it at some length. But for these considerations, the episode would have deserved scant notice. The headship of one of the ephemeral ministries that preceded confederation could add little to the reputation of Mr. Brown. His powers were not shown at their best in office, and the surroundings of office were not congenial to him. His strength lay in addressing the people directly, through his paper or on the platform, and in the hour of defeat or disappointment he turned to the people

2 Dent's Last Forty Years, Vol. II., pp. 379, 380.
HIS REWARD

for consolation. "During these contests," he said some years afterwards, "it was this which sustained the gallant band of Reformers who so long struggled for popular rights: that, abused as we might be, we had this consolation, that we could not go anywhere among our fellow-countrymen from one end of the country to the other—in Tory constituencies as well as in Reform constituencies—without the certainty of receiving from the honest, intelligent yeomanry of the country—from the true, right-hearted, right-thinking people of Upper Canada, who came out to meet us—the hearty grasp of the hand and the hearty greeting that amply rewarded the labour we had expended in their behalf. That is the highest reward I have hoped for in public life, and I am sure that no man who earns that reward will ever in Upper Canada have better occasion to speak of the gratitude of the people."
CHAPTER XI
AGAINST AMERICAN SLAVERY

IN his home in Scotland Brown had been imbued with a hatred of slavery. He spent several years of his early manhood in New York, and felt in all its force the domination of the slave-holding element. Thence he moved to Canada, for many years the refuge of the hunted slave. It is estimated that even before the passage of the Fugitive Slave Law, there were twenty thousand coloured refugees in Canada. It was customary for these poor creatures to hide by day and to travel by night. When all other signs failed they kept their eyes fixed on the North Star, whose light “seemed the enduring witness of the divine interest in their deliverance.” By the system known as the “underground railway,” the fugitive was passed from one friendly house to another. A code of signals was used by those engaged in the work of mercy—pass words, peculiar knocks and raps, a call like that of the owl. Negroes in transit were described as “fleeces of wool,” and “volumes of the irrepressible conflict bound in black.”

The passage of the Fugitive Slave Law deprived the negro of his security in the free states, and dragged back into slavery men and women who
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had for years been living in freedom, and had found means to earn their bread and to build up little homes. Hence an impetus was given to the movement towards Canada, which the slave-holders tried to check by talking freely of the rigours of the Canadian climate. Lewis Clark, the original of George Harris in *Uncle Tom's Cabin* was told that if he went to Canada the British would put his eyes out, and keep him in a mine for life. Another was told that the Detroit River was three thousand miles wide.

But the exodus to Canada went on, and the hearts of the people were moved to compassion by the arrival of ragged and foot-sore wanderers. They found a warm friend in Brown, who paid the hotel bill of one for a week, gave fifty dollars to maintain a negro family, and besides numerous acts of personal kindness, filled the columns of the *Globe* with appeals on behalf of the fugitives. Early in 1851 the Anti-Slavery Society of Canada was organized. The president was the Rev. Dr. Willis, afterwards principal of Knox Presbyterian College, and the names of Peter Brown, George Brown, and Oliver Mowat are found on the committee. The object of the society was "the extinction of slavery all over the world by means exclusively lawful and peaceable, moral and religious, such as the diffusion of useful information and argument by tracts, newspapers, lectures, and correspondence, and by manifesting sympathy with the houseless and homeless victims"
SLAVERY

of slavery flying to our soil.” Concerts were given, and the proceeds applied in aid of the refugees.

Brown was also strongly interested in the settlements of refugees established throughout Western Canada. Under an act of the Canadian parliament “for the settlement and moral improvement of the coloured population of Canada,” large tracts of land were acquired, divided into fifty acre lots, and sold to refugees at low prices, payable in instalments. Sunday schools and day schools were established. The moving spirit in one of these settlements was the Rev. William King, a Presbyterian, formerly of Louisiana, who had freed his own slaves and brought them to Canada. Traces of these settlements still exist. Either in this way or otherwise, there were large numbers of coloured people living in the valley of the Thames (from Chatham to London), in St. Catharines, Hamilton, and Toronto.

At the annual meeting of the Anti-Slavery Society in 1852, Mr. Brown moved a resolution expressing gratitude to those American clergymen who had exposed the atrocities of the Fugitive Slave Law. He showed how, before its enactment, slaves were continually escaping to the Northern States, where they were virtually out of reach of their masters. There was a law enabling the latter to recover their property, but its edge was dulled by public opinion in the North, which was rapidly growing antagonistic to allowing the free states to become a hunting-ground for slave-catchers. The South took
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alarm at the growth of this feeling, and procured the passage of a more stringent law. This law enabled the slave-holder to seize the slave wherever he found him, without warrant, and it forbade the freeman to shelter the refugee under penalty of six months' imprisonment, a fine of one thousand dollars, and liability to a civil suit for damages to the same amount. The enforcement of the law was given to federal instead of to State officials. After giving several illustrations of the working of the law, Mr. Brown proceeded to discuss the duty of Canada in regard to slavery. It was a question of humanity, of Christianity, and of liberty, in which all men were interested. Canada could not escape the contamination of a system existing so near her borders. "We, too, are Americans; on us, as well as on them, lies the duty of preserving the honour of the continent. On us, as on them, rests the noble trust of shielding free institutions."

Having long borne the blame of permitting slavery, the people of the North naturally expected that when the great struggle came they would receive the moral support of the civilized world in its effort to check and finally to crush out the evil. They were shocked and disappointed when this support was not freely and generously given, and when sympathy with the South showed itself strongly in Great Britain. Brown dealt with this question in a speech delivered in Toronto shortly after Lincoln's proclamation of emancipation. He had just
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returned from Great Britain, and he said that in his six months’ journey through England and Scotland, he had conversed with persons in all conditions of life, and he was sorry to say that general sympathy was with the South. This did not proceed from any change in the feeling towards slavery. Hatred of slavery was as strong as ever, but it was not believed that African slavery was the real cause of the war, or that Mr. Lincoln sincerely desired to bring the traffic to an end. This misunderstanding he attributed to persistent misrepresentation. There were men who rightly understood the merits of the contest, and among these he placed the members of the British ministry. The course of the ministry he described as one of scrupulous neutrality, and firm resistance to the invitations of other powers to interfere in the contest.

Brown himself never for a moment failed to understand the nature of the struggle, and he showed an insight, remarkable at that time, into the policy of Lincoln. The anti-slavery men of Canada, he said, had an important duty to discharge. “We, who have stood here on the borders of the republic for a quarter of a century, protesting against slavery as the sum of all human villainies—we, who have closely watched every turn of the question—we, who have for years acted and sympathized with the good men of the republic in their efforts for the freedom of their country—we, who have a practical knowledge of the atrocities of
the 'peculiar institution,' learned from the lips of the panting refugee upon our shores—we, who have in our ranks men all known on the other side of the Atlantic as life-long abolitionists—we, I say, are in a position to speak with confidence to the anti-slavery men of Great Britain—to tell them that they have not rightly understood this matter—to tell them that slavery is the one great cause of the American rebellion, and that the success of the North is the death-knell of slavery. Strange, after all that has passed, that a doubt of this should remain."

It was true, he said, that Lincoln was not elected as an abolitionist. Lincoln declared, and the Republican party declared, that they stood by the constitution; that they would, so far as the constitution allowed, restrict slavery and prevent its extension to new territory. Yet they knew that the constitution gave them all they desired. "Well did they know, and well did the Southerners know, that any anti-slavery president and congress, by their direct power of legislation, by their control of the public patronage, and by the application of the public moneys, could not only restrict slavery within its present boundaries, but could secure its ultimate abolition. The South perfectly comprehended that Mr. Lincoln, if elected, might keep within the letter of the constitution and yet sap the foundation of the whole slave system, and they acted accordingly."
THE INTERESTS OF CANADA

In answering the question, "Why did not the North let the slave states go in peace?" Brown freely admitted the right of revolution. "The world no longer believes in the divine right of either kings or presidents to govern wrong; but those who seek to change an established government by force of arms assume a fearful responsibility—a responsibility which nothing but the clearest and most intolerable injustice will acquit them for assuming." Here was a rebellion, not to resist injustice but to perpetuate injustice; not to deliver the oppressed from bondage, but to fasten more hopelessly than ever the chains of slavery on four millions of human beings. Why not let the slave states go? Because it would have been wrong, because it would have built up a great slave power that no moral influence could reach, a power that would have overawed the free Northern States, added to its territory, and re-established the slave trade. Had Lincoln permitted the slave states to go, and to form such a power, he would have brought enduring contempt upon his name, and the people of England would have been the first to reproach him.

Brown argued, as he had done in 1852, that Canada could not be indifferent to the question, whether the dominant power of the North American continent should be slave or free. Holding that liberty had better securities under the British than under the American system, he yet believed that the failure of the American experiment would be a
calamity and a blow to free institutions all over the world. For years the United States had been the refuge of the oppressed in every land; millions had fled from poverty in Europe to find happiness and prosperity there. From these had been wafted back to Europe new ideas of the rights of the people. With the fall of the United States this impetus to freedom, world-wide in its influence, would cease. Demands for popular rights and free constitutions would be met by the despotic rulers of Europe with the taunt that in the United States free constitutions and popular rights had ended in disruption and anarchy. "Let us not forget that there have been, and still are, very different monarchies in the world from that of our own beloved queen; and assuredly there are not so many free governments on earth that we should hesitate to devise earnestly the success of that one nearest to our own, modelled from our own, and founded by men of our own race. I do most heartily rejoice, for the cause of liberty, that Mr. Lincoln did not patiently acquiesce in the dismemberment of the republic."

The Civil War in the United States raised the most important question of foreign policy with which the public men of Canada were called upon to deal in Brown's career. The dismemberment of the British empire would hardly have exercised a more profound influence on the human race and on world-wide aspirations for freedom, than the dismemberment of the United States and
the establishment on this continent of a mighty slave empire. Canada could not be indifferent to the issue. How long would the slave-holding power, which coerced the North into consenting to the Fugitive Slave Law, have tolerated the existence of a free refuge for slaves across the lakes? Either Canada would have been forced to submit to the humiliation of joining in the hunt for men, or the British empire would have been obliged to fight the battle that the North fought under the leadership of Lincoln. In the face of this danger confronting Canada and the empire and freedom, it was a time to forget smaller international animosities. Brown was one of the few Canadian statesmen who saw the situation clearly and rose to the occasion. For twenty years by his public speeches, and still more through the generous devotion of the Globe to the cause, he aided the cause of freedom and of the union of the lovers of freedom.
CHAPTER XII
BROWN AND THE ROMAN CATHOLICS

That the Globe and Mr. Brown, as related in a previous chapter, became associated with Lord John Russell's bill and the "no popery" agitation in England, may be regarded as a mere accident. The excitement would have died out here as it died out in England, if there had not been in Canada such a mass of inflammable material—so many questions in which the relations of Church and State were involved. One of these was State endowment of denominational schools. During Brown's early years in Canada the school system was being placed on a broad and popular basis. Salaries of teachers were wretchedly low. Fees were charged to children, and remitted only as an act of charity. Mr. Brown advocated a free and unsectarian system. Claims for denominational schools were put forward not only by the Roman Catholics but by the Anglicans. He argued that if this were allowed the public school system would be destroyed by division. The country could barely afford to maintain one good school system. To maintain a system for each denomination would require an immense addition to the number of school-houses and teachers, and would absorb the whole revenue of the province. At the same time, the
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educational forces would be weakened by the division and thousands of children would grow up without education. "Under the non-sectarian system," said Brown, "the day is at hand when we may hope to abolish the school-tax and offer free education to every child in the province."

Eventually it was found possible to carry out Mr. Brown's idea of free education for every child in the province, and yet to allow Roman Catholic separate schools to be maintained. To this compromise Mr. Brown became reconciled, because it did not involve, as he had feared, the destruction of the free school system by division. The Roman Catholics of Upper Canada were allowed to maintain separate denominational schools, to have them supported by the taxes of Roman Catholic ratepayers and by provincial grants. So far as the education of Protestant children was concerned Mr. Brown's advocacy was successful. He opposed denominational schools because he feared they would weaken or destroy the general system of free education for all. Under the agreement which was finally arrived at, this fear was not realized. In his speech on confederation he admitted that the sectarian system, carried to a limited extent and confined chiefly to cities and towns, had not been a very great practical injury. The real cause of alarm was that the admission of the sectarian principle was there, and that at any moment it might be extended to such a degree as to split up our school system altogether: "that the separate system might
THE SCHOOL QUESTION

gradually extend itself until the whole country was studded with nurseries of sectarianism, most hurtful to the best interests of the province and entailing an enormous expense to sustain the hosts of teachers that so prodigal a system of public instruction must inevitably entail."

This, however, was not the only question at issue between Mr. Brown and the Roman Catholic Church. It happened, as has been said above, that on his first entry into parliament, the place of meeting was the city of Quebec. The Edinburgh-bred man found himself in a Roman Catholic city, surrounded by every evidence of the power of the Church. As he looked up from the floor of the House to the galleries he saw a Catholic audience, its character emphasized by the appearance of priests clad in the distinctive garments of their orders. It was his duty to oppose a great mass of legislation intended to strengthen that Church and to add to its privileges. His spirit rose and he grew more dour and resolute as he realized the strength of the forces opposed to him.

It would be doing an injustice to the memory of Mr. Brown to gloss over or minimize a most important feature of his career, or to offer apologies which he himself would have despised. The battle was not fought with swords of lath, and whoever wants to read of an old-fashioned "no popery" fight, carried on with abounding fire and vigour, will find plenty of matter in the files of the Globe of the
fifties. His success in the election of 1857, so far as Upper Canada was concerned, and especially his accomplishment of the rare feat of carrying a Toronto seat for the Reform party, was largely due to an agitation that aroused all the forces and many of the prejudices of Protestantism. Yet Brown kept and won many warm friends among Roman Catholics, both in Upper and in Lower Canada. His manliness attracted them. They saw in him, not a narrow-minded and cold-hearted bigot, seeking to force his opinions on others, but a brave and generous man, fighting for principles. And in Lower Canada there were many Roman Catholic laymen whose hearts were with him, and who were themselves entering upon a momentous struggle to free the electorate from clerical control. In his fight for the separation of Church and State, he came into conflict, not with Roman Catholics alone. In his own Presbyterian Church, at the time of the disruption, he strongly upheld the side which was identified with liberty. For several years after his arrival in Canada he was fighting against the special privileges of the Anglican Church. He often said that he was actuated, not by prejudice against one Church, but by hatred of clerical privilege, and love of religious liberty and equality.

In 1871 Mr. Brown, in a letter addressed to prominent Roman Catholics, gave a straight-forward account of his relations with the Roman Catholic Church. It is repeated here in a somewhat ab-
breviated form, but as nearly as possible in his own words. In the early days of the political history of Upper Canada, the great mass of Catholics were staunch Reformers. They suffered from Downing Street rule, from the domination of the "family compact," from the clergy reserves and from other attempts to arm the Anglican Church with special privileges and powers; they gave an intelligent and cordial support to liberal and progressive measures. They contributed to the victory of Baldwin and Lafontaine. But when that victory was achieved, the Upper Canadian Reformers found that a cause was operating to deprive them of its fruits,—"the French-Canadian members of the cabinet and their supporters in parliament, blocked the way." They not only prevented or delayed the measures which the Reformers desired, but they forced through parliament measures which antagonized Reform sentiment. "Although much less numerous than the people of Upper Canada, and contributing to the common purse hardly a fourth of the annual revenue of the United Provinces, the Lower Canadians sent an equal number of representatives with the Upper Canadians to parliament, and, by their unity of action, obtained complete dominancy in the management of public affairs." Unjust and injurious taxation, waste and extravagance, and great increases in the public debt followed. Seeking a remedy, the Upper Canadian Reformers demanded, first, representation by population, giving Upper
Canada its just influence in the legislature, and second, the entire separation of Church and State, placing all denominations on a like footing and leaving each to support its own religious establishments from the funds of its own people. They believed that these measures would remove from the public arena causes of strife and heartburning, and would bring about solid prosperity and internal peace. The battle was fought vigorously. "The most determined efforts were put forth for the final but just settlement of all those vexed questions by which religious sects were arrayed against each other. Clergymen were dragged as combatants into the political arena, religion was brought into contempt, and opportunity presented to our French-Canadian friends to rule us through our own dissensions." Clergy reserves, sectarian schools, the use of the public funds for sectarian purposes, were assailed. "On these and many similar questions, we were met by the French-Canadian phalanx in hostile array; our whole policy was denounced in language of the strongest character, and the men who upheld it were assailed as the basest of mankind. We, on our part, were not slow in returning blow for blow, and feelings were excited among the Catholics from Upper Canada that estranged the great bulk of them from our ranks." The agitation was carried on, however, until the grievances of which the Reformers complained were removed by the Act of Confederation. Under that Act the people of Ontario
THE FOE OF CLERICALISM

enjoy representation according to population; they have entire control over their own local affairs; and the last remnant of the sectarian warfare—the separate school question—was settled forever by a compromise that was accepted as final by all parties concerned.

In this letter Mr. Brown said that he was not seeking to cloak over past feuds or apologize for past occurrences. He gloried in the justice and soundness of the principles and measures for which he and his party had contended, and he was proud of the results of the conflict. He asked Catholics to read calmly the page of history he had unfolded. “Let them blaze away at George Brown afterwards as vigorously as they please, but let not their old feuds with him close their eyes to the interests of their country, and their own interests as a powerful section of the body politic.”

The censure applied to those who wantonly draw sectarian questions into politics, and set Catholic against Protestant, is just. But it does not attach to those who attack the privileges of any Church, and who, when the Church steps into the political arena, strike at it with political weapons. This was Brown’s position. He was the sworn foe of clericalism. He had no affinity with the demagogues and professional agitators who make a business of attacking the Roman Catholic Church, nor with those whose souls are filled with vague alarms of papal supremacy, and who believe stories of Catholics drilling
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in churches to fight their Protestant neighbours. He fought against real tyranny, for the removal of real grievances. When he believed that he had found in confederation the real remedy, he was satisfied, and he did not keep up an agitation merely for agitation's sake. It is not necessary to attempt to justify every word that may have been struck off in the heat of a great conflict. There was a battle to be fought; he fought with all the energy of his nature, and with the weapons that lay at hand. He would have shared Hotspur's contempt for the fop who vowed that "but for these vile guns he would himself have been a soldier."
CHAPTER XIII

MOVING TOWARDS CONFEDERATION

To whom is due the confederation of the British North American provinces is a long vexed question. The Hon. D'Arcy McGee, in his speech on confederation, gave credit to Mr. Uniacke, a leading politician of Nova Scotia, who in 1800 submitted a scheme of colonial union to the imperial authorities; to Chief-Justice Sewell, to Sir John Beverley Robinson, to Lord Durham, to Mr. P. S. Hamilton, a Nova Scotia writer, and to Mr. Alexander Morris, then member for South Lanark, who had advocated the project in a pamphlet entitled Nova Britannia. "But," he added, "whatever the private writer in his closet may have conceived, whatever even the individual statesman may have designed, so long as the public mind was uninterested in the adoption, even in the discussion of a change in our position so momentous as this, the union of these separate provinces, the individual laboured in vain—perhaps, not wholly in vain, for although his work may not have borne fruit then, it was kindling a fire that would ultimately light up the whole political horizon and herald the dawn of a better day for our country and our people. Events stronger than advocacy, events stronger
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than men, have come in at last like the fire behind the invisible writing, to bring out the truth of these writings and to impress them upon the mind of every thoughtful man who has considered the position and probable future of these scattered provinces.” Following Mr. McGee’s suggestion, let us try to deal with the question from the time that it ceased to be speculative and became practical, and especially to trace its development in the mind of one man.

In the later fifties Mr. Brown was pursuing a course which led almost with certainty to the goal of confederation. The people of Upper Canada were steadily coming over to his belief that they were suffering injustice under the union; that they paid more than their share of the taxes, and yet that Lower Canadian influence was dominant in legislation and in the formation of ministries. Brown’s tremendous agitation convinced them that the situation was intolerable. But it was long before the true remedy was perceived. The French-Canadians would not agree to Brown’s remedy of representation by population. Brown opposed as reactionary the proposal that the union should be dissolved. He desired not to go back to the day of small things—on the contrary, even at this early day, he was advocating the union of the western territories with Canada. Nor was he at first in favour of the federal principle. In 1853, in a formal statement of its programme, the Globe advocated uniform
LETTER TO HOLTON

legislation for the two provinces, and a Reform convention held at Toronto in 1857 recommended the same measure, together with representation by population and the addition of the North-West Territories to Canada.

In January, 1858, Brown wrote to his friend, Luther Holton, in a manner which showed an open mind: "No honest man can desire that we should remain as we are, and what other way out of our difficulties can be suggested but a general legislative union, with representation by population, a federal union, or a dissolution of the present union. I am sure that a dissolution cry would be as ruinous to any party as (in my opinion) it would be wrong. A federal union, it appears to me, cannot be entertained for Canada alone, but when agitated must include all British America. We will be past caring for politics when that measure is finally achieved. What powers should be given to the provincial legislatures, and what to the federal? Would you abolish county councils? And yet, if you did not, what would the local parliaments have to control? Would Montreal like to be put under the generous rule of the Quebec politicians? Our friends here are prepared to consider dispassionately any scheme that may issue from your party in Lower Canada. They all feel keenly that something must be done. Their plan is representation by population, and a fair trial for the present union in its integrity; failing this, they are prepared to go for dissolution, I
believe, but if you can suggest a federal or any other scheme that could be worked, it will have our most anxious examination. Can you sketch a plan of federation such as our friends below would agree to and could carry?"

Probably Dorion and other Lower Canadians had a part in converting Brown to federation. In 1856 Dorion had moved a resolution favouring the confederation of the two Canadas. In August, 1858, Brown and Dorion undertook to form a government pledged to the settlement of the question that had arisen between Upper and Lower Canada. Dorion says it was agreed by the Brown-Dorion government "that the constitutional question should be taken up and settled, either by a confederation of the two provinces, or by representation according to population, with such checks and guarantees as would secure the religious faith, the laws, the language, and the peculiar institutions of each section of the country from encroachments on the part of the other."

At the same time an effort in the same direction was made by the Conservative party. A. T. Galt, in the session of 1858, advocated the federal union of all the British North American provinces. He declared that unless a union were effected, the provinces would inevitably drift into the United States. He proposed that questions relating to education and likely to arouse religious dissension, ought to be left to the provinces. The resolutions moved by
Mr. Galt in 1858 gave him a high place among the promoters of confederation. Galt was asked by Sir Edmund Head to form an administration on the resignation of the Brown government. Galt refused, but when he subsequently entered the Cartier government it was on condition that the promotion of federal union should be embodied in the policy of the government. Cartier, Ross and Galt visited England in fulfilment of this promise, and described the serious difficulties that had arisen in Canada. The movement failed because the co-operation of the Maritime Provinces could not be obtained.

In the autumn of 1859 two important steps leading towards federation were taken. In October the Lower Canadian members of the Opposition met in Montreal and declared for a federal union of the Canadas. They went so far as to specify the subjects of federal and local jurisdiction, allowing to the central authority the customs tariff, the post-office, patents and copyrights, and the currency; and to the local legislatures education, the laws of property, the administration of justice, and the control of the militia. In September a meeting of the Liberal members of both Houses was held at Toronto, and a circular calling a convention of Upper Canadian Reformers was issued. It declared that "the financial and political evils of the provinces have reached such a point as to demand a thorough reconsideration of the relations between Upper and Lower Canada, and the adoption of constitutional changes"
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framed to remedy the great abuses that have arisen under the present system; that the nature of the changes had been discussed, but that it was felt that before coming to a conclusion "the whole Liberal party throughout Upper Canada should be consulted." The discussion would be free and unfettered. "Supporters of the Opposition advocating a written constitution or a dissolution of the union—or a federal union of all the British North American provinces—or a federal system for Canada alone—or any other plan calculated, in their opinion, to meet the existing evils—are all equally welcome to the convention. The one sole object is to discuss the whole subject with candour and without prejudice, that the best remedy may be found." Then came an account of the grievances for which a remedy was sought: "The position of Upper Canada at this moment is truly anomalous and alarming. With a population much more numerous than that of Lower Canada, and contributing to the general revenue a much larger share of taxation than the sister province, Upper Canada finds herself without power in the administration of the affairs of the union. With a constitution professedly based on the principle that the will of the majority should prevail, a minority of the people of Upper Canada, by combination with the Lower Canada majority, are enabled to rule the upper province in direct hostility to the popular will. Extravagant expenditures and hurtful legislative measures are forced on
us in defiance of the protests of large majorities of the representatives of the people; the most needful reforms are denied, and offices of honour and emolument are conferred on persons destitute of popular sympathy, and without qualification beyond that of unhesitating subserviency to the men who misgovern the country."

The convention of nearly six hundred delegates gave evidence of a genuine, popular movement for constitutional changes. Though it was composed of members of only one party, its discussions were of general interest, and were upon a high level of intelligence and public spirit. The convention was divided between dissolution and federal union. Federation first got the ear of the meeting. Free access to the sea by the St. Lawrence, free trade between Upper and Lower Canada, were urged as reasons for continuing the union. Oliver Mowat made a closely reasoned speech on the same side. Representation by population alone would not be accepted by Lower Canada. Dissolution was impracticable and could not, at best, be obtained without long agitation. Federation would give all the advantages of dissolution without its difficulties.

Mowat's speech was received with much favour, and the current had set strongly for federation when George Sheppard arose as the chief advocate of dissolution. Sheppard had been an editorial writer on the Colonist, had been attracted by Brown and his policy and had joined the staff of the Globe. His
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main argument was that the central government under federation would be a costly and elaborate affair, and would ultimately overshadow the governments of the provinces. There would be a central parliament, a viceroy with all the expense of a court. "A federal government without federal dignity would be all moonshine." There was an inherent tendency in central bodies to acquire increased power. In the United States a federal party had advocated a strong central government, and excuses were always being sought to add to its glory and influence. On the other side was a democratic party, championing State rights. "In Canada, too, we may expect to see federation followed by the rise of two parties, one fighting for a strong central government, the other, like Mr. Brown, contending for State rights, local control, and the limited authority of the central power." One of the arguments for federation was that it provided for bringing in the North-West Territory. That implied an expensive federal government for the purpose of organizing the new territory, building its roads, etc. "Is this federation," he asked, "proposed as a step towards nationality? If so, I am with you. Federation implies nationality. For colonial purposes only it would be a needless incumbrance."

This speech, with its accurate forecast of the growth of the central power, produced such an impression that the federalists amended their resolution, and proposed, instead of a general government,
BROWN'S SPEECH

"some joint authority" for federal purposes. This concession was made by William Macdougall, one of the secretaries and chief figures of the convention, who said that he had been much impressed by Sheppard’s eloquence and logic. The creation of a powerful, elaborate and expensive central government such as now exists did not form part of the plans of the Liberals either in Upper or Lower Canada at that time.

Brown, who spoke towards the close of the convention, declared that he had no morbid fear of dissolution of the union, but preferred the plan of federation, as giving Upper Canada the advantage of free trade with Lower Canada and the free navigation of the St. Lawrence. One of his most forcible passages was an answer to Sheppard’s question whether the federation was a step towards nationality. "I do place the question on grounds of nationality. I do hope there is not one Canadian in this assembly who does not look forward with high hope to the day when these northern countries shall stand out among the nations of the world as one great confederation. What true Canadian can witness the tide of emigration now commencing to flow into the vast territories of the North-West without longing to have a share in the first settlement of that great, fertile country? Who does not feel that to us rightfully belong the right and the duty of carrying the blessings of civilization throughout those boundless regions, and making
our own country the highway of traffic to the Pacific? But is it necessary that all this should be accomplished at once? Is it not true wisdom to commence federation with our own country, and leave it open to extension hereafter if time and experience shall prove it desirable? And shall we not then have better control over the terms of federation than if all were made parties to the original compact, and how can there be the slightest question with one who longs for such a nationality between dissolution and the scheme of the day? Is it not clear that the former would be the death blow to the hope of future union, while the latter will readily furnish the machinery for a great federation?"

The resolutions adopted by the convention declared that the legislative union, because of antagonisms developed through differences of origin, local interests, and other causes, could no longer be maintained; that the plan known as the "double majority" did not afford a permanent remedy; that a federal union of all the British North American colonies was out of the range of remedies for present evils; that the principle of representation by population must be recognized in any new union, and that "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 or sectional character,
and some joint authority charged with such matters as are necessarily common to both sections of the province."

The hopes that had been aroused by this convention were disappointed, or rather deferred. When Brown, in the following session of the legislature, brought forward resolutions in the sense of those adopted by the convention, he found coldness and dissension in his own party, and the resolutions were defeated by a large majority. Subsequently Mr. Brown had a long illness, retired from the leadership, and spent some time in England and Scotland. In his absence the movement for constitutional change was stayed. But "events stronger than advocacy," in Mr. McGee's words, were operating. Power oscillated between the Conservative and Reform parties, and two general elections, held within as many years, failed to solve the difficulty. When federation was next proposed, it had become a political necessity.
CHAPTER XIV

LAST YEARS OF THE UNION

In 1860, Mr. Brown contemplated retiring from the leadership of the party. In a letter to Mr. Mowat, he said that the enemies of reform were playing the game of exciting personal hostility against himself, and reviving feelings inspired by the fierce contests of the past. It might be well to appoint a leader who would arouse less personal hostility. A few months later he had a long and severe illness, which prevented him from taking his place in the legislature during the session of 1861 and from displaying his usual activity in the general election of the summer of that year. He did, however, accept the hard task of contesting East Toronto, where he was defeated by Mr. John Crawford by a majority of one hundred and ninety-one. Mr. Brown then announced that the defeat had opened up the way for his retirement without dishonour, and that he would not seek re-election. Some public advantages, he said, might flow from that decision. Those whose interest it was that misgovernment should continue, would no longer be able to make a scapegoat of George Brown. Admitting that he had used strong language in denouncing French domination, he justified his course
as the only remedy for the evil. In 1852 he could hardly find a seconder for his motion in favour of representation by population; in the election just closed, he claimed fifty-three members from Upper Canada, elected to stand or fall by that measure. He had fought a ten years' battle without faltering. He advocated opposition to any ministry of either party that would refuse to settle the question.

The Conservative government was defeated, in the session following the election, on a militia bill providing for the maintenance of a force of fifty thousand men at a cost of about one million dollars. The American Civil War was in progress; the Trent affair had assumed a threatening appearance and it was deemed necessary to place the province in a state of defence. The bill was defeated by the defection of some French-Canadian supporters of the government. The event caused much disappointment in England; and from this time forth, continual pressure from that quarter in regard to defence was one of the forces tending towards confederation.

John Sandfield Macdonald, who was somewhat unexpectedly called upon to form a ministry, was an enthusiastic advocate of the "double majority," by which he believed the union could be virtually federalized without formal constitutional change. Upper Canadian ministers were to transact Upper Canadian business, and so with Lower Canada, the administration, as a whole, managing affairs of common interest. Local legislation was not to be forced
on either province against the wish of the representatives. The administration for each section should possess the confidence of a majority of representatives from that section.

Brown strongly opposed the "double majority" plan, which he regarded as a mere makeshift for reform in the representation, and he was in some doubt whether he should support or oppose the Liberal ministers who offered for re-election. He finally decided, after consultation with his brother Gordon, "to permit them to go in unopposed, and hold them up to the mark under the stimulus of bit and spur."

In July 1862, Mr. Brown sailed for Great Britain, and in September he wrote Mr. Holton that he had had a most satisfactory interview with the Duke of Newcastle at the latter's request. They seem to have talked freely about Canadian politics. "His scruples about representation are entirely gone. It would have done even Sandfield [Macdonald] good to hear his ideas on the absurdity of the 'double majority.' Whatever small politicians and the London Times may say, you may depend upon this, that the government and the leaders of the Opposition perfectly understand our position, and have no thought of changing the relations between Canada and the mother country. On the contrary, the members of the government, with the exception of Gladstone, are set upon the Intercolonial Railway and a grand transit route across the continent." He remarked upon the bitterness of the British feeling against the
GEORGE BROWN

United States, and said that he was perplexed by the course of the London *Times* in pandering to the passions of the people.

The most important event of his visit to Scotland was yet to come. On November 27th he married Miss Anne Nelson, daughter of the well-known publisher, Thomas Nelson—a marriage which was the beginning of a most happy domestic life of eighteen years. This lady survived him until May, 1906. On his return to Canada with his bride, Mr. Brown was met at Toronto station by several thousand friends. In reply to a complimentary address, he said, "I have come back with strength invigorated, with new, and I trust, enlarged views, and with the most earnest desire to aid in advancing the prosperity and happiness of Canada."

It has been seen that the Macdonald-Sicotte government had shelved the question of representation by population and had committed itself to the device of the "double majority." During Mr. Brown's absence another movement, which he had strongly resisted, had been gaining ground. In 1860, 1861, and 1862, Mr. R. W. Scott, of Ottawa, had introduced legislation intended to strengthen the Roman Catholic separate school system of Upper Canada. In 1863, he succeeded, by accepting certain modifications, in obtaining the support of Dr. Ryerson, superintendent of education. Another important advantage was that his bill was adopted as a government measure by the Sandfield Macdonald ministry.
SEPARATE SCHOOL BILL

The bill became law in spite of the fact that it was opposed by a majority of the representatives from Upper Canada. This was in direct contravention of the "double majority" resolutions adopted by the legislature at the instance of the government. The premier had declared that there should be a truce to the agitation for representation by population or for other constitutional changes. That agitation had been based upon the complaint that legislation was being forced upon Upper Canada by Lower Canadian votes. The "double majority" resolutions had been proposed as a substitute for constitutional change. In the case of the Separate School Bill they were disregarded, and the premier was severely criticized for allowing his favourite principle to be contravened.

Mr. Brown had been absent in the sessions of 1861 and 1862, and he did not enter the House in 1863 until the Separate School Bill had passed its second reading. In the Globe, however, it was assailed vigorously, one ground being that the bill was not a finality, but that the Roman Catholic Church would continually make new demands and encroachments, until the public school system was destroyed. On this question of finality there was much controversy. Dr. Ryerson always insisted that there was an express agreement that it was to be final; on the Roman Catholic side this is denied. At confederation Brown accepted the Act of 1863 as a final settlement. He said that if he had been
present in 1863, he would have voted against the bill, because it extended the facility for establishing separate schools. "It had, however, this good feature, that it was accepted by the Roman Catholic authorities, and carried through parliament as a final compromise of the question in Upper Canada." He added: "I have not the slightest hesitation in accepting it as a necessary condition of the union."

With confederation, therefore, we may regard Brown's opposition to separate schools in Upper Canada as ended. In accepting the terms of confederation, he accepted the Separate School Act of 1863, though with the condition that it should be final, a condition repudiated on the Roman Catholic side.

The Sandfield Macdonald government was weakened by this incident, and it soon afterwards fell upon a general vote of want of confidence moved by Mr. John A. Macdonald. Parliament was dissolved and an election was held in the summer of 1863. The Macdonald-Dorion government obtained a majority in Upper but not in Lower Canada, and on the whole, its tenure of power was precarious in the extreme. Finally, in March, 1864, it resigned without waiting for a vote of want of confidence. Its successor, the Taché-Macdonald government, had a life of only three months, and its death marks the birth of a new era.
CHAPTER XV

CONFEDERATION

"EVENTS stronger than advocacy, events stronger than men," to repeat D'Arcy McGee's phrase, combined in 1864 to remove confederation from the field of speculation to the field of action. For several years the British government had been urging upon Canada the necessity for undertaking a greater share of her own defence. This view was expressed with disagreeable candour in the London Times and elsewhere on the occasion of the defeat of the Militia Bill of 1862. The American Civil War emphasized the necessity for measures of defence. At the time of the Trent seizure, Great Britain and the United States were on the verge of war, of which Canada would have been the battleground. As the war progressed, the world was astonished by the development of the military power of the republic. It seemed not improbable, at that time, that when the success of the North was assured, its great armies would be used for the subjugation of Canada. The North had come to regard Canada as a home of Southern sympathizers and a place in which conspiracies against the republic were hatched by Southerners. Though Canada was not to blame for the use that was made of its soil,
yet some ill-feeling was aroused, and public men were warranted in regarding the peril as real.

Canada was also about to lose a large part of its trade. For ten years that trade had been built up largely on the basis of reciprocity with the United States, and the war had largely increased the American demand for Canadian products. It was generally expected, and that expectation was fulfilled, that the treaty would be abrogated by the United States. It was feared that the policy of commercial non-intercourse would be carried even farther, the bonding system abolished, and Canada cut off from access to the seaboard during the winter.¹

If we add to these difficulties the domestic dissensions of Canada, we must recognize that the outlook was dark. Canada was then a fringe of settlement, extending from the Detroit River to the Gulf of St. Lawrence, having no independent access to the Atlantic except during the summer. She had been depending largely upon Great Britain for defence, and upon the United States for trade. She had received warning that both these supports were to be weakened, and that she must rely more on her own resources, find new channels of trade and new means of defence. The country lay in the midst of the continent, isolated from the west, iso-

¹ Sir Richard Cartwright says also that the credit of Canada was very low, largely because of the troubles of the Grand Trunk Railway Company. *Memories of Confederation*, p. 3.
lated in part from the east, with a powerful and not too friendly neighbour to the south. Upper and Lower Canada, with their racial differences as sharply defined as in the days of Lord Durham, regarded each other with distrust; one political combination after another had failed to obtain a working majority of the legislature, and domestic government was paralyzed. Such a combination of danger and difficulty, within and without, might well arouse alarm, rebuke faction and stimulate patriotism.

The election of 1863 was virtually a drawn battle. The Reformers had a large majority in Upper Canada, their opponents a like majority in Lower Canada, and thus not only the two parties, but the two provinces, were arrayed against each other. The Reform government, headed by Sandfield Macdonald and Dorion, found its position of weakness and humiliation intolerable, and resigned in March, 1864. The troubled governor-general called upon A. T. Fergusson Blair, a colleague of Sandfield Macdonald, to form a new administration. He failed. He called upon Cartier with a like result. He finally had a little better success with Sir E. P. Taché, a veteran who had been a colleague of Baldwin, of Hincks, and of Macdonald. Taché virtually restored the Cartier-Macdonald government, taking in Foley and McGee from the other side. In less than three months, on June 14th, this government was defeated, and on the very day of its defeat relief came. Letters
written by Brown to his family during the month preceding the crisis throw some light on the situation.

On May 13th he writes: "Things here are very unsatisfactory; no one sees his way out of the mess —and there is no way but my way—representation by population. There is great talk to-day of coalition—and what do you think? Why, that in order to make the coalition successful, the imperial government are to offer me the government of one of the British colonies. I have been gravely asked to-day by several if it is true, and whether I would accept. My reply was, I would rather be proprietor of the Globe newspaper for a few years than be governor-general of Canada, much less a trumpery little province. But I need hardly tell you, the thing has no foundation, beyond sounding what could be done to put me out of the way and let mischief go on. But we won't be bought at any price, shall we?" On May 18th he writes that he has brought on his motion for constitutional changes, and on May 20th that it has carried and taken Car- tier and Macdonald by surprise. "Much that is directly practical may not flow from the committee, but it is an enormous gain to have the acknowledg- ment on our journals that a great evil exists, and that some remedy must be found."

On June 14th Mr. Brown, as chairman of a com- mittee appointed to consider the difficulties con- nected with the government of Canada, brought in
DEAD-LOCK

a report recommending "a federative system, applied either to Canada alone, or to the whole British North American provinces." This was the day on which the Taché government was defeated. On the subject of the negotiations which followed between Mr. Brown and the government, there is a difference between the account given by Sir John Macdonald in the House, and accepted by all parties as official, and a letter written by Mr. Brown to a member of his family. The official account represents the first movement as coming from Mr. Brown, the letter says that the suggestion came from the governor-general. It would seem likely that the idea moved gradually from informal conversations to formal propositions. The governor had proposed a coalition on the defeat of the Macdonald-Dorion government, and he repeated the suggestion on the defeat of the Taché-Macdonald government; but his official memorandum contains no reference to constitutional changes. It would seem that there was a great deal of talk of coalition in the air before Brown made his proposals, and perhaps some talk of offering him an appointment that would remove him from public life. But the Conservative ministers were apparently thinking merely of a coalition that would break the dead-lock, and enable the ordinary business of the country to proceed. Brown's idea was to find a permanent remedy in the form of a change in the constitution. When he made his proposal to co-operate with his opponents for the
purpose of settling the difficulties between Upper and Lower Canada, his proposal fell upon minds familiarized with the idea of coalition, and hence its ready acceptance. On his part, Mr. Brown was ready to abate certain party advantages in order to bring about constitutional reform. Mr. Ferrier, in the debate on confederation, says that it was he who suggested that the proposal made by Mr. Brown to Mr. Pope and Mr. Morris should be communicated to the government. Ferrier gives a lively account of the current gossip as to the meeting between Brown and the ministers. “I think I can remember this being said, that when Mr. Galt met Mr. Brown he received him with that manly, open frankness which characterizes him; that when Mr. Cartier met Mr. Brown, he looked carefully to see that his two Rouge friends were not behind him, and that when he was satisfied they were not, he embraced him with open arms and swore eternal friendship; and that Mr. Macdonald, at a very quick glance, saw there was an opportunity of forming a great and powerful dependency of the British empire. . . . We all thought, in fact, that a political millennium had arrived.”

In a family letter written at this time Mr. Brown said: “June 18th, past one in the morning. We have had great times since I wrote you. On Tuesday we defeated the government by a majority of two. They asked the governor-general to dissolve parliament, and he consented; but before acting on
it, at the governor's suggestion, they applied to me to aid them in reconstructing the government, on the basis of settling the constitutional difficulties between Upper and Lower Canada. I refused to accept office, but agreed to help them earnestly and sincerely in the matter they proposed. Negotiations were thereupon commenced, and are still going on, with considerable hope of finding a satisfactory solution to our trouble. The facts were announced in the House to-day by John A. Macdonald, amid tremendous cheering from both sides of the House. You never saw such a scene; but you will have it all in the papers, so I need not repeat. Both sides are extremely urgent that I should accept a place in the government, if it were only for a week; but I will not do this unless it is absolutely needed to the success of the negotiations. A more agreeable proposal is that I should go to England to arrange the new constitution with the imperial government. But as the whole thing may fail, we will not count our chickens just yet."

Sir Richard Cartwright, then a young member of parliament, relates an incident illustrating the tension on men's minds at that time. He says: "On that memorable afternoon when Mr. Brown, not without emotion, made his statement to a hushed and expectant House, and declared that he was about to ally himself with Sir Georges Cartier and his friends for the purpose of carrying out confederation, I saw an excitable, elderly little
French member rush across the floor, climb up on Mr. Brown, who, as you remember, was of a stature approaching the gigantic, fling his arms about his neck and hang several seconds there suspended, to the visible consternation of Mr. Brown and to the infinite joy of all beholders, pit, box and gallery included."

The official account given by Mr. Macdonald in the House, is that immediately after the defeat of the government on Tuesday night (the 14th), and on the following morning, Mr. Brown spoke to several supporters of the administration, strongly urging that the present crisis should be utilized in settling forever the constitutional difficulties between Upper and Lower Canada, and assuring them that he was ready to co-operate with the existing or any other administration that would deal with the question promptly and firmly, with a view to its final settlement. Mr. Morris and Mr. Pope, to whom the suggestion was made, obtained leave to communicate it to Mr. John A. Macdonald and Mr. Galt. On June 17th Mr. Macdonald and Mr. Galt called upon Mr. Brown. In the conversation that ensued Mr. Brown expressed his extreme reluctance to entering the ministry, declaring that the public mind would be shocked by such an arrangement. The personal question being dropped for the time, Mr. Brown asked what remedy was proposed.

1 Memories of Confederation. An address delivered before the Canadian Club of Ottawa, January 20th, 1906.
CONFLICTING VIEWS

Mr. Macdonald and Mr. Galt replied that their remedy was a federal union of all the British North American provinces. Mr. Brown said that this would not be acceptable to Upper Canada. The federation of all the provinces ought to come and would come in time, but it had not yet been thoroughly considered by the people; and even were this otherwise, there were so many parties to be consulted that its adoption was uncertain and remote. He expressed his preference for parliamentary reform, based on population. On further discussion it appeared that a compromise might be found in an alternative plan, a federal union of all the British North American provinces or a federal union of Upper and Lower Canada, with provision for the admission of the Maritime Provinces and the North-West Territory when they desired. There was apparently a difference of opinion as to which alternative should be presented first. One memorandum reduced to writing gave the preference to the larger federation; the second and final memorandum contained this agreement: "The government are prepared to pledge themselves to bring in a measure next session for the purpose of removing existing difficulties by introducing the federal principle into Canada, coupled with such provisions as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of government. And the government will, by sending representatives to the Lower Provinces and to Eng-
land, use its best endeavours to secure the assent of those interests which are beyond the control of our own legislation to such a measure as may enable all British North America to be united under a general legislature based upon the federal principle."

It was Mr. Brown who insisted on this mode of presentation. At the convention of 1859 he had expressed in the strongest language his hope for the creation of a great Canadian nationality; and he had for years advocated the inclusion of the North-West Territories in a greater Canada. But he regarded the settlement of the difficulties of Upper and Lower Canada as the most pressing question of the hour, and he did not desire that the solution of this question should be delayed or imperilled. Galt's plan of federation, comprehensive and admirable as it was, had failed because the assent of the Maritime Provinces could not be secured; and for five years afterwards no progress had been made. It was natural that Brown should be anxiously desirous that the plan for the reform of the union of the Canadas should not fail, whatever else might happen.

On June 21st, Mr. Brown called a meeting of the members of the Opposition for Upper Canada. It was resolved, on motion of Mr. Hope Mackenzie, "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 the inclusion of the Maritime Provinces and the
THE GOVERNOR INTERVENES

North-West Territory, as one basis on which the constitutional difficulties now existing could be settled.” Thirty-four members voted for this motion, five declining to vote. A motion that three members of the Opposition should enter the government was not so generally supported, eleven members, including Alexander Mackenzie and Oliver Mowat, voting in the negative. The Lower Canadian Reformers held aloof, and in the subsequent debate in the legislature, strongly opposed confederation.

There were many evidences of the keen interest taken by the governor-general (Monk) in the negotiations. On June 21st he wrote to Mr. Brown: “I think the success or failure of the negotiations which have been going on for some days, with a view to the formation of a strong government on a broad basis, depends very much on your consenting to come into the cabinet.

“Under these circumstances I must again take the liberty of pressing upon you, by this note, my opinion of the grave responsibility which you will take upon yourself if you refuse to do so.

“Those who have hitherto opposed your views have consented to join with you in good faith for the purpose of extricating the province from what appears to me a very dangerous position.

“They have frankly offered to take up and endeavour to settle on principles satisfactory to all, the great constitutional question which you, by your energy and ability, have made your own.
"The details of that settlement must necessarily be the subject of grave debate in the cabinet, and I confess I cannot see how you are to take part in that discussion, or how your opinions can be brought to bear on the arrangement of the question, unless you occupy a place at the council table.

"I hope I may, without impropriety, ask you to take these opinions into consideration before you arrive at a final decision as to your own course."

Mr. Brown wrote home that he, in consenting to enter the cabinet, was influenced by the vote of the Reform members, by private letters from many quarters, and still more by the extreme urgency of the governor-general. "The thing that finally determined me was the fact, ascertained by Mowat and myself, that unless we went in the whole effort for constitutional changes would break down, and the enormous advantages gained by our negotiations probably be lost. Finally, at three o'clock yesterday, I consented to enter the cabinet as 'president of the council,' with other two seats in the cabinet at my disposal—one of which Mowat will take, and probably Macdougall the other. We consented with great reluctance, but there was no help for it; and it was such a temptation to have possibly the power of settling the sectional troubles of Canada forever. The announcement was made in the House yesterday, and the excitement all over the province is intense. I send you an official copy of the proceedings during the negotiations, from which you will
see the whole story. By next mail I intend to send you some extracts from the newspapers. The unanimity of sentiment is without example in this country, and were it not that I know at their exact value the worth of newspaper laudations, I might be puffed up a little in my own conceit. After the explanations by ministers I had to make a speech, but was so excited and nervous at the events of the last few days that I nearly broke down. However, after a little I got over it, and made (as Mowat alleges) the most telling speech I ever made. There was great cheering when I sat down, and many members from both sides crowded round me to congratulate me. In short, the whole movement is a grand success, and I really believe will have an immense influence on the future destinies of Canada.”

The formation of the coalition cabinet was announced on June 30th. Foley, Buchanan and Simpson, members of the Upper Canadian section of the Taché-Macdonald ministry, retired, and their places were taken by the Hon. George Brown, Oliver Mowat, and William Macdougall. Otherwise the ministry remained unchanged. Sir E. P. Taché, though a Conservative, was acceptable to both parties, and was well fitted to head a genuine coalition. But it must have been evident from the first that the character of a coalition would not be long maintained. The Reform party, which had just defeated the government in the legislature, was represented
by only three ministers out of twelve; and this, with Macdonald's skill in managing combinations of men, made it morally certain that the ministry must eventually become Conservative, just as happened in the case of the coalition of 1854. Brown had asked that the Reformers be represented by four ministers from Upper Canada and two from Lower Canada, which would, as nearly as possible, have corresponded with the strength of his party in the legislature. Galt and Macdonald represented that a change in the personnel of the Lower Canadian section of the cabinet would disturb the people and shake their confidence. The Lower Canadian Liberal leaders, Dorion and Holton, were adverse to the coalition scheme, regarding it as a mere device for enabling Macdonald and his friends to hold office.

Mowat and Brown were re-elected without difficulty, but Macdougall met with strong opposition in North Ontario. Brown, who was working hard in his interests, found this opposition so strong among Conservatives that he telegraphed to Macdonald, who sent a strong letter on behalf of Macdougall. Brown said that the opposition came chiefly from Orangemen. The result was that Macdougall, in spite of the assistance of the two leaders, was defeated by one hundred. He was subsequently elected for North Lanark. In other bye-elections the advocates of confederation were generally successful. In the confederation debate, Brown said there had
been twenty-five contests, fourteen for the Upper House and eleven for the Lower House, and that only one or two opponents of confederation had been elected.

There had been for some years an intermittent movement for the union of the Maritime Provinces, and in 1864 their legislatures had authorized the holding of a convention at Charlottetown. Accordingly eight members of the Canadian ministry visited Charlottetown, where they were cordially welcomed. They dwelt on the advantage of substituting the larger for the smaller plan of union, and the result of their representations was that arrangements were made for the holding of a general conference at Quebec later in the year. The Canadian ministers made a tour through the Maritime Provinces, speaking in public and familiarizing the people with the plan. At a banquet in Halifax, Mr. Brown gave a full exposition of the project and its advantages in regard to defence, commerce, national strength and dignity, adding that it would end the petty strifes of a small community, and elevate politics and politicians.

The scheme was destined to undergo a more severe ordeal in the Maritime Provinces than these festive gatherings. For the present, progress was rapid, and the maritime tour was followed by the conference at Quebec, which opened on October 10th, 1864.
THE FATHERS OF CONFEDERATION
1. Hewitt Barnard (1826-1893), Secretary.
3. E. Palmer (1809-1889), Prince Edward Island.
8. George Coles (1810-1875), Prince Edward Isl'd.
9. Ambrose Shea (1818- ), Newfoundland.
10. F. B. T. Carter (1819-1900), Newfoundland.
12. J. C. Chapais (1812-1885), Canada.
17. John A. Macdonald (1815-1891), Canada.
18. Georges Etienne Cartier (1814-1873), Canada.
19. Etienne Paschal Tache (1795-1865), Canada.
20. George Brown (1818-1880), Canada.
23. Peter Mitchell (1824-1899), New Brunswick.
24. Oliver Mowat (1820-1903), Canada.
25. J. Cockburn (1819-1883), Canada.
27. Charles Tupper (1821- ), Nova Scotia.
30. William McDougall (1822-1905), Canada.
31. Thomas D'Arcy McGee (1825-1868), Canada.
32. A. A. Macdonald (1829- ), Prince Edward Island.
33. J. McCully (1809-1877), Nova Scotia.
34. J. M. Johnson (1818-1868), New Brunswick.
CHAPTER XVI

THE QUEBEC CONFERENCE

The conference was held with closed doors, so as to encourage free discussion. Some fragmentary notes have been preserved. One impression derived from this and other records is that the public men of that day had been much impressed by the Civil War in the United States, by the apparent weakness of the central authority there, and by the dangers of State sovereignty. Emphasis was laid upon the monarchical element of the proposed constitution for Canada, and upon the fact that powers not expressly defined were to rest in the general, instead of the local, legislatures. In fact, Mr. Chandler, a representative of New Brunswick, complained that the proposed union was legislative, not federal, and reduced the local governments to the status of municipal corporations. In practice these residuary powers were not so formidable as they appeared; the defined powers of the local legislatures were highly important, and were fully maintained, if not enlarged, as a result of the resolute attitude of Ontario under the Mowat government. But the notion that Canada must avoid the dangers of State sovereignty is continually cropping up in the literature of confederation. Friends and
opponents of the new constitution made much of these mysterious residuary powers, and the Lower Canadian Liberals feared that they were being drawn into a union that would destroy the liberties and imperil the cherished institutions of the French-Canadian people.

Another point is the extraordinary amount of time and labour given to the constitution of the senate. "The conference proceedings," wrote Mr. Brown, "get along very well, considering we were very near broken up on the question of the distribution of members in the Upper Chamber of the federal legislature, but fortunately, we have this morning got the matter amicably compromised, after a loss of three days in discussing it." During the latter years of the union, the elective system had prevailed in Canada, and Mowat, Macdougall and others favoured continuing this practice, but were overruled. Brown joined Macdonald in supporting the nominative system. His reasons were given in his speech in the legislature in 1865. He believed that two elective chambers were incompatible with the British parliamentary system. The Upper Chamber, if elected, might claim equal power with the Lower, including power over money bills. It might amend money bills, might reject all legislation, and stop the machinery of government. With a Conservative majority in one House, and a Reform majority in the other, a dead-lock might occur. To the objection that the change from the
THE SENATE AND FINANCE

elective to the nominative system involved a diminution of the power of the people, Mr. Brown answered that the government of the day would be responsible for each appointment. It must be admitted that this responsibility is of little practical value, and that Mr. Brown fully shared in the delusions of his time as to the manner in which the senate would be constituted, and the part it would play in the government of the country.

A rupture was threatened also on the question of finance. A large number of local works which in Upper Canada were paid for by local municipal taxation, were in the Maritime Provinces provided out of the provincial revenues. The adjustment was a difficult matter, and finally it was found necessary for the financial representatives of the different provinces to withdraw, for the purpose of constructing a scheme.

On October 28th the conference was concluded, and its resolutions substantially form the constitution of Canada. On October 31st Brown wrote: "We got through our work at Quebec very well. The constitution is not exactly to my mind in all its details—but as a whole it is wonderful, really wonderful. When one thinks of all the fighting we have had for fifteen years, and finds the very men who fought us every inch, now going far beyond what we asked, I am amazed and sometimes alarmed lest it all go to pieces yet. We have yet to pass the ordeal of public opinion in the
GEORGE BROWN

several provinces, and sad, indeed, will it be if the measure is not adopted by acclamation in them all. For Upper Canada we may well rejoice on the day it becomes law. Nearly all our past difficulties are ended by it, whatever new ones may arise."

A journey made by the delegates through Canada after the draft was completed enabled Canadians to make the acquaintance of some men of mark in the Maritime Provinces, including Tilley, of New Brunswick, and Tupper, of Nova Scotia, and it evoked in Upper Canada warm expressions of public feeling in favour of the new union. It is estimated that eight thousand people met the delegates at the railway station in Toronto. At a dinner given in the Music Hall in that city, Mr. Brown explained the new constitution fully. He frankly confessed that he was a convert to the scheme of the Intercolonial Railway, for the reason that it was essential to the union between Canada and the Maritime Provinces. The canal system was to be extended, and as soon as the finances would permit communication was to be opened with the North-West Territory. "This was the first time," wrote Mr. Brown, "that the confederation scheme was really laid open to the public. No doubt —— was right in saying that the French-Canadians were restive about the scheme, but the feeling in favour of it is all but unanimous here, and I think there is a good chance of carrying it. At any rate, come what may, I can now get out of the affair and out
ENGLISH SENTIMENT

of public life with honour, for I have had placed on record a scheme that would bring to an end all the grievances of which Upper Canada has so long complained."

The British government gave its hearty blessing to the confederation, and the outlook was hopeful. In December, 1864, Mr. Brown sailed for England, for the purpose of obtaining the views of the British government. He wrote from London to Mr. Macdonald that the scheme had given prodigious satisfaction. "The ministry, the Conservatives and the Manchester men are all delighted with it, and everything Canadian has gone up in public estimation immensely. . . . Indeed, from all classes of people you hear nothing but high praise of 'Canadian statesmanship,' and loud anticipations of the great future before us. I am much concerned to observe, however, and I write it to you as a thing that must seriously be considered by all men taking a lead hereafter in Canadian public matters—that there is a manifest desire in almost every quarter, that ere long the British American colonies should shift for themselves, and in some quarters evident regret that we did not declare at once for independence. I am very sorry to observe this, but it arises, I hope, from the fear of invasion of Canada by the United States, and will soon pass away with the cause thatexcites it."
CHAPTER XVII

THE CONFEDERATION DEBATE

The parliament of Canada assembled on January 19th, 1865, to consider the resolutions of the Quebec conference. The first presentation of the reasons for confederation was made in the Upper Chamber by the premier, Sir E. P. Taché. He described the measure as essential to British connection, to the preservation of "our institutions, our laws, and even our remembrances of the past." If the opportunity were allowed to pass by unimproved, Canada would be forced into the American union by violence; or would be placed upon an inclined plane which would carry it there insensibly. Canada, during the winter, had no independent means of access to the sea, but was dependent on the favour of a neighbour which, in several ways, had shown a hostile spirit. The people of the Northern States had an exaggerated idea of Canadian sympathy with the South, and the consequences of this misapprehension were—first, the threatened abolition of the transit system; second, the discontinuance of reciprocity; third, a passport system, which was almost equivalent to a prohibition of intercourse. Union with the Maritime Provinces would give Canada continuous
and independent access to the Atlantic; and the Maritime Provinces would bring into the common stock their magnificent harbours, their coal mines, their great fishing and shipping industries. Then he recounted the difficulties that had occurred in the government of Canada, ending in dead-lock, and a condition "bordering on civil strife." He declared that Lower Canada had resisted representation by population under a legislative union, but that if a federal union were obtained, it would be tantamount to a separation of the provinces, and Lower Canada would thereby preserve its autonomy, together with all the institutions it held so dear. These were the main arguments for confederation, and in the speeches which followed on that side they were repeated, enforced, and illustrated in various ways.

In the assembly, Mr. John A. Macdonald, as attorney-general, gave a clear and concise description of the new constitution. He admitted that he had preferred a legislative union, but had recognized that such a union would not have been accepted either by Lower Canada or the Maritime Provinces. The union between Upper and Lower Canada, legislative in name, had been federal in fact, there being, by tacit consent and practice, a separate body of legislation for each part of the province. He described the new scheme of government as a happy combination of the strength of a legislative union with the freedom of a federal union, and with protection to local interests. The constitution of the
United States was "one of the most skilful works which human intelligence ever created; one of the most perfect organizations that ever governed a free people." Experience had shown that its main defect was the doctrine of State sovereignty. This blemish was avoided in the Canadian constitution by vesting all residuary powers in the central government and legislature. The Canadian system would also be distinguished from the American by the recognition of monarchy and of the principle of responsible government. The connection of Canada with Great Britain he regarded as tending towards a permanent alliance. "The colonies are now in a transition state. Gradually a different colonial system is being developed; and it will become year by year less a case of dependence on our part, and of overruling protection on the part of the mother country, and more a case of a hearty and cordial alliance. Instead of looking upon us as a merely dependent colony, England will have in us a friendly nation—a subordinate, but still a powerful people—to stand by her in North America, in peace or in war."

Brown spoke on the night of February 8th, his speech, occupying four hours and a half in delivery, showing the marks of careful preparation. He drew an illustration from the mighty struggle that had well-nigh rent the republic asunder, and was then within a few weeks of its close. "We are striving," he said, "to settle forever issues hardly less momentous than those that have rent the neighbouring
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republic and are now exposing it to all the horrors of civil war. Have we not then great cause for thankfulness that we have found a better way for the solution of our troubles? And should not every one of us endeavour to rise to the magnitude of the occasion, and earnestly seek to deal with this question to the end, in the same candid and conciliatory spirit in which, so far, it has been discussed?”

He warned the assembly that whatever else happened, the constitution of Canada would not remain unchanged. “Something must be done. We cannot stand still. We cannot go back to chronic, sectional hostility and discord—to a state of perpetual ministerial crisis. The events of the last eight months cannot be obliterated—the solemn admissions of men of all parties can never be erased. The claims of Upper Canada for justice must be met, and met now. Every one who raises his voice in hostility to this measure is bound to keep before him, when he speaks, all the perilous consequences of its rejection. No man who has a true regard for the well-being of Canada can give a vote against this scheme unless he is prepared to offer, in amendment, some better remedy for the evils and injustice that have so long threatened the peace of our country.”

In the first place, he said confederation would provide a complete remedy for the injustice of the system of parliamentary representation, by giving Upper Canada, in the House of Commons, the number of members to which it was entitled by
population. In the senate, the principle of representation by population would not be maintained, an equal number of senators being allotted to Ontario, to Quebec, and to the group of Maritime Provinces, without regard to population. Secondly, the plan would remedy the injustice of which Upper Canada had complained in regard to public expenditures. “No longer shall we have to complain that one section pays the cash while the other spends it; hereafter they who pay will spend, and they who spend more than they ought, will bear the brunt. If we look back on our doings of the last fifteen years, I think it will be acknowledged that the greatest jobs perpetrated were of a sectional character, that our fiercest contests were about local matters that stirred up sectional jealousies and indignation to their deepest depth.” Confederation would end sectional discord between Upper and Lower Canada. Questions that used to excite sectional hostility and jealousy were now removed from the common legislature to the legislatures of the provinces. No man need be debarred from a public career because his opinions, popular in his own province, were unpopular in another. Among the local questions that had disturbed the peace of the common legislature, he mentioned the construction of local works, the endowment of ecclesiastical institutions, the granting of money for sectarian purposes, and interference with school systems.

He advocated confederation because it would
convert a group of inconsiderable colonies into a powerful union of four million people, with a revenue of thirteen million dollars, a trade of one hundred and thirty-seven million five hundred thousand dollars, rich natural resources and important industries. Among these he dwelt at length on the shipping of the Maritime Provinces. These were the days of the wooden ship, and Mr. Brown claimed that federated Canada would be the third maritime power in the world. Confederation would give a new impetus to immigration and settlement. Communication with the west would be opened up, as soon as the state of the finances permitted. Negotiations had been carried on with the imperial government for the addition of the North-West Territories to Canada; and when those fertile plains were opened for settlement, there would be an immense addition to the products of Canada. The establishment of free trade between Canada and the Maritime Provinces would be some compensation for the loss of trade with the United States, should the reciprocity treaty be abrogated. It would enable the country to assume a larger share of the burden of defence. The time had come when the people of the United Kingdom would insist on a reconsideration of the military relations of Canada to the empire, and that demand was just. Union would facilitate common defence. "The Civil War in the neighbouring republic—the possibility of war between Great Britain and the United States; the
threatened repeal of the reciprocity treaty; the
threatened abolition of the American bonding sys-
tem for goods in transit to and from these prov-
inces; the unsettled position of the Hudson's Bay
Company; the changed feeling of England as to the
relations of Canada to the parent state; all combine
at this moment to arrest the earnest attention to the
gravity of the situation and unite us all in one vigoro-
ous effort to meet the emergency like men."

A strong speech against confederation was made
by Dorion, an old friend of Brown, a staunch Lib-
eral, and a representative French-Canadian. He
declared that he had seen no ground for changing
his opinion on two points—the substitution of an
Upper Chamber, nominated by the Crown, for an
elective body; and the construction of the Inter-
colonial Railway, which he, with other Liberals, had
always opposed. He had always admitted that re-
presentation by population was a just principle; and
in 1856 he had suggested, in the legislature, the
substitution of a federal for a legislative union
of the Canadas; or failing this, representation by
population, with such checks and guarantees as
would secure local rights and interests, and preserve
to Lower Canada its cherished institutions. When
the Brown-Dorion government was formed, he had
proposed a federation of the Canadas, but with the
distinct understanding that he would not attempt
to carry such a measure without the consent of a
majority of the people of Lower Canada. From the
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document issued by the Lower Canadian Liberals in 1859, he quoted a passage in which it was laid down that the powers given to the central government should be only those that were essential, and that the local powers should be as ample as possible. "All that belongs to matters of a purely local character, such as education, the administration of justice, the militia, the laws relating to property, police, etc., ought to be referred to the local governments, whose powers ought generally to extend to all subjects which would not be given to the general government." The vesting of residuary powers in the provinces was an important difference between this and the scheme of confederation; but the point most dwelt upon by Dorion was the inclusion of the Maritime Provinces, which he strongly opposed.

Dorion denied that the difficulty about representation was the source of the movement for confederation. He contended that the agitation for representation by population had died out, and that the real authors of confederation were the owners of the Grand Trunk Railway Company, who stood to gain by the construction of the Intercolonial. "The Taché-Macdonald government were defeated because the House condemned them for taking without authority one hundred thousand dollars out of the public chest for the Grand Trunk Railway, at a time when there had not been a party vote on representation by population for one or
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two sessions.” He declared that Macdonald had, in Brown’s committee of 1864, voted against confederation, and that he and his colleagues adopted the scheme simply to enable them to remain in office. Dorion also criticized adversely the change in the constitution of the Upper Chamber, from the elective to the nominative system. The Conservative instincts of Macdonald and Cartier, he said, led them to strengthen the power of the Crown at the expense of the people, and this constitution was a specimen of their handiwork. “With a governor-general appointed by the Crown; with local governors also appointed by the Crown; with legislative councils in the general legislature, and in all the provinces, nominated by the Crown, we shall have the most illiberal constitution ever heard of in any government where constitutional government prevails.”

He objected to the power vested in the governor-general-in-council to veto the acts of local legislatures. His expectation was that a minority in the local legislature might appeal to their party friends at Ottawa to veto laws which they disliked, and that thus there would be constant interference, agitation and strife between the central and the local authorities. He suspected that the intention was ultimately to change the federal union to a legislative union. The scheme of confederation was being carried without submission to the people. What would prevent the change from a federal to a legis-
lative union from being accomplished in a similar way? To this the people of Lower Canada would not submit. "A million of inhabitants may seem a small affair to the mind of a philosopher who sits down to write out a constitution. He may think it would be better that there should be but one religion, one language and one system of laws; and he goes to work to frame institutions that will bring all to that desirable state; but I can tell the honourable gentleman that the history of every country goes to show that not even by the power of the sword can such changes be accomplished."

With some exaggeration Mr. Dorion struck at real faults in the scheme of confederation. The contention that the plan ought to have been submitted to the people is difficult to meet except upon the plea of necessity, or the plea that the end justifies the means. There was assuredly no warrant for depriving the people of the power of electing the second chamber; and the new method, appointment by the government of the day, has been as unsatisfactory in practice as it was unsound in principle. The federal veto on provincial laws has not been used to the extent that Dorion feared. But when we consider how partisan considerations have governed appointments to the senate, we can scarcely say that there was no ground for the fear that the power of disallowance would be similarly abused. Nor can we say that Mr. Dorion was needlessly anxious about provincial rights, when

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we remember how persistently these have been attacked, and what strength, skill and resolution have been required to defend them.
A NEW turn was given to the debate early in March by the defeat of the New Brunswick government in a general election, which meant a defeat for confederation, and by the arrival of news of an important debate in the House of Lords on the defences of Canada. The situation suddenly became critical. That part of the confederation scheme which related to the Maritime Provinces was in grave danger of failure. At the same time the long-standing controversy between the imperial and colonial authorities as to the defence of Canada had come to a head. The two subjects were intimately connected. The British government had been led to believe that if confederation were accomplished, the defensive power of Canada would be much increased, and the new union would be ready to assume larger obligations. From this time the tone of the debate is entirely changed. It ceases to be a philosophic deliberation of the merits of the new scheme. A note of urgency and anxiety is found in the ministerial speeches; the previous question is moved, and the proceedings hurried to a close, amid angry protests from the Opposition.

Mr. Brown wrote on March 5th: "We are going
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to have a great scene in the House to-day. . . The
government of New Brunswick appealed to the
people on confederation by a general election, and
have got beaten. This puts a serious obstacle in the
way of our scheme, and we mean to act promptly
and decidedly upon it. At three o’clock we are to
announce the necessity of carrying the resolutions
at once, sending home a deputation to England,
and proroguing parliament without any unneces-
sary delay—say in a week.”

The announcement was made to the House by
Attorney-General Macdonald, who laid much stress
on the disappointment that would be occasioned
in England by the abandonment of a scheme by
which Canadian colonies should cease to be a source
of embarrassment, and become a source of strength.
The question of confederation was intimately con-
nected with the question of defence, and that was
a question of the most imminent necessity. The
provincial government had been in continued cor-
respondence with the home government as to de-
fence “against every hostile pressure, from whatever
source it may come.”

A lively debate ensued. John Sandfield Mac-
donald said that the defeat of the New Brunswick
government meant the defeat of the larger scheme of
confederation, unless it was intended that the people
should be bribed into acquiescence or bullied into
submission. “The Hon. Mr. Tilley and his follow-
ers are routed, horse and foot, by the honest people
THE GOVERNMENT'S INTENTIONS

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, without seeking to obtain the sanction of the people.” Later on he charged the ministers with the intention of manufacturing an entirely new bill, obtaining the sanction of the British government, and forcing it on the Canadian people, as was done in 1840.

This charge was hotly resented by Brown, and it drew from John A. Macdonald a more explicit statement of the intentions of the government. They would, if the legislature adopted the confederation resolutions, proceed to England, inform the imperial government of what had passed in Canada and New Brunswick, and take counsel with that government as to the affairs of Canada, especially in regard to defence and the reciprocity treaty. The legislature would then be called together again forthwith, the report of the conferences in England submitted, and the business relating to confederation completed.

On the following day Macdonald made another announcement, referring to a debate in the House of Lords on February 20th, which he regarded as of the utmost importance. A report made by a Colonel Jervois on the defences of Canada had been published, and the publication, exposing
the extreme weakness of Canada, was regarded as an official indiscretion. It asserted that under the arrangements then existing British and Canadian forces together could not defend the colony. Lord Lyveden brought the question up in the House of Lords, and dwelt upon the gravity of the situation created by the defencelessness of Canada and by the hostility of the United States. He held that Great Britain must do one of two things: withdraw her troops and abandon the country altogether, or defend it with the full power of the empire. It was folly to send troops out in dribblets, and spend money in the same way. The Earl de Grey and Ripon, replying for the government, said that Jervois' report contained nothing that was not previously known about the weakness of Canada. He explained the proposed arrangement by which the imperial government was to fortify Quebec at a cost of two hundred thousand pounds, and Canada would undertake the defence of Montreal and the West.¹

Commenting on a report of this discussion, Mr. Macdonald said there had been negotiations between the two governments, and that he hoped these would result in full provision for the defence of Canada, both east and west. It was of the utmost importance that Canada should be represented

¹ Hansard, House of Lords, February 20th, 1865. See also a long and important debate in the British House of Commons, March 13th, 1865.
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in England at this juncture. In order to expedite the debate by shutting out amendments, he moved the previous question.

Macdonald's motion provoked charges of burking free discussion, and counter-charges of obstruction, want of patriotism and inclinations towards annexation. The debate lost its academic calm and became acrimonious. Holton's motion for an adjournment, for the purpose of obtaining further information as to the scheme, was ruled out of order. The same fate befell Dorion's motion for an adjournment of the debate and an appeal to the people, on the ground that it involved fundamental changes in the political institutions and political relations of the province; changes not contemplated at the last general election.

On March 12th the main motion adopting the resolutions of the Quebec conference was carried by ninety-one to thirty-three. On the following day an amendment similar to Dorion's, for an appeal to the people, was moved by the Hon. John Hillyard Cameron, of Peel, seconded by Matthew Crooks Cameron, of North Ontario. Undoubtedly the argument for submission to the people was strong, and was hardly met by Brown's vigorous speech in reply. But the overwhelming opinion of the House was against delay, and on March 13th the discussion came to an end.

The prospects for the inclusion of the Maritime Provinces were now poor. Newfoundland and
Prince Edward Island withdrew. A strong feeling against confederation was arising in Nova Scotia, and it was proposed there to return to the original idea of a separate maritime union. It was decided to ask the aid of the British government in overcoming the hesitation of the Maritime Provinces. The British authorities were pressing Canada to assume increased obligations as to defence. Defence depended on confederation, and England, by exercising some friendly pressure on New Brunswick, might promote both objects.

The committee appointed to confer with the British government was composed of Macdonald, Brown, Cartier and Galt. They met in England a committee of the imperial cabinet, Gladstone, Cardwell, the Duke of Somerset and Earl de Grey and Ripon. An agreement was arrived at as to defence. Canada would undertake works of defence at and west of Montreal, and maintain a certain militia force; Great Britain would complete fortifications at Quebec, provide the whole armament and guarantee a loan for the sum necessary to construct the works undertaken by Canada, and in case of war would defend every portion of Canada with all the resources of the empire. An agreement was made as to the acquisition of the Hudson Bay Territory by Canada, and as to the influence to be brought to bear on the Maritime Provinces. "The idea of coercing the Maritime Provinces into the measure was never for a moment entertained."
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end sought was to impress upon them the grave responsibility of thwarting a measure so pregnant with future prosperity to British America.

In spite of the mild language used in regard to New Brunswick, the fact that its consent was a vital part of the whole scheme must have been an incentive to heroic measures, and these were taken.

One of the causes of the defeat of the confederation government of New Brunswick had been the active hostility of the lieutenant-governor, Mr. Arthur Hamilton Gordon, son of the Earl of Aberdeen. He was strongly opposed to the change, and is believed to have gone to the limit of his authority in aiding and encouraging its opponents in the election of 1865. Soon afterwards he visited England, and it is believed that he was sent for by the home authorities and was taken to task for his conduct, and instructed to assist in carrying out confederation. A despatch from Cardwell, secretary of state for the colonies, to Governor Gordon, expressed the strong and deliberate opinion of Her Majesty's government in favour of a union of all the North American colonies.¹

The governor carried out his instructions with the zeal of a convert, showed the despatch to the head of his government, set about converting him also, and believed he had been partly successful. The substance of the despatch was inserted in the

¹ Journals Canada, 1865, 2nd Session, pp. 8-15.
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speech from the throne, when the legislature met on March 8th, 1866. The legislative council adopted an address asking for imperial legislation to unite the British North American colonies. The governor, without waiting for the action of the assembly, made a reply to the council, expressing pleasure at their address, and declaring that he would transmit it to the secretary of state for the colonies. Thereupon the Smith ministry resigned, contending that they ought to have been consulted about the reply, that the council, not having been elected by the people, had no authority to ask the imperial parliament to pass a measure which the people of New Brunswick had expressly rejected at the polls. A protest in similar terms might have been made in the legislative assembly, but the opportunity was not given. A government favourable to confederation was formed under Peter Mitchell, with Tilley as his chief lieutenant, and the legislature was dissolved.

A threatened Fenian invasion helped to turn the tide of public opinion, and the confederate ministry was returned with a large majority. That result, however desirable, did not sanctify the means taken to bring about a verdict for confederation, which could hardly have been more arbitrary.
CHAPTER XIX
BROWN LEAVES THE COALITION

THE series of events which gradually drew Mr. Brown out of the coalition began with the death of Sir Etienne P. Taché on July 30th, 1865. By his age, his long experience, and a certain mild benignity of disposition, Taché was admirably fitted to be the dean of the coalition and the arbiter between its elements. He had served in Reform and Conservative governments, but without incurring the reproach of overweening love of office. With his departure that of Brown became only a matter of time. To work with Macdonald as an equal was a sufficiently disagreeable duty; to work under him, considering the personal relations of the two men, would have been humiliating. Putting aside the question of where the blame for the long-standing feud lay, it was inevitable that the association should be temporary and brief. On August 3rd the governor-general asked Mr. Macdonald to form an administration. Mr. Macdonald consented, obtained the assent of Mr. Cartier and consulted Mr. Brown. I quote from an authorized memorandum of the conversation. "Mr. Brown replied that he was quite prepared to enter into arrangements for the continuance of the government in the same position
as it occupied previous to the death of Sir Etienne P. Taché; but that the proposal now made involved a grave departure from that position. The government, heretofore, had been a coalition of three political parties, each represented by an active party leader, but all acting under one chief, who had ceased to be actuated by strong party feelings or personal ambitions, and who was well fitted to give confidence to all the three sections of the coalition that the conditions which united them would be carried out in good faith to the very letter. Mr. Macdonald, Mr. Cartier and himself [Mr. Brown] were, on the contrary, regarded as party leaders, with party feelings and aspirations, and to place any one of them in an attitude of superiority to the others, with the vast advantage of the premiership, would, in the public mind, lessen the security of good faith, and seriously endanger the existence of the coalition. It would be an entire change of the situation. Whichever of the three was so preferred, the act would amount to an abandonment of the coalition basis, and a reconstruction of the government on party lines under a party leader.” When the coalition was formed, the Liberals were in a majority in the legislature; for reasons of State they had relinquished their party advantage, and a government was formed in which the Conservatives had nine members and the Liberals three. In what light would the Liberal party regard this new proposition? Mr. Brown suggested that an invitation
be extended to some gentleman of good position in the legislative council, under whom all parties could act with confidence, as successor to Colonel Taché. So far as to the party. Speaking, however, for himself alone, Mr. Brown said he occupied the same position as in 1864. He stood prepared to give outside the ministry a frank and earnest support to any ministry that might be formed for the purpose of carrying out confederation.

Mr. Macdonald replied that he had no personal feeling as to the premiership, and would readily stand aside; and he suggested the name of Mr. Cartier, as leader of the French-Canadians. Mr. Brown said that it would be necessary for him to consult with his political friends. Sir Narcisse F. Belleau, a member of the executive council, was then proposed by Mr. Macdonald, and accepted by Mr. Brown, on condition that the policy of confederation should be stated in precise terms. Sir Narcisse Belleau became nominal prime minister of Canada, and the difficulty was tided over for a few months.

The arrangement, however, was a mere makeshift. The objections set forth by Brown to Macdonald's assuming the title of leader applied with equal force to his assuming the leadership in fact, as he necessarily did under Sir Narcisse Belleau; the discussion over this point, though couched in language of diplomatic courtesy, must have irritated both parties, and their relations grew steadily worse.
The immediate and assigned cause of the rupture was a disagreement in regard to negotiations for the renewal of the reciprocity treaty. It is admitted that it was only in part the real cause, and would not have severed the relations between men who were personally and politically in sympathy.

Mr. Brown had taken a deep interest in the subject of reciprocity. In 1863 he was in communication with John Sandfield Macdonald, then premier of Canada, and Luther Holton, minister of finance. He dwelt on the importance of opening communication with the American government during the administration of Lincoln, whom he regarded as favourable to the renewal of the treaty. Seward, Lincoln's secretary of state, suggested that Canada should have an agent at Washington, with whom he and Lord Lyons, the British ambassador, could confer on Canadian matters. The premier asked Brown to go, saying that all his colleagues were agreed upon his eminent fitness for the mission. Brown declined the mission, contending that Mr. Holton, besides being fully qualified, was, by virtue of his official position as minister of finance, the proper person to represent Canada. He kept urging the importance of taking action early, before the American movement against the renewal of the treaty could gather headway. But neither the Macdonald-Sicotte government nor its successor lived long enough to take action, and the opportunity was lost. The coalition government was fully em-
ployed with other matters during 1864, and it was not until the spring of 1865 that the matter of reciprocity was taken up. In the summer of that year the imperial government authorized the formation of a confederate council on reciprocity, consisting of representation from Canada and the other North American colonies, and presided over by the governor-general. Brown and Galt were the representatives of Canada on the council.

Mr. Brown was in the Maritime Provinces in November, 1865, on government business. On his return to Toronto he was surprised to read in American papers a statement that Mr. Galt and Mr. Howland were negotiating with the Committee of Ways and Means at Washington. Explanations were given by Galt at a meeting of the cabinet at Ottawa on December 17th. Seward had told him that the treaty could not be renewed, but that something might be done by reciprocal legislation. After some demur, Mr. Galt went on to discuss the matter on that basis. He suggested the free exchange of natural products, and a designated list of manufactures. The customs duties on foreign goods were to be assimilated as far as possible. Inland waters and canals might be used in common, and maintained at the joint expense of the two countries. Mr. Galt followed up his narrative by proposing that a minute of council be adopted, ratifying what he had done, and authorizing him to proceed to Washington and continue the negotiations.
The discussion that followed lasted several days. Mr. Brown objected strongly to the proceeding. He declared that “Mr. Galt had flung at the heads of the Americans every concession that we had in our power to make, and some that we certainly could not make, so that our case was foreclosed before the commission was opened.” He objected still more strongly to the plan of reciprocal legislation, which would keep the people of Canada “dangling from year to year on the legislation of the American congress, looking to Washington instead of to Ottawa as the controller of their commerce and prosperity.” The scheme was admirably designed by the Americans to promote annexation. Before each congress the United States press would contain articles threatening ruin to Canadian trade. The Maritime Provinces would take offence at being ignored, and confederation as well as reciprocity might be lost. His own proposal was to treat Mr. Galt’s proceedings at Washington as unofficial, call the confederate council, and begin anew to “make a dead set to have this reciprocal legislation idea upset before proceeding with the discussion.”

Galt at length suggested a compromise. His proceedings at Washington were to be treated as unofficial, and no order-in-council passed. Galt and Howland were to be sent to Washington to obtain a treaty if possible, and if not to learn what terms could be arranged, and report to the government.

Brown regarded this motion as intended to re-
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move him from the confederate council, and substitute Mr. Howland, and said so; but he declared that he would accept the compromise nevertheless. It appeared, however, that there had been a misunderstanding as to the recording of a minute of the proceedings. The first minute was withdrawn; but as Mr. Brown considered that the second minute still sanctioned the idea of reciprocal legislation, he refused to sign it, and decided to place his resignation in the hands of the premier, and to wait upon the governor-general. After hearing the explanation, His Excellency said: "Then, Mr. Brown, I am called upon to decide between your policy and that of the other members of the government?" Mr. Brown replied, "Yes, sir, and if I am allowed to give advice in the matter, I should say that the government ought to be sustained, though the decision is against myself. I consider the great question of confederation as of far greater consequence to the country than reciprocity negotiations. My resignation may aid in preventing their policy on the reciprocity question from being carried out, or at least call forth a full expression of opinion on the subject, and the government should be sustained, if wrong in this, for the sake of confederation."

The debate in council had occupied several days, and had evidently aroused strong feelings. Undoubtedly Mr. Brown's decision was affected by the affront that he considered had been put upon him by virtually removing him from the confederate
council and sending Mr. Howland instead of himself to Washington as the colleague of Mr. Galt. He disapproved on public grounds of the policy of the government, and he resented the manner in which he had been ignored throughout the transaction. On the day after the rupture Mr. Cartier wrote Mr. Brown asking him whether he could reconsider his resignation. Mr. Brown replied, "I have received your kind note, and think it right to state frankly at once that the step I have taken cannot be revoked. The interests involved are too great. I think a very great blunder has been committed in a matter involving the most important interests of the country, and that the order-in-council you have passed endorses that blunder and authorizes persistence in it. . . . I confess I was much annoyed at the personal affront offered me, but that feeling has passed away in view of the serious character of the matter at issue, which casts all personal feeling aside."

If it were necessary to seek for justification of Mr. Brown's action in leaving the ministry at this time, it might be found either in his disagreement with the government on the question of policy, or in the treatment accorded to him by his colleagues. Sandfield Macdonald and his colleagues had on a former occasion recognized Mr. Brown's eminent fitness to represent Canada in the negotiations at Washington, not only because of his thorough acquaintance with the subject, but because of his
steadily maintained attitude of friendship for the North. He was a member of the confederate council on reciprocity. His position in the ministry was not that of a subordinate, but of the representative of a powerful party. In resenting the manner in which his position was ignored, he does not seem to have exceeded the bounds of proper self-assertion. However, this controversy assumes less importance if it is recognized that the rupture was inevitable. The precise time or occasion is of less importance than the force which was always and under all circumstances operating to draw Mr. Brown away from an association injurious to himself and to Liberalism, in its broad sense as well as in its party sense, and to his influence as a public man. This had better be considered in another place.
CHAPTER XX

CONFEDERATION AND THE PARTIES

We are to consider now the long-vexed question of the connection of Mr. Brown with the coalition of 1864. Ought he to have entered the coalition government? Having entered it, was he justified in leaving it in 1865? Holton and Dorion told him that by his action in 1864, he had sacrificed his own party interests to those of John A. Macdonald; that Macdonald was in serious political difficulty, and had been defeated in the legislature; that he seized upon Brown's suggestion merely as a means of keeping himself in office; that for the sake of office he accepted the idea of confederation, after having voted against it in Brown's committee. A most wise and faithful friend, Alexander Mackenzie, thought that Reformers should accept no representation in the cabinet, but that they should give confederation an outside support. That Macdonald and his party were immensely benefitted by Brown's action, there can be no doubt. For several years they had either been in Opposition, or in office under a most precarious tenure, depending entirely upon a majority from Lower Canada. By Brown's action they were suddenly invested with an overwhelming majority, and
they had an interrupted lease of power for the nine years between the coalition and the Pacific Scandal. Admitting that the interest of the country warranted this sacrifice of the interests of the Liberal party, we have still to consider whether it was wise for Mr. Brown to enter the ministry, and especially to enter it on the conditions that existed. The Lower Canadian Liberals were not represented, partly because Dorion and Holton held back, and partly because of the prejudice of Taché and Cartier against the Rouges; and this exclusion was a serious defect in a ministry supposed to be formed on a broad and patriotic basis. The result was, that while the Liberals were in a majority in the legislature, they had only three representatives in a ministry of twelve. Such a government, with its dominant Conservative section led by a master in the handling of political combinations, was bound to lose its character of a coalition, and become Conservative out and out.

A broader question is involved than that of the mere party advantage obtained by Macdonald and his party in the retention of power and patronage. There was grave danger to the essential principles of Liberalism, of which Brown was the appointed guardian. Holton put this in a remarkable way during the debate on confederation. It was at the time when Macdonald had moved the previous question, when the coalition government was hurrying the debate to a conclusion, in the face of in-
HOLTON'S APPEAL
dignant protests and demands that the scheme should be submitted to the people. Holton told Brown that he had destroyed the Liberal party. Henceforth its members would be known as those who once ranged themselves together, in Upper and Lower Canada, under the Liberal banner. Then followed this remarkable appeal to his old friend:

"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 honourable member for South Oxford in Toronto in the session of 1856 or 1857, in which he described the path of the attorney-general [Macdonald] as studded all along by the gravestones of his slaughtered colleagues. Well, there are not wanting those who think they can descry, in the not very remote distance, a yawning grave waiting for the noblest victim of them all. And I very much fear that unless the honourable 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, the noblest victim of them all, to the arts, if not the arms of the fell destroyer."
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There was a little humorous exaggeration in the personal references to Macdonald, for Holton and he were on friendly terms. But there was also matter for serious thought in his words. Though Macdonald had outgrown the fossil Toryism that opposed responsible government, he was essentially Conservative; and there was something not democratic in his habit of dealing with individuals rather than with people in the mass, and of accomplishing his ends by private letters and interviews, and by other forms of personal influence, rather than by the public advocacy of causes. Association with him was injurious to men of essentially Liberal and democratic tendencies, and subordination was fatal, if not to their usefulness, at least to their Liberal ideals. Macdougall and Howland remained in the ministry until confederation was achieved, and found reasons for remaining there afterwards. At the Reform convention of 1867, when the relation of the Liberal party to the so-called coalition was considered, they defended their position with skill and force, but the association of one with Macdonald was very brief, and of the other very unhappy. Mr. Howland was not a very keen politician, and a year after confederation was accomplished he accepted the position of lieutenant-governor of Ontario. Mr. Macdougall had an unsatisfactory career as a minister, with an unhappy termination. He was clearly out of his element. Mr. Tilley was described as a Liberal, but there
JOSEPH HOWE

was nothing to distinguish him from his Conservative colleagues in his methods or his utterances, and he became the champion of the essentially Conservative policy of protection.

But the most notable example of the truth of Holton's words and the soundness of his advice was Joseph Howe. Howe was in Nova Scotia "the foremost defender of the rights of people, the foremost champion of the privileges of free parliaments." He had opposed the inclusion of Nova Scotia on the solid ground that it was accomplished by arbitrary means. At length he bowed to the inevitable. In ceasing to encourage a useless and dangerous agitation he stood on patriotic ground. But in an evil hour he was persuaded to seal his submission by joining the Macdonald government, and thenceforth his influence was at an end. His biographer says that Howe's four years in Sir John Macdonald's cabinet are the least glorious of his whole career. "Howe had been accustomed all his life to lead and control events. He found himself a member of a government of which Sir John Macdonald was the supreme head, and of a cast of mind totally different from his own. Sir John Macdonald was a shrewd political manager, an opportunist whose unfailing judgment led him unerringly to pursue the course most likely to succeed each hour, each day, each year. Howe had the genius of a bold Reformer, a courageous and creative type of mind, who thought in continents,
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dreamed dreams and conceived great ideas. Sir John Macdonald busied himself with what concerned the immediate interests of the hour in which he was then living, and yet Sir John Macdonald was a leader who permitted no insubordination. Sir Georges Cartier, a man not to be named in the same breath with Howe as a statesman, was, nevertheless, a thousand times of more moment and concern with his band of Bleu followers in the House of Commons, than a dozen Howes, and the consequence is that we find for four years the great old man playing second fiddle to his inferiors, and cutting a far from heroic figure in the arena. What Holton said by way of warning to Brown was realized in the case of Howe. He was "the noblest victim of them all."

From the point of view of Liberalism and of his influence as a public man, Brown did not leave the ministry a moment too soon; and there is much to be said in favour of Mackenzie’s view that he ought to have refused to enter the coalition at all, and confined himself to giving his general support to confederation. By this means he would not have been responsible for the methods by which the new constitution was brought into effect, methods that were in many respects repugnant to those essential principles of Liberalism of which Brown had been one of the foremost champions. At almost every stage in the proceedings there was a violation

1 Longley’s Joseph Howe, “Makers of Canada” series, pp. 228, 229.
of those rights of self-government which had been so hardly won by Canada, Nova Scotia and New Brunswick. The Quebec conference was a meeting of persons whose authority, so far as it was derived from the people, was to govern the provinces under their established constitutions, not to make a new constitution. Its deliberations were secret. It proceeded, without a mandate from the people, to create a new governing body, whose powers were obtained at the expense of those of the provinces. With the same lack of popular authority, it declared that the provinces should have only those powers which were expressly designated, and that the reserve of power should be in the central governing body. Had this body been created for the Canadas alone, this proceeding might have been justified, for they were already joined in a legislative union, though by practice and consent some features of federalism prevailed. But Nova Scotia and New Brunswick were separate, self-governing communities, and it was for them, not for the Quebec conference, to say what powers they would grant and what powers they would retain. Again the people of Canada had declared that the second chamber should be elected, not appointed by the Crown. The Quebec conference, without consulting the people of Canada, reverted to the discarded system of nomination, and added the senate to the vast body of patronage at the disposal of the federal government. The constitu-
tion adopted by this body was not, except in the case of New Brunswick, submitted to the people, and it can hardly be said that it was freely debated in the parliament of Canada, for it was declared that it was in the nature of a treaty, and must be accepted or rejected as a whole. In the midst of this debate the people of New Brunswick passed upon the scheme in a general election, and condemned it in the most decisive and explicit way. The British government was then induced to bring pressure to bear upon the province; and while it was contended that this pressure was only in the form of friendly advice it was otherwise interpreted by the governor, who strained his powers to compel the ministry to act in direct contravention of its mandate from the people, and when it resisted, forced it out of office. It is true that in a subsequent election this decision was reversed; but that is not a justification for the means adopted to bring about this result. It is no exaggeration to say that Nova Scotia was forced into the union against the express desire of a large majority of its people. There are arguments by which these proceedings may be defended, but they are not arguments that lie in the mouth of a Liberal. And if we say that the confederation, in spite of these taints in its origin, has worked well and has solved the difficulties of Canada, we use an argument which might justify the forcible annexation of a country by a powerful neighbour.
DANGERS OF CENTRALIZATION

Again, there was much force in Dorion’s contention that the new constitution was an illiberal constitution, increasing those powers of the executive which were already too large. To the inordinate strength of the executive, under the delusive name of the Crown, may be traced many of the worst evils of Canadian politics: the abuse of the prerogative of dissolution, the delay in holding bye-elections, the gerrymandering of the constituencies by a parliament registering the decree of a government. To these powers of the government the Confederation Act added that of filling one branch of the legislature with its own nominees. By the power of disallowance, by the equivocal language used in regard to education, and in regard to the creation of new provinces, pretexts were furnished for federal interference in local affairs. But for the resolute opposition of Mowat and his colleagues, the subordination of the provinces to the central authority would have gone very far towards realizing Macdonald’s ideal of a legislative union; and recent events have shown that the danger of centralization is by no means at an end.

It was a true, liberal and patriotic impulse that induced Brown to offer his aid in breaking the dead-lock of 1864. He desired that Upper Canada should be fairly represented in parliament, and should have freedom to manage its local affairs. He desired that the Maritime Provinces and the North-West should, in the course of time, be
brought in on similar terms of freedom. But by joining the coalition he became a participant in a different course of procedure; and if we give him a large, perhaps the largest share, of the credit for the ultimate benefits of confederation, we cannot divest him of responsibility for the methods by which it was brought about, so long, at least, as he remained a member of the government.

In the year and a half that elapsed between his withdrawal from the government and the first general election under the new constitution, he had a somewhat difficult part to play. He had to aid in the work of carrying confederation, and at the same time to aid in the work of re-organizing the Liberal party, which had been temporarily divided and weakened by the new issue introduced into politics. In the Reform convention of 1867 the attitude of the party towards confederation was considered. It was resolved that “while the new constitution contained obvious defects, it was, on the whole, based upon equitable principles and should be accepted with the determination to work it loyally and patiently, and to provide such amendments as experience from year to year may prove to be expedient.” It was declared that coalitions of opposing political parties for ordinary administrative purposes resulted in corruption, extravagance and the abandonment of principle; that the coalition of 1864 could be justified only on the ground of imperious necessity, as the only available means of
obtaining just representation for Upper Canada, and should come to an end when that object was attained; and that the temporary alliance of the Reform and Conservative parties should cease. Howland and Macdougall, who had decided to remain in the ministry, strove to maintain that it was a true coalition, and that the old issues that divided the parties were at an end; and their bearing before a hostile audience was tactful and courageous. But Brown and his friends carried all before them.

Brown argued strongly against the proposal to turn the coalition formed for confederation into a coalition for ordinary administrative purposes; and in a passage of unusual fervour he asked whether his Reform friends were to be subjected to the humiliation of following in the train of John A. Macdonald,

It is difficult to understand how so chimerical a notion as a non-party government led by Macdonald could have been entertained by practical politicians. A permanent position in a Macdonald ministry would have been out of the question for Brown, not only because of his standing as a public man, but because of his control of the Globe, which under such an arrangement would have been reduced to the position of an organ of the Conservative government. There were also all the elements of a powerful Liberal party, which soon after confederation rallied its forces and overthrew Sir John
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Macdonald’s government at Ottawa, and the coalition government he had established at Toronto. Giving Macdougall every credit for good intentions, it must be admitted that he committed an error in casting in his political fortunes with Sir John Macdonald, and that both he and Joseph Howe would have found more freedom, more scope for their energies and a wider field of usefulness, in fighting by the side of Mackenzie and Blake.
CHAPTER XXI

CANADA AND THE GREAT WEST

Very soon after his arrival in Canada, Mr. Brown became deeply interested in the North-West Territories. He was thrown into contact with men who knew the value of the country and desired to see it opened for settlement. One of these was Robert Baldwin Sullivan, who, during the struggle for responsible government, wrote a series of brilliant letters over the signature of “Legion” advocating that principle, and who was for a time provincial secretary in the Baldwin-Lafontaine government. In 1847, Mr. Sullivan delivered, in the Mechanics’ Institute, Toronto, an address on the North-West Territories, which was published in full in the Globe. The Oregon settlement had recently been made, and the great westward trek of the Americans was in progress. Sullivan uttered the warning that the Americans would occupy and become masters of the British western territory, and outflank Canada, unless steps were taken to settle and develop it by British subjects. There was at this time much misconception of the character of the country, and one is surprised by the very accurate knowledge shown by Mr. Sullivan in regard to the resources of the country, its coal measures as well as its wheat fields.
Mr. Brown also obtained much information and assistance from Mr. Isbester, a "native of the country, who by his energy, ability and intelligence had raised himself from the position of a successful scholar at one of the schools of the settlement to that of a graduate of one of the British universities, and to a teacher of considerable rank. This gentleman had succeeded in inducing prominent members of the House of Commons to interest themselves in the subject of appeals which, through him, were constantly being made against the injustice and persecution which the colonists of the Red River Settlement were suffering."¹

Mr. Brown said that his attention was first drawn to the subject by a deputation sent to England by the people of the Red River Settlement to complain that the country was ill-governed by the Hudson's Bay Company, and to pray that the territory might be thrown open for settlement. "The movement," said Mr. Brown, "was well received by the most prominent statesmen of Britain. The absurdity of so vast a country remaining in the hands of a trading company was readily admitted; and I well remember that Mr. Gladstone then made an excellent speech in the Commons, as he has recently done, admitting that the charter of the company was not valid, and that the matter should be dealt with by legislation. But the difficulty that constantly presented itself was what should be done with the

¹ Gunn and Tuttle's History of Manitoba, p. 303.
THE NORTH-WEST

territory were the charter broken up; what government should replace that of the company. The idea struck Mr. Isbester, a most able and enlightened member of the Red River deputation to London, that this difficulty would be met at once were Canada to step in and claim the right to the territory. Through a mutual friend, I was communicated with on the subject, and agreed to have the question thoroughly agitated before the expiry of the company's charter in 1859. I have since given the subject some study, and have on various occasions brought it before the public." Mr. Brown referred to the matter in his maiden speech in parliament in 1851, and in 1854 and again in 1856 he gave notice of motion for a committee of inquiry, but was interrupted by other business. In 1852, the Globe contained an article so remarkable in its knowledge of the country that it may be reproduced here in part.

"It is a remarkable circumstance that so little attention has been paid in Canada to the immense tract of country lying to the north of our boundary line, and known as the Hudson's Bay Company's Territory. There can be no question that the injurious and demoralizing sway of that company over a region of four millions of square miles, will, ere long, be brought to an end, and that the destinies of this immense country will be united with our own. It is unpardonable that civilization should be excluded from half a continent, on at best but
a doubtful right of ownership, for the benefit of two hundred and thirty-two shareholders.

"Our present purpose is not, however, with the validity of the Hudson's Bay Company's claim to the country north of the Canadian line—but to call attention to the value of that region, and the vast commercial importance to the country and especially to this section, which must, ere long, attach to it. The too general impression entertained is, that the territory in question is a frozen wilderness, incapable of cultivation and utterly unfit for colonization. This impression was undoubtedly set afloat, and has been maintained, for its own very evident purposes. So long as that opinion could be kept up, their charter was not likely to be disturbed. But light has been breaking in on the subject in spite of their efforts to keep it out. In a recent work by Mr. Edward Fitzgerald, it is stated that 'there is not a more favourable situation on the face of the earth for the employment of agricultural industry than the locality of the Red River.' Mr. Fitzgerald asserts that there are five hundred thousand square miles of soil, a great part of which is favourable for settlement and agriculture, and all so well supplied with game as to give great facility for colonization. Here is a field for Canadian enterprise.

"The distance between Fort William and the Red River Settlement is about five hundred miles, and there is said to be water communication by river and lake all the way. But westward, beyond the
Red River Settlement, there is said to be a magnificent country, through which the Saskatchewan River extends, and is navigable for boats and canoes through a course of one thousand four hundred miles.

"Much has been said of the extreme cold of the country, as indicated by the thermometer. It is well known, however, that it is not the degree but the character of the cold which renders it obnoxious to men, and the climate of this country is quite as agreeable, if not more so, than the best part of Canada. The height of the latitude gives no clue whatever to the degree of cold or to the nature of the climate.

"Let any one look at the map, and if he can fancy the tenth part that is affirmed of the wide region of country stretching westward to the Rocky Mountains, he may form some idea of the profitable commerce which will soon pass through Lake Superior. Independent of the hope that the high road to the Pacific may yet take this direction, there is a field for enterprise presented, sufficient to satiate the warmest imagination."

It was not, however, until the year 1856 that public attention was aroused to the importance of the subject. In the autumn of that year there was a series of letters in the Globe signed "Huron," drawing attention to the importance of the western country, attacking the administration of the Hudson's Bay Company, and suggesting that the in-
habitants, unless relieved, might seek to place the country under American government. In December 1856, there was a meeting of the Toronto Board of Trade at which addresses were delivered by Alan McDonnell and Captain Kennedy. Captain Kennedy said that he had lived for a quarter of a century in the territory in question, had eight or nine years before the meeting endeavoured to call attention to the country through the newspapers and had written a letter to Lord Elgin. He declared that the most important work before Canada was the settlement of two hundred and seventy-nine million acres of land lying west of the Lakes. The Board of Trade passed a resolution declaring that the claim of the Hudson’s Bay Company to the exclusive right to trade in the country was injurious to the rights of the people of the territory and of British North America. The Board also petitioned the legislature to ascertain the rights of the Hudson’s Bay Company, and to protect the interests of Canada. A few days afterwards the Globe said that the time had come to act, and thenceforward it carried on a vigorous campaign for the opening up of the territory to settlement and the establishment of communication with Canada.

During the year 1856, Mr. Brown addressed many meetings on the subject of the working of the union. He opposed the separation of the Canadas, proposed by some as a measure of relief for the grievances of Upper Canada. This would bring
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Canada back to the day of small things; he advocated expansion to the westward. William Macdougall, then a member of the Globe staff, was also an enthusiastic advocate of the union of the North-West Territories with Canada. In an article reviewing the events of the year 1856, the Globe said: "This year will be remembered as that in which the public mind was first aroused to the necessity of uniting to Canada the great tract of British American territory lying to the north-west, then in the occupation of a great trading monopoly. The year 1856 has only seen the birth of this movement. Let us hope that 1857 will see it crowned with success."

In January 1857, a convention of Reformers in Toronto adopted a platform including free trade, uniform legislation for both provinces, representation by population, national and non-sectarian education, and the incorporation of the Hudson Bay Territory. It was resolved "that the country known as the Hudson Bay Territory ought no longer to be cut off from civilization, that it is the duty of the legislature and executive of Canada to open negotiations with the imperial government for the incorporation of the said territory as Canadian soil."

The Globe's proposals at this early date provoked the merriment of some of its contemporaries. The Niagara Mail, January 1857, said: "The Toronto Globe comes out with a new and remarkable platform, one of the planks of which is the annexation
of the frozen regions of the Hudson Bay Territory to Canada. Lord have mercy on us! Canada has already a stiff reputation for cold in the world, but it is unfeeling in the *Globe* to want to make it deserve the reproach." The *Globe* advised its contemporary not to commit itself hastily against the annexation of the North-West, "for it will assuredly be one of the strongest planks in our platform."

Another sceptic was the Montreal *Transcript*, which declared that the fertile spots in the territory were small and separated by immense distances, and described the Red River region as an oasis in the midst of a desert, "a vast treeless prairie on which scarcely a shrub is to be seen." The climate was unfavourable to the growth of grain. The summer, though warm enough, was too short in duration, so that even the few fertile spots could "with difficulty mature a small potato or cabbage."

The subject seemed to be constantly in Brown's mind, and he referred to it frequently in public addresses. After the general election of 1857-8 a banquet was given at Belleville to celebrate the return of Mr. Wallbridge for Hastings. Mr. Brown there referred to a proposal to dissolve the union. He was for giving the union a fair trial. "Who can look at the map of this continent and mark the vast portion of it acknowledging British sovereignty, without feeling that union and not separation ought to be the foremost principle with British American statesmen? Who that examines the con-
dation of the several provinces which constitute British America, can fail to feel that with the people of Canada must mainly rest the noble task, at no distant date, of consolidating these provinces, aye, and of redeeming to civilization and peopling with new life the vast territories to our north, now so unworthily held by the Hudson's Bay Company. Who cannot see that Providence has entrusted to us the building up of a great northern people, fit to cope with our neighbours of the United States, and to advance step by step with them in the march of civilization? Sir, it is my fervent aspiration and belief that some here to-night may live to see the day when the British American flag shall proudly wave from Labrador to Vancouver Island and from our own Niagara to the shores of Hudson Bay. Look abroad over the world and tell me what country possesses the advantages, if she but uses them aright, for achieving such a future, as Canada enjoys—a fertile soil, a healthful climate, a hardy and frugal people, with great mineral resources, noble rivers, boundless forests. We have within our grasp all the elements of prosperity. We are free from the thousand time-honoured evils and abuses that afflict and retard the nations of the Old World. Not even our neighbours of the United States occupy an equal position of advantage, for we have not the canker-worm of domestic slavery to blight our tree of liberty. And greater than these, we are but commencing our career as a
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people, our institutions have yet to be established. We are free to look abroad over the earth and study the lessons of wisdom taught by the history of older countries, and choose those systems and those laws and customs that experience has shown best for advancing the moral and material interests of the human family."^1

As a member of the coalition of 1864, Brown had an opportunity to promote his long-cherished object of adding the North-West Territories to Canada. There had been some communication between the British and Canadian governments, and in November 1864, the latter government said that Canada was anxious to secure the settlement of the West and the establishment of local governments. As the Hudson's Bay Company worked under an English charter, it was for that government to extinguish its rights and give Canada a clear title. Canada would then annex, govern and open up communication with the territory. When Brown accompanied Macdonald, Cartier and Galt to England in 1865, this matter was taken up, and an agreement was arrived at which was reported to the Canadian legislature in the second session of 1865. The committee said that calling to mind the vital importance to Canada of having that great and fertile country open to Canadian enterprise and the tide of emigration into it directed through Canadian channels, remembering the danger of large

^1 Toronto Globe, January 25th, 1868.

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grants of land passing into the hands of mere money corporations, and the risk that the recent discoveries of gold on the eastern slope of the Rocky Mountains might throw into the country large masses of settlers unaccustomed to British institutions, they arrived at the conclusion that the quickest solution of the question would be the best for Canada. They therefore proposed that the whole territory east of the Rockies and north of the American or Canadian line should be made over to Canada, subject to the rights of the Hudson's Bay Company; and that the compensation to be made by Canada to the company should be met by a loan guaranteed by the British government. To this, the imperial government consented.

The subsequent history of the acquisition of the West need not be told here. In this case, as in others, Brown was a pioneer in a work which others finished. But his services were generously acknowledged by Sir John Macdonald, who said in the House of Commons in 1875: "From the first time that he had entered parliament, the people of Canada looked forward to a western extension of territory, and from the time he was first a minister, in 1854, the question was brought up time and again, and pressed with great ability and force by the Hon. George Brown, who was then a prominent man in opposition to the government."
CHAPTER XXII

THE RECIPROCITY TREATY OF 1874

Mr. Brown’s position in regard to reciprocity has already been described. He set a high value upon the American market for Canadian products, and as early as 1863 he had urged the government of that day to prepare for the renewal of the treaty. He resigned from the coalition ministry, because, to use his own words, “I felt very strongly that though we in Canada derived great advantage from the treaty of 1854, the American people derived still greater advantage from it. I had no objection to that, and was quite ready to renew the old treaty, or even to extend it largely on fair terms of reciprocity. But I was not willing to ask for a renewal as a favour to Canada; I was not willing to offer special inducements for renewal without fair concessions in return; I was not willing that the canals and inland waters of Canada should be made the joint property of the United States and Canada and be maintained at their joint expense; I was not willing that the custom and excise duty of Canada should be assimilated to the prohibitory rates of the United States; and very especially was I unwilling that any such arrangement should be entered into with the United States, dependent on the frail tenure of re-
ciprocal legislation, repealable at any moment at the caprice of either party.” Unless a fair treaty for a definite term of years could be obtained, he thought it better that each country should take its own course and that Canada should seek new channels of trade.

The negotiations of 1866 failed, mainly because under the American offer, “the most important provisions of the expiring treaty, relating to the free interchange of the products of the two countries, were entirely set aside, and the duties proposed to be levied were almost prohibitory in their character.” The free-list offered by the United States reads like a diplomatic joke: “burr-millstones, rags, firewood, grindstones, plaster and gypsum.” The real bar in this and subsequent negotiations, was the unwillingness of the Americans to enter into any kind of arrangement for extended trade. They did not want to break in upon their system of protection, and they did not set a high value on access to the Canadian market. In most of the negotiations, the Americans are found trying to drive the best possible bargain in regard to the Canadian fisheries and canals, and fighting shy of reciprocity in trade. They considered that a free exchange of natural products would be far more beneficial to Canada than to the United States. As time went on, they began to perceive the advantages of the Canadian market for American manufactures. But when this was apparent, Canadian feeling, which had
hitherto been unanimous for reciprocity, began to show a cleavage, which was sharply defined in the discussion preceding the election of 1891. Reciprocity in manufactures was opposed, because of the competition to which it would expose Canadian industries, and because it was difficult to arrange it without assimilating the duties of the two countries and discriminating against British imports into Canada.

In earlier years, however, even the inclusion of manufactures in the treaty of reciprocity was an inducement by which the Americans set little store. The rejected offer made by Canada in 1869, about the exact terms of which doubt exists, included a list of manufactures. In 1871 the American government declined to consider an offer to renew the treaty of 1854 in return for access to the deep sea fisheries of Canada. The Brown Treaty of 1874, which contained a list of manufactures, was rejected at Washington, while in Canada it was criticized as striking a blow at the infant manufactures of the country.

The Brown mission of 1874 was a direct result of the Treaty of Washington. Under that treaty there was to be an arbitration to determine the value of the American use of the Canadian inshore fisheries for twelve years, in excess of the value of the concessions made by the United States. Before the fall of the Macdonald government, Mr. Rothery, registrar of the High Court of Admiralty in England,
arrived in Canada as the agent of the British government to prepare the Canadian case for arbitration. In passing through Toronto Mr. Rothery spoke to several public men with a view to acquiring information as to the value of the fisheries. Mr. Brown availed himself of that opportunity to suggest to him that a treaty of reciprocity in trade would be a far better compensation to Canada than a cash payment. Mr. Rothery carried this proposal to Washington, where it was received with some favour.

Meantime the Mackenzie government had been moving in the matter, and in February 1874, Mr. Brown was informed that there was a movement at Washington for the renewal of the old reciprocity treaty, and was asked to make an unofficial visit to that city and estimate the chances of success. On February 12th, he wrote: "We know as yet of but few men who are bitterly against us. I saw General Butler, at his request, on the subject, and I understand he will support us. Charles Sumner is heart and hand with us, and is most kind to me personally." On February 14th, he expressed his belief that if a bill for the renewal of the reciprocity treaty could be submitted to congress at once, it would be carried.

A British commission was issued on March 17th, 1874, appointing Sir Edward Thornton, British minister at Washington, and Mr. Brown, as joint plenipotentiaries to negotiate a treaty of fisheries, commerce and navigation with the government of
A NEW COMMISSION

the United States. This mode of representation was insisted upon by the Mackenzie government, in view of the unsatisfactory result of the negotiations of 1871, when Sir John A. Macdonald, as one commissioner out of six, made a gallant but unsuccessful fight for the rights of Canada. Mr. Brown was selected, not only because of his knowledge of and interest in reciprocity, but because of his attitude during the war, which had made him many warm friends among those who opposed slavery and stood for the union.

Negotiations were formally opened on March 28th. The Canadians proposed the renewal of the old reciprocity treaty, and the abandonment of the fishery arbitration. The American secretary of state, Mr. Fish, suggested the enlargement of the Canadian canals, and the addition of manufactures to the free list. The Canadian commissioners having agreed to consider these proposals, a project of a treaty was prepared to form a basis of discussion. It provided for the renewal of the old reciprocity treaty for twenty-one years, with the addition of certain manufactures; the abandonment of the fishery arbitration; complete reciprocity in coasting; the enlargement of the Welland and St. Lawrence canals; the opening of the Canadian, New York, and Michigan canals to vessels of both countries; the free navigation of Lake Michigan; the appointment of a joint commission for improving waterways, protecting fisheries and erecting lighthouses on the Great
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Lakes. Had the treaty been ratified, there would have been reciprocity in farm and other natural products, and in a very important list of manufactures, including agricultural implements, axles, iron, in the forms of bar, hoop, pig, puddled, rod, sheet or scrap; iron nails, spikes, bolts, tacks, brads and springs; iron castings; locomotives and railroad cars and trucks; engines and machinery for mills, factories and steamboats; fire-engines; wrought and cast steel; steel plates and rails; carriages, carts, wagons and sleighs; leather and its manufactures, boots, shoes, harness and saddlery; cotton grain bags, denims, jeans, drillings, plaids and ticking; woollen tweeds; cabinet ware and furniture, and machines made of wood; printing paper for newspapers, paper-making machines, type, presses, folders, paper cutters, ruling machines, stereotyping and electrotyping apparatus. In general terms, it was as near to unrestricted reciprocity as was possible without raising the question of discriminating against the products of Great Britain.

Mr. Brown found that American misapprehensions as to Canada, its revenue, commerce, shipping, railways and industries were "truly marvellous." It was generally believed that the trade of Canada was of little value to the United States; that the reciprocity treaty had enriched Canada at their expense; and that the abolition of the treaty had brought Canada nearly to its wits' end. There was some excuse for these misapprehensions. Until
A MEMORANDUM OF TRADE

confederation, the trade returns from the different provinces were published separately, if at all. No clear statement of the combined traffic of the provinces with the United States was published until 1874, and even Canadians were ignorant of its extent. American protectionists founded a "balance of trade" argument on insufficient data. They saw that old Canada sold large quantities of wheat and flour to the United States, but not that the United States sent larger quantities to the Maritime Provinces; that Nova Scotia and Cape Breton sold coal to Boston and New York, but not that five times as much was sent from Pennsylvania to Canada. Brown prepared a memorandum showing that the British North American provinces, from 1820 to 1854, had bought one hundred and sixty-seven million dollars worth of goods from the United States, and the United States only sixty-seven million dollars worth from the provinces; that in the thirteen years of the treaty, the trade between the two countries was six hundred and thirty million dollars according to the Canadian returns, and six hundred and seventy million dollars according to the American returns; and that the so-called "balance of trade" in this period was considerably against Canada. It was shown that the repeal of the treaty did not ruin Canadian commerce; that the external trade of Canada which averaged one hundred and fifteen million dollars a year from 1854 to 1862, rose to one hundred and forty-two million dollars in the
year following the abrogation, and to two hundred and forty million dollars in 1873. In regard to wheat, flour, provisions, and other commodities of which both countries had a surplus, the effect of the prohibitory American duties had been to send the products of Canada to compete with those of the United States in neutral markets.

This memorandum was completed on April 27th and was immediately handed to Mr. Fish. It was referred to the treasury department, where it was closely examined and admitted to be correct. From that time there was a marked improvement in American feeling.

Brown also carried on a vigorous propaganda in the newspapers. In New York the Tribune, Herald, Times, World, Evening Post, Express, Journal of Commerce, Graphic, Mail, and other journals, declared in favour of a new treaty; and in Boston, Chicago, St. Louis, Cincinnati and other large cities, the press was equally favourable. A charge originated in Philadelphia and was circulated in the United States and Canada, that this unanimity of the press was obtained by the corrupt use of public money. Mr. Brown, in his speech in the senate of Canada denied this; said that not a shilling had been spent illegitimately, and that the whole cost of the negotiation to the people of Canada would be little more than four thousand dollars.

In his correspondence Brown speaks of meeting Senator Conkling, General Garfield and Carl Schurz,
THE TREATY FALLS THROUGH

all of whom were favourable. Secretary Fish is described as courteous and painstaking, but timid and lacking in grasp of the subject, and Brown speaks impatiently of the delays that are throwing the consideration of the draft treaty over to the end of the session of congress.

It did not reach the senate until two days before adjournment. "The president" wrote Mr. Brown on June 20th, "sent a message to the senate with the treaty, urging a decision before the adjournment of congress. I thought the message very good; but it has the defect of not speaking definitely of this message as his own and his government's and calling on the senate to sustain him. Had he done this, the treaty would have been through now. But now, with a majority in its favour, there seems some considerable danger of its being thrown over until December." The treaty was sent to the Foreign Relations Committee of the senate. "There were six present; three said to be for us, one against, and two for the measure personally, but wanted to hear from the country before acting. How it will end, no one can tell." As a matter of fact it ended there and then, as far as the United States were concerned.

Of the objections urged against the treaty in Canada, the most significant was that directed against the free list of manufactures. This was, perhaps, the first evidence of the wave of protectionist sentiment that overwhelmed the Mackenzie govern-
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ment. In his speech in the senate, in 1875, justifying the treaty, Mr. Brown said: “Time was in Canada when the imposition of duty on any article was regarded as a misfortune, and the slightest addition to an existing duty was resented by the people. But increasing debt brought new burdens; the deceptive cry of ‘incidental protection’ got a footing in the land; and from that the step has been easy to the bold demand now set up by a few favoured industries, that all the rest of the community ought to be, and should rejoice to be, taxed seventeen and a half per cent. to keep them in existence.”

Brown joined issue squarely with the protectionists. “I contend that there is not one article contained in the schedules that ought not to be wholly free of duty, either in Canada or the United States, in the interest of the public. I contend that the finance minister of Canada who—treaty or no treaty with the United States—was able to announce the repeal of all customs duties on the entire list of articles in Schedules A, B, and C,—even though the lost revenue was but shifted to articles of luxury, would carry with him the hearty gratitude of the country. Nearly every article in the whole list of manufactures is either of daily consumption and necessity among all classes of our population, or an implement of trade, or enters largely into the economical prosecution of the main industries of the Dominion.” The criticism of the sliding scale, of which so much was heard at the time, was only
AN ADVOCATE OF FREE TRADE

another phase of the protectionist objection. The charge that the treaty would discriminate in favour of American against British imports was easily disposed of. Brown showed that every article admitted free from the United States would be admitted free from Great Britain. But as this meant British as well as American competition, it made the case worse from the protectionist point of view. The rejection of the treaty by the United States left a clear field for the protectionists in Canada.

Four years after Mr. Brown's speech defending the treaty, he made his last important speech in the senate, and almost the last public utterance of his life, attacking Tilley's protectionist budget, and nailing his free-trade colours to the mast.
CHAPTER XXIII

CANADIAN NATIONALISM

It will be remembered that after the victory won by the Reformers in 1848, there was an outburst of radical sentiment, represented by the Clear Grits in Upper Canada and by the Rouges in Lower Canada. It may be more than a coincidence that there was a similar stirring of the blood in Ontario and in Quebec after the Liberal victory of 1874. The founding of the Liberal and of the Nation, of the National Club and of the Canada First Association, Mr. Blake's speech at Aurora, and Mr. Goldwin Smith's utterances combined to mark this period as one of extraordinary intellectual activity. Orthodox Liberalism was disquieted by these movements. It had won a great, and as was then believed, a permanent victory over Macdonald and all that he represented, and it had no sympathy with a disturbing force likely to break up party lines, and to lead young men into new and unknown paths.

The platform of Canada First was not in itself revolutionary. It embraced, (1) British connection; (2) closer trade relations with the British West India Islands, with a view to ultimate political connection; (3) an income franchise; (4) the ballot,
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with the addition of compulsory voting; (5) a scheme for the representation of minorities; (6) encouragement of immigration and free homesteads in the public domain; (7) the imposition of duties for revenue so adjusted as to afford every possible encouragement to native industry; (8) an improved militia system under command of trained Dominion officers; (9) no property qualifications in members of the House of Commons; (10) reorganization of the senate; (11) pure and economic administration of public affairs. This programme was severely criticized by the Globe. Some of the articles, such as purity and economy, were scornfully treated as commonplaces of politics. "Yea, and who knoweth not such things as these." The framers of the platform were rebuked for their presumption in setting themselves above the old parties, and were advised to "tarry in Jericho until their beards be grown."

But the letter of the programme did not evince the spirit of Canada First, which was more clearly set forth in the prospectus of the Nation. There it was said that the one thing needful was the cultivation of a national spirit. The country required the stimulus of patriotism. Old prejudices of English, Scottish, Irish and German people were crystallized. Canadians must assert their nationality, their position as members of a nation. These and other declarations were analyzed by the Globe, and the heralds of the new gospel were pressed for a plainer avowal of their intentions. Throughout the editorial
utterances of the *Globe* there was shown a growing suspicion that the ulterior aim of the Canada First movement was to bring about the independence of Canada. The quarrel came to a head when Mr. Goldwin Smith was elected president of the National Club. The *Globe*, in its issue of October 27th, 1874, brought its heaviest artillery to bear on the members of the Canada First party. It accused them of lack of courage and frankness. When brought to book as to their principles, it said, they repudiated everything. They repudiated nativism; they repudiated independence; they abhorred the very idea of annexation. The movement was without meaning when judged by these repudiations, but was very significant and involved grave practical issues when judged by the practices of its members. They had talked loudly and foolishly of emancipation from political thraldom, as if the present connection of Canada with Great Britain were a yoke and a burden too heavy and too galling to be borne. They had adopted the plank of British connection by a majority of only four. They had chosen as their standard-bearer, their prophet and their president, one whose chief claim to prominence lay in the persistency with which he had advocated the breaking up of the British empire. Mr. Goldwin Smith had come into a peaceful community to do his best for the furtherance of a cause which meant simply revolution. The advocacy of independence, said the *Globe*, could not be treated
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as an academic question. It touched every Cana-
dian in his dearest and most important relations.
It jeopardized his material, social and religious
interests. Canada was not a mere dead limb of the
British tree, ready to fall of its own weight. The
union was real, and the branch was a living one.
Great Britain, it was true, would not fight to hold
Canada against her will, but if the great mass of
Canadians believed in British connection, those
who wished to break the bond must be ready to
take their lives in their hands. The very proposal to
cut loose from Britain would be only the beginning
of trouble. In any case what was sought was revo-
lution, and those who preached it ought to con-
template all the possibilities of such a course. They
might be the fathers and founders of a new nation-
ality, but they might also be simply mischief-mak-
ers, whose insignificance and powerlessness were
their sole protection, who were not important
enough for "either a traitor’s trial or a traitor’s
doom."

Mr. Goldwin Smith’s reply to this attack was
that he was an advocate, not of revolution but of
evolution. "Gradual emancipation," he said, "means
nothing more than the gradual concession by the
mother country to the colonies of powers of self-
government; this process has already been carried
far. Should it be carried further and ultimately
consummated, as I frankly avow my belief it must,
the mode of proceeding will be the same that it
MR. GOLDWIN SMITH

has always been. Each step will be an Act of parliament passed with the assent of the Crown. As to the filial tie between England and Canada, I hope it will endure forever.”

Mr. Goldwin Smith’s views were held by some other members of the Canada First party. Another and a larger section were Imperialists, who believed that Canada should assert herself by demanding a larger share of self-government within the empire, and by demanding the privileges and responsibilities of citizens of the empire. The bond that united the Imperialists and the advocates of independence was national spirit. This was what the Globe failed to perceive, or at least to recognize fully. Its article of October 27th is powerful and logical, strong in sarcasm and invective. It displays every purely intellectual quality necessary for the treatment of the subject, but lacks the insight that comes from imagination and sympathy. The declarations of those whose motto was “Canada first,” could fairly be criticized as vague, but this vagueness was the result, not of cowardice or insincerity, but of the inherent difficulty of putting the spirit of the movement into words. A youth whose heart is stirred by all the aspirations of coming manhood, “yearning for the large excitement that the coming years would yield,” might have the same hesitation in writing down his yearnings and aspirations on a sheet of paper, and might be as unwisely snubbed by his elders.
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The greatest intellect of the Liberal party felt the impulse. At Aurora Edward Blake startled the more cautious members of the party by advocating the federation of the empire, the reorganization of the senate, compulsory voting, extension of the franchise and representation of minorities. His real theme was national spirit. National spirit would be lacking until we undertook national responsibilities. He described the Canadian people as "four millions of Britons who are not free." By the policy of England, in which we had no voice or control, Canada might be plunged into the horrors of war. Recently, without our consent, the navigation of the St. Lawrence had been ceded forever to the United States. We could not complain of these things unless we were prepared to assume the full responsibilities of citizenship within the empire. The young men of Canada heard these words with a thrill of enthusiasm, but the note was not struck again. The movement apparently ceased, and politics apparently flowed back into their old channels. But while the name, the organization and the organs of Canada First in the press disappeared, the force and spirit remained, and exercised a powerful influence upon Canadian politics for many years.

There can be little doubt that the Liberal party was injured by the uncompromising hostility which was shown to the movement of 1874. Young men, enthusiasts, bold and original thinkers, began to
BROWN'S ATTACK IMPOLITIC

look upon Liberalism as a creed harsh, dry, tyrannical, unprogressive and hostile to new ideas. When the independent lodgment afforded by Canada First disappeared, many of them drifted over to the Conservative party, whose leader was shrewd enough to perceive the strength of the spirit of nationalism, and to give it what countenance he could. Protection triumphed at the polls in 1878, not merely by the use of economic arguments, but because it was heralded as the "National Policy" and hailed as a declaration of the commercial independence of Canada. A few years later the legislation for the building of the Canadian Pacific Railway, bold to the point of rashness, as it seemed, and unwise and improvident in some of its provisions, was heartily approved by the country, because it was regarded as a measure of national growth and expansion. The strength of the Conservative party from 1878 to 1891 was largely due to its adoption of the vital principle and spirit of Canada First.

The Globe's attacks upon the Canada First party also had the effect of fixing in the public mind a picture of George Brown as a dictator and a relentless wielder of the party whip, a picture contrasting strangely with those suggested by his early career. He had fought for responsible government, for freedom from clerical dictation; he had been one of the boldest of rebels against party discipline; he had carelessly thrown away a great party advantage in order to promote confederation; he had
been the steady opponent of slavery. In 1874 the Liberals were in power both at Ottawa and at Toronto, and Mr. Brown may not have been free from the party man's delusion that when his party is in power all is well, and agitation for change is mischievous. Canada First threatened to change the formation of political parties, and seemed to him to threaten a change in the relations of Canada to the empire. But these explanations do not alter the fact that his attitude caused the Liberal party to lose touch with a movement characterized by intellectual keenness and generosity of sentiment, representing a real though ill-defined national impulse, and destined to leave its mark upon the history of the country.
CHAPTER XXIV

LATER YEARS

In the preceding chapters it has been necessary to follow closely the numerous public movements with which Brown was connected. Here we may pause and consider some incidents of his life and some aspects of his character which lie outside of these main streams of action. First, a few words about the Brown household. Of the relations between father and son something has already been said. Of his mother, Mr. Alexander Mackenzie says: "We may assume that Mr. Brown derived much of his energy, power and religious zeal from his half Celtic origin: these qualities he possessed in an eminent degree, united with the proverbial caution and prudence of the Lowlander." The children, in the order of age, were Jane, married to Mr. George Mackenzie of New York; George; Isabella, married to Mr. Thomas Henning; Katherine, who died unmarried; Marianne, married to the Rev. W. S. Ball; and John Gordon. There were no idlers in that family. The publication of the Globe in the early days involved a tremendous struggle. Peter Brown lent a hand in the business as well as in the editorial department of the paper. A good deal of the writing in the Banner and the early Globe seems to bear the
marks of his broad Liberalism and his passionate love of freedom. Gordon entered the office as a boy, and rose to be managing editor. Three of the daughters conducted a ladies’ school, which enjoyed an excellent reputation for thoroughness. Katherine, the third daughter, was killed in a railway accident at Syracuse; and the shock seriously affected the health of the father, who died in 1863. The mother had died in the previous year.

By these events and by marriages the busy household was broken up. George Brown, as we have seen, married in 1862, and from that time until his death his letters to his wife and children show an intense affection and love of home. After her husband’s death Mrs. Brown resided in Edinburgh, where she died on May 6th 1906. The only son, George M. Brown, was, in the last parliament, member of the British House of Commons for Centre Edinburgh, and is one of the firm of Thomas Nelson & Sons, publishers. In the same city reside two daughters, Margaret, married to Dr. A. F. H. Barbour, a well-known physician, and writer on medicine; and Edith, wife of George Sandeman. Among other survivors are, E. B. Brown, barrister, Toronto; Alfred S. Ball, K.C., police magistrate, Woodstock; and Peter B. Ball, commercial agent for Canada at Birmingham, nephews of George Brown.

From 1852 George Brown was busily engaged in public life, and a large part of the work of the newspaper must have fallen on other shoulders. There
are articles in which one may fancy he detects the French neatness of William Macdougall. George Sheppard spoke at the convention of 1859 like a statesman; and he and Macdougall had higher qualities than mere facility with the pen. Gordon Brown gradually grew into the editorship. "He had" says Mr. E. W. Thomson, writing of a later period, "a singular power of utilizing suggestions, combining several that were evidently not associated, and indicating how they could be merged in a striking manner. He seems to me now to have been the greatest all-round editor I have yet had the pleasure of witnessing at work, and in the political department superior to any of the old or of the new time in North America, except only Horace Greeley." But Mr. Thomson thinks that like most of the old-timers he took his politics a little too hard. Mr. Gordon Brown died in June, 1896.

Mr. Brown regarded his defeat in South Ontario in 1867, as an opportunity to retire from parliamentary life. He had expressed that intention several months before. He wrote to Holton, on May 13th, 1867, "My fixed determination is to see the Liberal party re-united and in the ascendant, and then make my bow as a politician. As a journalist and a citizen, I hope always to be found on the right side and heartily supporting my old friends. But I want to be free to write of men and things without control, beyond that which my conscientious convictions and the interests of my country
demand. To be debarred by fear of injuring the party from saying that —— is unfit to sit in parliament and that —— is very stupid, makes journalism a very small business. Party leadership and the conducting of a great journal do not harmonize."

In his speech at the convention of 1867 he said that he had looked forward to the triumph of representation by population as the day of his emancipation from parliamentary life, but that the case was altered by the proposal to continue the coalition, involving a secession from the ranks of the Liberal party. In this juncture it was necessary for Liberals to unite and consult, and if it were found that his continuance in parliamentary life for a short time would be a service to the party, he would not refuse. It would be impossible, however, for him to accept any official position, and he did not wish, by remaining in parliament, to stand in the way of those who would otherwise become leaders of the party. He again emphasized the difficulty of combining the functions of leadership of a party and management of a newspaper. "The sentiments of the leader of a party are only known from his public utterances on public occasions. If a wrong act is committed by an opponent or by a friend, he may simply shrug his shoulders." But it was otherwise with the journalist. He had been accused of fierce assaults on public men. "But I tell you if the daily thoughts and the words daily uttered by other public men were written in a book as mine have been, and circulated all
HIS CHOICE OF JOURNALISM

over the country, there would have been a very different comparison between them and myself. I have had a double duty to perform. If I had been simply the leader of a party and had not controlled a public journal, such things would not have been left on record. I might have passed my observations in private conversation, and no more would have been heard of them. But as a journalist it was necessary I should speak the truth before the people, no matter whether it helped my party or not; and this, of course, reflected on the position of the party. Consequently, I have long felt very strongly that I had to choose one position or the other—that of a leader in parliamentary life, or that of a monitor in the public press—and the latter has been my choice being probably more in consonance with my ardent temperament, and at the same time, in my opinion, more influential; for I am free to say that in view of all the grand offices that are now talked of—governorships, premierships and the like—I would rather be editor of the Globe, with the hearty confidence of the great mass of the people of Upper Canada, than have the choice of them all."

Of Mr. Brown's relations with the parliamentary leaders after his retirement, Mr. Mackenzie says: "Nor did he ever in after years attempt to control or influence parliamentary proceedings as conducted by the Liberals in opposition, or in the government; while always willing to give his opinion when asked on any particular question, he never volunteered
his advice. His opinions, of course, received free utterance in the *Globe*, which was more unfettered by reason of his absence from parliamentary duties; though even there it was rarely indeed that any articles were published which were calculated to inconvenience or discomfort those who occupied his former position.\(^1\)

Left comparatively free to follow his own inclinations, Brown plunged into farming, spending money and energy freely in the raising of fine cattle on his Bow Park estate near Brantford, an extensive business which ultimately led to the formation of a joint stock company. The province of Ontario, especially western Ontario, was for him the object of an intense local patriotism. He loved to travel over it and to meet the people. It was noticed in the *Globe* office that he paid special attention to the weekly edition of the paper, as that which reached the farming community. His Bow Park enterprise gave him an increased feeling of kinship and sympathy with that community, and he delighted in showing farmers over the estate. It would be hard to draw a more characteristic picture than that of the tall senator striding over the fields, talking of cattle and crops with all the energy with which he was wont to denounce the Tories.

Brown was appointed to the senate in December, 1873. Except for the speech on reciprocity, which is dealt with elsewhere, his career there was not note-

\(^1\) Mackenzie's *Life and Speeches of the Hon. George Brown*, p. 219.
CONTEMPT OF COURT

worthy. He seems to have taken no part in the discussion on Senator Vidal's resolution in favour of prohibition, or on the Scott Act, a measure for introducing prohibition by local option. A popular conception of Brown as an ardent advocate of legislative prohibition may have been derived from some speeches made in his early career, and from an early prospectus of the Globe. On the bill providing for government of the North-West Territories he made a speech against the provision for separate schools, warning the House that the effect would be to fasten these institutions on the West in perpetuity.

In 1876 Senator Brown figured in a remarkable case of contempt of court. A Bowmanville newspaper had charged Senator Simpson, a political ally of Brown, with resorting to bribery in the general election of 1872. It published also a letter from Senator Brown to Senator Simpson, asking him for a subscription towards the Liberal campaign fund. On Senator Simpson's application, Wilkinson, the editor of the paper, was called upon to show cause why a criminal information should not issue against him for libel. The case was argued before the Queen's Bench, composed of Chief-Justice Harrison, Justice Morrison, and Justice Wilson. The judgment of the court delivered by the chief-justice was against the editor in regard to two of the articles complained of and in his favour in regard to the third. In following the chief-justice, Mr. Justice Wilson took occasion to refer to Senator Brown's letter and
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to say that it was written with corrupt intent to in-
terfere with the freedom of elections.

Brown was not the man to allow a charge of this
kind to go unanswered, and in this case there were
special circumstances calculated to arouse his anger.
The publication of his letter in the Bowmanville
paper had been the signal for a fierce attack upon
him by the Conservative press of the province. It
appeared to him that Justice Wilson had wantonly
made himself a participant in this attack, lending
the weight of his judicial influence to his enemies.
Interest was added to the case by the fact that the
judge had been in previous years supported by the
Globe in municipal and parliamentary elections. He
had been solicitor-general in the Macdonald-Sicotte
government from May 1862 to May 1863. Judge
Morrison had been solicitor-general under Hincks,
and afterwards a colleague of John A. Macdonald.
Each of them, in this case, took a course opposite
to that which might have been expected from old
political associations.

A few days afterwards the Globe contained a long,
carefully prepared and powerful attack upon Mr.
Justice Wilson. Beginning with a tribute to the
Bench of Ontario, it declared that no fault was to
be found with the judgment of the court, and that
the offence lay in the gratuitous comments of Mr.
Justice Wilson.

"No sooner had the chief-justice finished than
Mr. Justice Wilson availed himself of the occasion
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to express his views of the matter with a freedom of speech and an indifference to the evidence before the court and an indulgence in assumptions, surmises and insinuations, that we believe to be totally unparalleled in the judicial proceedings of any Canadian court."

The article denied that the letter was written with any corrupt intent, and it stated that the entire fund raised by the Liberal party in the general election of 1872 was only three thousand seven hundred dollars, or forty-five dollars for each of the eighty-two constituencies. "This Mr. Justice Wilson may rest assured of: that such slanders and insults shall not go unanswered, and if the dignity of the Bench is ruffled in the tussle, on his folly shall rest the blame. We cast back on Mr. Wilson his insolent and slanderous interpretation. The letter was not written for corrupt purposes. It was not written to interfere with the freedom of elections. It was not an invitation to anybody to concur in committing bribery and corruption at the polls; and be he judge or not who says so, this statement is false."

The writer went on to contend that there were perfectly legitimate expenditures in keenly contested elections. "Was there no such fund when Mr. Justice Wilson was in public life? When the hat went round in his contest for the mayoralty, was that or was it not a concurrence in bribery or corruption at the polls?" Mr. Justice Wilson had justified his comment by declaring that he might take notice of
matters with which every person of ordinary intelligence was acquainted. Fastening upon these words the Globe asked, "How could Mr. Justice Wilson in his hunt for things which every person of ordinary intelligence is acquainted with, omit to state that while the entire general election fund of the Liberal party for that year (1872) was but three thousand seven hundred dollars, raised by subscription from a few private individuals, the Conservative fund on the same occasion amounted to the enormous sum of two hundred thousand dollars, raised by the flagitious sale of the Pacific Railway contract to a band of speculators on terms disastrous to the interests of the country."

In another vigorous paragraph the writer said: "We deeply regret being compelled to write of the conduct of any member of the Ontario Bench in the tone of this article, but the offence was so rank, so reckless, so utterly unjustifiable that soft words would have but poorly discharged our duty to the public."

No proceedings were taken in regard to this article until about five months afterwards, when Mr. Wilkinson, the editor of the Bowmanville paper, applied to have Mr. Brown committed for contempt of court. The judge assailed took no action and the case was tried before his colleagues, Chief-Justice Harrison and Judge Morrison. Mr. Brown appeared in person and made an argument occupying portions of two days. He pointed out that the application
had been delayed five months after the publication of the article. He contended that Wilkinson was not prejudiced by the *Globe* article and had no standing in the case. In a lengthy affidavit he entered into the whole question of the expenditure of the two parties in the election of 1872, including the circumstances of the Pacific Scandal. He repeated on oath the statement made in the article that his letter was not written with corrupt intent; that the subscription asked for was for legitimate purposes and that it was part of a fund amounting to only three thousand seven hundred dollars for the whole province of Ontario. He boldly justified the article as provoked by Mr. Justice Wilson's dictum and by the use that would be made of it by hostile politicians. The judge had chosen to intervene in a keen political controversy whose range extended to the Pacific Scandal; and in defending himself from his enemies and the enemies of his party, Brown was forced to answer the judge. He argued that to compel an editor to keep silence in such a case, would not only be unjust to him, but contrary to public policy. For instance, the discussion of a great public question such as that involved in the Pacific Scandal, might be stopped upon the application of a party to a suit in which that question was incidentally raised.

The case was presented with his accustomed energy and thoroughness, from the point of view of journalistic duty, of politics and of law—for Mr.
GEORGE BROWN

Brown was not afraid to tread that sacred ground and give extensive citations from the law reports. His address may be commended to any editor who may be pursued by that mysterious legal phantom, a charge of contempt of court. The energy of his gestures, the shaking of the white head and the swinging of the long arms, must have somewhat startled Osgoode Hall. The court was divided, the chief-justice ruling that there had been contempt, Mr. Justice Morrison, contra, and Mr. Justice Wilson taking no part in the proceedings. So the matter dropped, though not out of the memory of editors and politicians.
CHAPTER XXV

CONCLUSION

The building in which the life of the Hon. George Brown was so tragically ended, was one that had been presented to him by the Reformers of Upper Canada before confederation "as a mark of the high sense entertained by his political friends of the long, faithful and important services which he has rendered to the people of Canada." It stood upon the north side of King Street, on ground which is now the lower end of Victoria Street, for the purpose of extending which, the building was demolished. The ground floor was occupied by the business office; on the next, looking out upon King Street, was Mr. Brown’s private office; and above that the rooms occupied by the editorial staff, with the composing room in the rear. At about half past four o’clock on the afternoon of March 25th, 1880, several of the occupants of the editorial rooms heard a shot, followed by a sound of breaking glass, and cries of "Help!" and "Murder!" Among these were Mr. Avern Pardoe, now librarian of the legislative assembly of Ontario; Mr. Archibald Blue, now head of the census bureau at Ottawa; Mr. John A. Ewan, now leader writer on the Globe; and Mr. Allan S. Thompson, father of
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the present foreman of the Globe composing room. Mr. Ewan and Mr. Thompson were first to arrive on the scene. Following the direction from which the sounds proceeded, they found Mr. Brown on the landing, struggling with an undersized man, whose head was thrust into Brown's breast. Mr. Ewan and Mr. Thompson seized the man, while Mr. Brown himself wrested a smoking pistol from his hand. Mr. Blue, Mr. Pardoe and others quickly joined the group, and Mr. Brown, though not apparently severely injured, was induced to lie on the sofa in his room, where his wound was examined. The bullet had passed through the outer side of the left thigh, about four inches downward and backward; it was found on the floor of the office.

The assailant was George Bennett, who had been employed in the engine room of the Globe for some years, and had been discharged for intemperance. Mr. Brown said that when Bennett entered the office he proceeded to shut the door behind him. Thinking the man's movements singular, Mr. Brown stopped him and asked him what he wanted. Bennett, after some hesitation, presented a paper for Mr. Brown's signature, saying that it was a statement that he had been employed in the Globe for five years. Mr. Brown said he should apply to the head of the department in which he was employed. Bennett said that the head of the department had refused to give the certificate. Mr. Brown then told him to apply to Mr. Henning, the treasurer of the company, who
could furnish the information by examining his books.

Bennett kept insisting that Mr. Brown should sign the paper, and finally began to fumble in his pistol pocket, whereupon it passed through Mr. Brown's mind "that the little wretch might be meaning to shoot me." As he got the pistol out, Mr. Brown seized his wrist and turned his hand downward. After one shot had been fired, the struggle continued until the two got outside the landing, where they were found as already described.

The bullet had struck no vital part, and the wound was not considered to be mortal. But as week after week passed without substantial improvement, the anxiety of his friends and of the country deepened. At the trial the question was raised whether recovery had been prevented by the fact that Mr. Brown, against the advice of his physician, transacted business in his room. After the first eight or ten days there were intervals of delirium. Towards the end of April when the case looked very serious, Mr. Brown had a long conversation with the Rev. Dr. Greig, his old pastor, and with members of his family. "In that conversation," says Mr. Mackenzie, "he spoke freely to them of his faith and hope, and we are told poured out his soul in full and fervent prayer," and he joined heartily in the singing of the hymn "Rock of Ages." A few days afterwards he became unconscious; the physicians ceased to press stimulants or nourish-
ment upon him, and early on Sunday, May 10th, he passed away.

Bennett was tried and found guilty of murder on June 22nd following, and was executed a month afterwards. Though he caused the death of a man so conspicuous in the public life of Canada, his act is not to be classed with assassinations committed from political motives, or even from love of notoriety. On the scaffold he said that he had not intended to kill Mr. Brown. However this may be, it is certain that it was not any act of Mr. Brown's that set up that process of brooding over grievances that had so tragic an ending. By misfortune and by drinking, a mind, naturally ill-regulated had been reduced to that condition in which enemies are seen on every hand. A paper was found upon him in which he set forth a maniacal plan of murdering a supposed enemy and concealing the remains in the furnace of the Globe building. That the original object of his enmity was not Mr. Brown is certain; there was not the slightest ground for the suspicion that the victim was made to suffer for some enmity aroused in his strenuous career as a public man. Strange that after such a career he should meet a violent death at the hands of a man who was thinking solely of private grievances!

Tracing Mr. Brown's career through a long period of history, by his public actions, his speeches, and the volumes of his newspaper, one arrives at a somewhat different estimate from that preserved in
ESTIMATES OF BROWN

familiar gossip and tradition. That tradition pictures a man impulsive, stormy, imperious, bearing down by sheer force all opposition to his will. In the main it is probably true; but the printed record is also true, and out of the two we must strive to reproduce the man. We are told of a speech delivered with flashing eye, with gestures that seemed almost to threaten physical violence. We read the report of the speech and we find something more than the ordinary transition from warm humanity to cold print. There is not only freedom from violence, but there is coherence, close reasoning, a systematic marshalling of facts and figures and arguments. One might say of many of his speeches, as was said of Alexander Mackenzie’s sentences, that he built them as he built a stone wall. His tremendous energy was not spasmodic, but was backed by solid industry, method and persistence.

As Mr. Bengough said in a little poem published soon after Mr. Brown’s death,

"His nature was a rushing mountain stream;
His faults but eddies which its swiftness bred."

In his business as a journalist, he had not much of that philosophy which says that the daily difficulties of a newspaper are sure to solve themselves by the effluxion of time. There are traditions of his impatience and his outbreaks of wrath when something went wrong, but there are traditions also of a kindness large enough to include the lad who carried the proofs to his house. Those who were
GEORGE BROWN

thoroughly acquainted with the affairs of the office say that he was extremely lenient with employees who were intemperate or otherwise incurred blame, and that his leniency had been extended to Bennett. Intimate friends and political associates deny that he played the dictator, and say that he was genial and humorous in familiar intercourse. But it is, after all, a somewhat unprofitable task to endeavour to sit in judgment on the personal character of a public man, placing this virtue against that fault, and solemnly assuming to decide which side of the ledger exceeds the other. We have to deal with the character of Brown as a force in its relation to other forces, and to the events of the period of history covered by his career.

A quarter of a century has now elapsed since the death of George Brown and a still longer time since the most stirring scenes in his career were enacted. We ought therefore to be able to see him in something like his true relation to the history of his times. He came to Canada at a time when the notion of colonial self-government was regarded as a startling innovation. He found among the dominant class a curious revival of the famous Stuart doctrine, "No Bishop, no King;" hence the rise of such leaders, partly political and partly religious, as Bishop Strachan, among the Anglicans, and Dr. Ryerson, among the Methodists, the former vindicating and the latter challenging the exclusive privileges of the Anglican Church. There was room
for a similar leader among Presbyterians, and in a certain sense this was the opportunity of George Brown. In founding first a Presbyterian paper and afterwards a political paper, he was following a line familiar to the people of his time. But while he had a special influence among Presbyterians, he appeared, not as claiming special privileges for them, but as the opponent of all privilege, fighting first the Anglican Church and afterwards the Roman Catholic Church, and asserting in each case the principle of the separation of Church and State.

For some years after Brown's arrival in Canada, those questions in which politics and religion were blended were subordinated to a question purely political—colonial self-government. The atmosphere was not favourable to cool discussion. The colony had been in rebellion, and the passions aroused by the rebellion were always ready to burst into flame. French Canada having been more deeply stirred by the rebellion than Upper Canada, racial animosity was added there to party bitterness. The task of the Reformers was to work steadily for the establishment of a new order involving a highly important principle of government, and, at the same time, to keep the movement free from all suspicion of incitement to rebellion.

The leading figure of this movement is that of Robert Baldwin, and he was well supported by Hincks, by Sullivan, by William Hume Blake and others. The forces were wisely led, and it is not pre-
tended that this direction was due to Brown. He was in 1844 only twenty-six years of age, and his position at first was that of a recruit. But he was a recruit of uncommon vigour and steadiness, and though he did not originate, he emphasized the idea of carrying on the fight on strictly constitutional and peaceful lines. His experience in New York and his deep hatred of slavery had strengthened by contrast his conviction that Great Britain was the citadel of liberty, and hence his utterances in favour of British connection were not conventional, but glowed with enthusiasm.

With 1849 came the triumph of Reform, and the last despairing effort of the old régime, dying out with the flames of the parliament buildings at Montreal. Now ensued a change in both parties. The one, exhausted and discredited by its fight against the inevitable coming of the new order, remained for a time weak and inactive, under a leader whose day was done. The other, in the very hour of victory, began to suffer disintegration. It had its Conservative element desiring to rest and be thankful, and its Radical element with aims not unlike those of Chartism in England. Brown stood for a time between the government and the Conservative element on the one side and the Clear Grits on the other. Disintegration was hastened by the retirement of Baldwin and Lafontaine. Then came the brief and troubled reign of Hincks; then a reconstruction of parties, with Conservatives under
LEADS THE REFORM PARTY

the leadership of Macdonald and Reformers under that of Brown.

The stream of politics between 1854 and 1864 is turbid; there is pettiness, there is bitterness, there is confusion. But away from this turmoil the province is growing in population, in wealth, in all the elements of civilization. Upper Canada especially is growing by immigration; it overtakes and passes Lower Canada in population, and thus arises the question of representation by population. Brown takes up this reform in representation as a means of freeing Upper Canada from the domination of the Lower Province. He becomes the "favourite son" of Upper Canada. His rival, through his French-Canadian alliance, meets him with a majority from Lower Canada; and so, for several years, there is a period of equally balanced parties and weak governments, ending in dead-lock.

If Brown's action had only broken this dead-lock, extricated some struggling politicians from difficulty, and allowed the ordinary business of government to proceed, it might have deserved only passing notice. But more than that was involved. The difficulty was inherent in the system. The legislative union was Lord Durham's plan of assimilating the races that he had found "warring in the bosom of a single state." The plan had failed. The line of cleavage was as sharply defined as ever. The ill-assorted union had produced only strife and misunderstanding. Yet to break the tie when new
duties and new dangers had emphasized the necessity for union seemed to be an act of folly. To federalize the union was to combine the advantage of common action with liberty to each community to work out its own ideals in education, municipal government and all other matters of local concern. More than that, to federalize the union was to substitute for a rigid bond a bond elastic enough to allow of expansion, eastward to the Atlantic and westward to the Pacific. That principle which has been called provincial rights, or provincial autonomy, might be described more accurately and comprehensively as federalism; and it is the basic principle of Canadian political institutions, as essential to unity as to peace and local freedom.

The feeble, isolated and distracted colonies of 1864 have given place to a commonwealth which, if not in strictness a nation, possesses all the elements and possibilities of nationality, with a territory open on three sides to the ocean, lying in the highway of the world’s commerce, and capable of supporting a population as large as that of the British Islands. Confederation was the first and greatest step in that process of expansion, and it is speaking only words of truth and soberness to say that confederation will rank among the landmarks of the world’s history, and that its importance will not decline but will increase as history throws events into their true perspective. It is in his association with confederation, with the events
A MAN OF VARIED INTERESTS

that led up to confederation, and with the addition to Canada of the vast and fertile plains of the West, that the life of George Brown is of interest to the student of history.

Brown was not only a member of parliament and an actor in the political drama, but was the founder of a newspaper, and for thirty-six years the source of its inspiration and influence. As a journalist he touched life at many points. He was a man of varied interests—railways, municipal affairs, prison reform, education, agriculture, all came within the range of his duty as a journalist and his interest and sympathy as a man. Those stout-hearted men who amid all the wrangling and intrigue of the politicians were turning the wilderness of Canada into a garden, gave to Brown in large measure their confidence and affection. He, on his part, valued their friendship more than any victory that could be won in the political game. That was the standard by which he always asked to be judged. This story of his life may help to show that he was true to the trust they reposed in him, and to the principles that were the standards of his political conduct, to government by the people, to free institutions, to religious liberty and equality, to the unity and progress of the confederation of which he was one of the builders.
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SIR LEONARD TILLEY
THE MAKERS OF CANADA

SIR LEONARD TILLEY

BY

JAMES HANNAY

TORONTO

MORANG & CO., LIMITED

1912
Entered according to Act of the Parliament of Canada in the year 1907 by Morang & Co., Limited, in the Department of Agriculture
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CHAPTER I

EARLY LIFE AND BUSINESS CAREER

The political career of Samuel Leonard Tilley did not begin until the year that brought the work of Lemuel Allan Wilmot as a legislator to a close. Both were elected members of the House of Assembly in 1850, but in the following year Wilmot was elevated to the bench, so that the province lost his services as a political reformer just as a new man, who was destined to win as great a reputation as himself, was stepping on the stage. Samuel Leonard Tilley was born at Gagetown, on the St. John River, on May 8th, 1818, just thirty-five years after the landing of his royalist grandfather at St. John. He passed away seventy-eight years later, full of years and honours, having won the highest prizes that it was in the power of his native province to bestow.

In these days, when a man becomes eminent an effort is usually made to trace his descent from distinguished ancestors, but most of the early inhabitants of New Brunswick were too careless in such matters to leave much material to the modern maker of pedigrees. Sir Leonard Tilley was unable to trace his descent beyond his great-grandfather, Samuel Tilley. At one time it was thought that
his first ancestor in America was John Tilley, who came over in the *Mayflower* in 1620, but a closer search of the records of the Plymouth colony reveals the fact that John Tilley left no sons. But there were persons of the name of Tilley in the Massachusetts Bay colony as early as 1640, and there seems to be no doubt that Sir Leonard Tilley's ancestors had been long in America. They belonged to the respectable farming class which has given the Dominion of Canada and the United States so many of their most distinguished sons. Samuel Tilley, the great-grandfather of Sir Leonard, was a farmer on Long Island at the time of the American Revolution. His farm was then within the boundaries of the present borough of Brooklyn, and the curious in such matters can find the very lot upon which he resided laid down upon some of the ancient maps of that locality. At the time the British occupied Long Island, after the battle which took place there in the autumn of 1776, resulting in the defeat of the Americans, the Brooklyn farmers were called upon to provide cattle for the sustenance of the troops. Samuel Tilley, being a loyal man and a friend of the government, complied, and for this he was made the subject of attacks by the disloyal element among his neighbours, and in the course of time was compelled to seek shelter within the British lines. The occupation of Long Island by the British during the whole period of the war made it secure enough for Samuel Tilley, as well
as for all loyal men who lived in the vicinity of Brooklyn; but when the war was over it became necessary for him to seek shelter in Nova Scotia, the acts of confiscation and banishment against the Loyalists being of the most severe character. Samuel Tilley came to New Brunswick with the spring fleet, which arrived in St. John in May, 1783, and was a grantee of Parrtown, which is now the city of St. John. He erected a house and store on King Street, on the south side, just to the east of Germain, and there commenced a business which he continued for several years. He died at St. John in the year 1815. His wife was Elizabeth Morgan, who survived him for many years and died in 1835, aged eighty-four years.

Sir Leonard Tilley was not born when his great-grandfather died, but had a clear recollection of his great-grandmother, who lived for about four years after he came to reside in St. John. James Tilley, the grandfather of Sir Leonard, was also a grantee of Parrtown, he having purchased for a trifling sum, when a boy, a lot on Princess Street, which had been drawn by some person who was anxious to dispose of it. James Tilley was a resident of Sunbury County and a magistrate there for a great many years, dying in the year 1851. Sir Leonard Tilley's father, Thomas Morgan Tilley, was born in 1790, and served his time with Israel Gove, who was a house-joiner and builder. He spent his early days as a lumberman, getting out ship timber, his opera-
tions being carried on mainly at Tantiwany, in the rear of Upper Gagetown. He afterwards went into business at Gagetown, and kept a store there down to the time of his death, which took place in 1870. Sir Leonard's great-grandmother, on his father's side, was Mary Chase, of the Chase family of Massachusetts, she having come from Freetown, in that state. Sir Leonard's mother was Susan Ann Peters, daughter of William Peters, who was for many years a prominent farmer in Queens County, and a member of the legislative assembly. William Peters owned a large property and had one of the finest tracts of land possessed by any man in the province in his day. But he was unwise enough to sell it for the purpose of obtaining money with which to enter into lumbering with William Wilmot, the father of L. A. Wilmot, and, being unsuccessful in his operations, his whole fortune was swept away. The ancestors of William Peters were from New York state, from which they came with the rest of the Loyalists in 1783.

The house in Gagetown in which the future governor of New Brunswick and finance minister of Canada was born, is still standing and is now used as a hotel. Gagetown was at that period, and still is, one of the most beautiful places in New Brunswick. The river St. John flows in front of it, and Gagetown Creek, which is almost as wide as the river, laves its shores. The land in the vicinity is fertile, and fine old trees line the streets, giving
EARLY EDUCATION

an air of beauty and refinement to the locality. Sir Leonard was named after his uncle, Samuel Leonard Peters, and the latter was named after an English schoolmaster named Samuel Leonard, who was a great favourite with William Peters, the grandfather of the subject of this biography. Samuel Leonard, after leaving Gagetown, appears to have removed to Nova Scotia, and probably died in that province. When Sir Leonard was five years old he was sent to the Madras School in Gagetown, of which Samuel Babbitt was the teacher. He attended this school from 1823 until 1827, when the grammar school was instituted in Gagetown. The Madras school system was at that time in high favour with the people of the province, and these schools received large grants from the government, it being thought that this system was more advantageous than any other for the instruction of youth. This idea, however, did not prove to be universally correct, for in the course of a few years we find the legislature declaring that while they believed the Madras system suitable to towns and populous places, it did not answer so well in rural districts. Samuel Babbitt, the teacher of the Madras School, was clerk of the parish, and, according to the custom of that day, led the responses in church. The rector of Gagetown at this period was the Rev. Samuel Clark. The teacher of the local grammar school which young Tilley attended from 1827 to 1831 was William Jenkins, a graduate of
Dublin University. Jenkins was a very severe man, and believed in the doctrine that he who spares the rod spoils the child, and Sir Leonard had a very vivid recollection of the vigour with which he applied the birch. He removed from Gagetown shortly after 1831, and took up his residence in Quebec, where he conducted a large school for many years, dying about the year 1863. Sir Leonard, after he had become a well-known political character and a member of the government of New Brunswick, had the pleasure of paying him a visit some time in 1858.

An interesting incident occurred in 1827, at the time young Tilley commenced to attend the grammar school. Sir Howard Douglas, who was then governor of New Brunswick, paid a visit to Gagetown and was the guest of Colonel Harry Peters, the speaker of the House of Assembly. While the governor and his host were walking through Gagetown, they met young Tilley and a son of Harry Peters returning from school, and the boys were introduced to His Excellency, who presented each of them with a Spanish quarter-dollar. Sir Leonard could remember and often spoke of the appearance of Sir Howard Douglas, dressed in a blue coat with brass buttons, a fine-looking gentleman, with a pleasant face and a kindly smile. Little thought the then governor of New Brunswick that the boy to whom he was speaking, a lad of nine years of age, would fifty years
Enters on Business Life

later sit in his own chair in the government house.

Young Tilley was not the kind of youth likely to be satisfied to reside all his life in Gagetown. Other boys of less ambition might be content to settle down on the farm and to fulfil their destinies within the comparatively limited sphere of action which that little town in Queens County afforded, but he had within him longings for a higher destiny than he was likely to attain as a resident of a rural district.

Young Tilley came to St. John in May, 1831, at the age of thirteen. He at once entered the drugstore of Dr. Henry Cook, as a clerk, it being the fashion of those times for medical men to have a dispensary in connection with their professional practice, so that they could give advice, and dispense their own prescriptions with equal facility. He continued as clerk with Dr. Cook until February, 1835, when he entered the service of William O. Smith, who, in later years, was mayor of St. John. It was while a clerk with Smith that Tilley became a member of the St. John Young Men’s Debating Society, an organization which, if it has no other claim to the remembrance of posterity, at least has that of giving one distinguished statesman to British America, and a governor to New Brunswick. It was in this society that he made his first attempt at public speaking, and it may be said that from the very beginning he showed
SIR LEONARD TILLEY

a remarkable aptitude for debate and public discussions.

In December, 1837, he took one of the most important steps of his life in espousing the cause of total abstinence. Having taken up this movement, he threw his whole energy into it, and from that time down to the day of his death he was a consistent temperance man, and a strong advocate of the principle of total abstinence. It was, perhaps, this strong advocacy of the cause of temperance, more than anything else, that brought him before the public as a suitable person to become a candidate for the House of Assembly, and led to his first election as a representative for the city of St. John in the local legislature thirteen years later. Certainly the fact that Tilley, from that time until the close of his public career, had always the support of the temperance societies, gave him a strength which he hardly would have obtained otherwise, and rallied around him a phalanx of friends, who, for fidelity to his interests and zeal for his political advancement, could hardly have been surpassed.

Tilley commenced business on his own account in 1838, before he had attained the age of twenty years, as a member of the firm of Peters & Tilley, and he continued a successful career until 1855, when he transferred his business to Mr. T. B. Barker, the founder of the present firm of T. B. Barker & Sons. It is unnecessary to say anything more in regard to Mr. Tilley's life as a business man
than that it was a highly prosperous one. He showed so much energy and enterprise that when he entered political life he was comparatively wealthy. There is no doubt that if he had continued in business instead of devoting his energies to the service of the province and Dominion, he would have made far more money than he obtained as a politician.

The movement in behalf of free trade, which was changing the fiscal policy of the United Kingdom in the closing years of the first half of the nineteenth century, did not meet with much favour in New Brunswick, because it seriously affected the leading industry of the province. Colonial timber had long enjoyed a preference in the British market, but this preference had been seriously impaired by imperial legislation and was likely to be taken away altogether if free trade principles should prevail. Many remonstrances had been sent to the British government against the reduction or abolition of the duty on foreign timber which came into competition with the colonial product, but these remonstrances proved wholly unavailing, and it was seriously believed that the colonial timber trade would be destroyed. This led to the annexation movement of 1848, which affected all the provinces, while it also caused the formation of organizations pledged to resist the free trade movement. Tilley was in sympathy with these efforts to preserve colonial trade, and it was in conse-
quence of this that he first made his entrance into political life.

At a meeting of the electors of St. John in favour of protection, which was held previous to the general election of 1850, Tilley was nominated as one of the candidates for the city of St. John. He was not present at the meeting and had no knowledge whatever of the intention of the electors to make such a nomination. A meeting was called a few nights later in Carleton to confirm the nomination, and at that meeting Tilley was present. He then made the strongest possible protest against the nomination, but the electors present would not take "No" for an answer, and he eventually consented to stand as a candidate, informing them at the same time that he had an engagement to be in Boston on the day fixed for the nomination, and could not be at the hustings on that day. Notwithstanding this statement they still persisted in his nomination, but as Tilley was absent in the United States, his nomination speech on that occasion was made by Joseph W. Lawrence, who afterwards was found among his strongest political opponents. At the general election of 1850 all the candidates elected for the city and county of St. John were avowed opponents of the government. Tilley was returned at the head of the poll, while W. H. Needham, who ran with him, was likewise elected. The members elected for the county were R. D. Wilmot, William J. Ritchie, John H. Gray and Charles Simonds;
while J. R. Partelow, Charles Watters and John Jordan were the three defeated candidates. The list of candidates for the city and county of St. John included two future governors, a future chief-justice of the supreme court of Canada and two other judges, to say nothing of the provincial secretary, Mr. Partelow, a speaker of the House of Assembly and a future mayor of St. John. It must be admitted that few elections that have ever been held in any part of British North America have had so many candidates presented to the electors who were afterwards eminent in public life. This election took place at an important epoch in the history of the province, when the old order was passing away and men's minds were prepared for a great change in political affairs. It was a Reform House of Assembly, and, although all the members elected for the purpose of upholding Reform principles did not prove true to their trust, still it contained a larger number of men of Liberal views than any of its predecessors.

Among the members of this House were several who had taken a very important part in public affairs, or who afterwards became members of the executive. The county of York sent among its representatives, Lemuel A. Wilmot, who had been a member of the House for sixteen years, and who had taken a leading part in many measures of importance for the improvement of the system by which the country was governed.
Mr. Charles Fisher, who had been a colleague of Mr. Wilmot in the county of York, was defeated at the general election, but soon afterwards became a member of the House. Mr. Fisher had not the oratorical gifts possessed by Mr. Wilmot, but he was even stronger in his Liberal views, and as a constitutional lawyer he had no equal, at that time, in the province. Although his manners were somewhat uncouth and his address far from polished, Fisher had strong individuality and a singularly clear intellect. His services in the cause of Liberalism in New Brunswick can hardly be overestimated, and these services were rendered at a time when to be a Liberal was to be, to a large extent, ostracized by the great and powerful who looked upon any interference with their vested rights as little short of treason.

Tilley's colleague from St. John city was William H. Needham, who afterwards represented the county of York in the legislature. Mr. Needham had some remarkable gifts as a speaker and a public man, and he might have risen to a much higher position than he ever attained had it not been that his principles were somewhat uncertain. In truth, Needham never succeeded in getting sufficiently clear of the world to be quite independent, and this misfortune hampered him greatly in his political career.

One of the members from St. John county was William J. Ritchie, a lawyer who had risen by his own efforts to a commanding position at the bar,
NOTABLE CANDIDATES

and who became chief-justice of Canada. Mr. Ritchie had been a member of the House of Assembly for several years, and always a useful one. He possessed what few members at that time had,—a clear knowledge of the true principles of responsible government. He had an eminently practical mind; he was a forcible and impressive speaker, and he was bold in the enunciation of the Liberal principles to which he held. It was a serious misfortune to the province that at a comparatively early age he was transferred to the bench, so that his great abilities were lost at a critical period when they might have been useful to New Brunswick in many ways.

John H. Gray, a new member, also sat in this House for the county of St. John. Mr. Gray was a man of fine presence, handsome appearance, and had a style of oratory that was very captivating and impressive. His fluency, however, was greater than his ability, and he injured himself by deserting the Liberal party, which he had been elected to uphold. Gray never quite recovered from the unpopularity connected with this action, and he never became in any sense a real leader. The party he had deserted soon obtained the control of the province, and his final appearance in the legislature was as a supporter of Mr. Tilley, content to play a secondary part during the great confederation conflict.

Robert Duncan Wilmot, another of the St. John
SIR LEONARD TILLEY

County members, a first cousin of L. A. Wilmot, was not new to the legislature, and his mind being naturally conservative, it is in connection with the Conservative party that he is best known in the history of the province. He was elected as a Liberal, however, in 1850, but seems to have forgotten that fact as soon as he reached the House of Assembly. This was not the only occasion on which Wilmot contrived to change his principles, for he performed a similar feat during the confederation contest, and left the anti-confederate government of 1865 in the lurch at a moment when its existence almost depended on his fidelity. Wilmot never was an eloquent man, and he entertained some highly visionary views in regard to an irredeemable paper currency, but he was a useful public servant, and he afterwards became a member of the government of Canada and eventually lieutenant-governor of New Brunswick.

The Hon. John R. Partelow, who was defeated in St. John but elected for Victoria, was a man who might have acquired a great political reputation had the stage on which he appeared been a larger one. Partelow’s qualifications for high public position did not depend upon his oratory, which was not of a high order, but upon his moderation and good sense. Partelow’s origin was humble, and his early days were spent as a clerk in a store on the North Wharf, St. John. In that subordinate position he made himself so useful and dis-
JOHN R. PARTELOW

played so much ability that he was marked for promotion. The idea of bringing him forward as a candidate for the city of St. John seems to have originated with his employers, but when he gained a seat in the legislature he speedily made his influence felt. Partelow spoke but seldom, but when he did address the legislature it was generally with good effect, and after the subject had been to a large extent exhausted by previous speakers. He then had a faculty of drafting a resolution which seemed to express the general sense of all, and which was usually accepted as a solution of the matter. He was a good business man, understood accounts thoroughly and, therefore, had a great advantage in legislative work over those who were not so well equipped in this respect. New Brunswick may have produced greater men than he in public life, but none whose talents were more useful to the province, or better fitted to serve its interests at a critical period in its constitutional history.
CHAPTER II
ELECTED TO THE LEGISLATURE

Shortly after the general election, Chief-Justice Chipman, who had been in infirm health, resigned his office, and a vacancy was thus left on the bench of the supreme court of the province. In the natural course, this office ought to have gone to the attorney-general, Mr. L. A. Wilmot, but this appointment was not made. The council were unable to unite in any recommendation to the governor, who consequently laid all the facts before the home government and in reply received instructions to give the chief-justiceship to Judge Carter and to offer the puisne judgeship to Mr. Wilmot, or, if he should refuse it, to Mr. Kinnear, the solicitor-general. The executive council complained that the appointment of Mr. Wilmot to a seat on the bench by the authority of the secretary of state without the advice or recommendation of the responsible executive within the province, was at variance with the principles of responsible government which were understood to be in force. They, however, had only themselves to thank for this, for they were continually appealing to Downing Street. As a majority of the House had been elected as opponents of the government, it was supposed there
would be no difficulty in bringing about a change of administration. Mr. Simonds, of St. John, who was reputed to be a Liberal, was elected speaker without opposition, and at an early day in the session Mr. Ritchie, of St. John, moved, as an amendment to the address, a want-of-confidence resolution. This resolution, instead of being carried by a large majority as was expected, was lost by a vote of fifteen to twenty-two, Messrs. Alexander Rankine and John T. Williston, of Northumberland, Messrs. Robert Gordon and Joseph Reed, of Gloucester, Mr. A. Barbarie, of Restigouche, and Mr. Francis McPhelim, of Kent, having deserted their Liberal allies. Had they proved faithful, the government would have been defeated, and the province would have been spared another three years of an incompetent administration.

In this division, Tilley and Needham, who represented the city of St. John, and Messrs. R. D. Wilmot and Gray, two of the county members, voted for Ritchie’s amendment. As Wilmot and Gray showed by their votes that they had no confidence in the government in February, 1851, it was with much surprise that the people of St. John, in the August following, learned that they had become members of the administration which they had so warmly condemned a few months before. Their secession from the Liberal party destroyed whatever chance had before existed of ousting the government. Mr. Fisher had seceded from the govern-
RAILWAY LEGISLATION

ment in consequence of their action in reference to the judicial appointments, and John Ambrose Street, who was a member for Northumberland, became attorney-general in place of Robert Parker, appointed a judge. Mr. Street was a ready debater and a strong Conservative, and his entrance into the government at that time showed that a Conservative policy was to be maintained.

Mr. Street, as leader of the government in the assembly, presented a long programme of measures for the consideration of the legislature, none of which proved to be of any particular value. The municipal corporation bill was passed, but it was a permissive measure, and was not taken advantage of by any of the counties. A bill to make the legislative council elective, which was also passed in the Lower House at the instance of the government, was defeated in the Upper Chamber. The bill appointing commissioners on law reform was carried, and resulted in the production of the three volumes of the revised statutes issued in 1854. The most important bill of the session, introduced by the government, was one in aid of the construction of a railroad from St. John to Shediac. This bill provided that the government should give a company two hundred and fifty thousand pounds sterling, to assist in the construction of the line referred to. There was also a bill to assist the St. Andrews and Quebec Railroad to the extent of fifty thousand pounds, and a bonus or subvention to
the Shediac line amounting to upwards of eleven thousand dollars a mile, for which sum a very good railway could be constructed at the present time. It may be stated here that, although the company was formed and undertook to build a railway to Shediac under the terms offered by the government, the province had eventually to build the road at a cost of forty thousand dollars a mile, or fully double what a similar road could be constructed for now.

One of the measures brought forward by the government at this session was with reference to the schools of the province. The idea of taxing the property of the county for the support of public schools had not then found any general acceptance in New Brunswick; indeed, it was not till the year 1872 that the measure embodying this principle was passed by the legislature. The government school bill of 1851 provided that the teachers were to be paid in money, or board and lodging, by the district to the amount of ten pounds for six months, in addition to the government allowance. This bill was a very slight improvement on the Act then in force, and as the government left it to the House to deal with, and did not press it as a government measure, it was not passed. A private member, Mr. Gilbert, of Queens, at this session proposed to convert King's College into an agricultural school, with a model farm attached. King's College had been established by an Act
KING'S COLLEGE

passed in 1829, and had received a large endowment from the province, but it never was a popular institution because of its connection with a single Church. The original charter of the college made the bishop of the diocese the visitor, and required the president to be always a clergyman of the Church of England; and, although this had been changed in 1845 by the legislature, the number of students who attended it was always small, and it was shown in the course of debate that it had failed to fulfil the object for which it was created. The college council consisted of fifteen members, of whom ten were Episcopalians; and the visitor, the chancellor, the president, the principal, five out of seven of the professors and teachers, and the two examiners were members of the same Church. The services in the college chapel were required to be attended by all resident students, and of the eighteen students then in the college, sixteen were Episcopalians. It was felt that this college required to be placed on a different footing, and Mr. Gilbert's bill, although it provoked much hostile comment at the time, certainly would have been more beneficial to the educational interests of the country, if it had passed, than the state of affairs which resulted from the continuance of the old system. An agricultural school was the very thing the province required, while, judging from the limited attendance at the college at that time, the people of this province were not greatly impressed
with the value of a classical education. In 1851, however, any one who proposed to replace a college for the teaching of Greek and Latin with a college of agriculture, and the sciences allied to it, was looked upon as a Philistine. Then youths were taught to compose Latin and to read Greek who never, to the day of their death, had a competent knowledge of their own language; and agricultural studies, which were of the highest importance to more than one-half of the people of the province, were totally neglected. Mr. Gilbert's bill was defeated, as it was certain to be in a legislature which was still under the domination of old ideas. Had it passed, New Brunswick might at this time have had a large body of scientific farmers capable of cultivating the soil in the most efficient manner, and increasing its productiveness to an extent hardly dreamed of by those who only consider it in the light of the present system of cultivation.

During this session, Mr. Ritchie of St. John moved a series of resolutions condemning the government, and complaining of the colonial office and of the conduct of the governor. These resolutions declared: first, that the House was entitled to full copies of all despatches addressed to or received from the colonial office, and that it was not enough merely to send extracts from a despatch which had been received by the governor. They declared that the power of making appointments to offices was
vested in the governor by and with the advice of the executive council, and that the appointment of the chief-justice and a puisne judge by the governor, contrary to the advice of his council, was inconsistent with the principles of responsible government. They complained that the salaries were excessive, and condemned the refusal of the British government to allow the colonies to grant bounties for the development of their resources. These resolutions, after being debated for about a week, were rejected by a vote of twenty-one to nineteen, the smallness of the majority against them at the time being looked upon as virtually a Liberal victory. If the nineteen had been made up of men who could be relied on to stand by their colours in all emergencies, it would have been a Liberal triumph, but, unfortunately, among the nineteen there were some who afterwards deserted their party for the sake of offices and power.

Early in August it was announced that John H. Gray and R. D. Wilmot, two of the Liberal members for the county of St. John, had abandoned their party and their principles and become members of the government. The Liberals of St. John, who had elected these gentlemen by a substantial majority, were naturally chagrined at such a proof of their faithlessness, and their colleagues were likewise greatly annoyed. Messrs. Gray and Wilmot made the usual excuses of all deserters for their conduct, the principal one being that they thought
they could serve the interests of the constituency and of the province better by being in the government than out of it. The friends of the four members who still remained faithful, Messrs. Tilley, Simonds, Ritchie and Needham, held a meeting at which these gentlemen were present, and it was agreed that they should join in an address to their constituents condemning the course of Messrs. Wilmot and Gray, and calling on the constituency to pronounce judgment upon it. As Wilmot, who had been appointed to the office of surveyor-general, had to return to his constituency for re-election, the voice of the constituency could only be ascertained by placing a candidate in the field in opposition to him. This was done, and Mr. Allan McLean was elected to oppose Mr. Wilmot. The result seemed to show that the people of St. John had condoned the offence, for Wilmot was re-elected by a majority of two hundred and seventy-three. As this appeared to be a proof that they had lost the confidence of their constituents, Messrs. Simonds, Ritchie and Tilley at once resigned their seats and did not offer for re-election. This act was, at the time, thought by many to indicate an excess of sensitiveness, and Needham refused to follow their example, thereby forfeiting the regard of most of those who had formerly supported him. The sequel proved that the three resigning members were right, for they won much more in public respect by their conduct than they
THE ST. JOHN ELECTION

lost by their temporary exclusion from the House of Assembly.

The gentlemen returned for the three seats in St. John which had been vacated by the resigning members were James A. Harding, John Goddard and John Johnson. Mr. Harding, who ran for the city, was opposed by S. K. Foster. Harding was a Liberal, but this fact does not seem to have been kept in view when he was elected. The net result of the whole affair was that the constituency of St. John could not be relied upon to support a Liberal principle, or any kind of principle as against men. That has always been a peculiarity of the St. John constituencies, men being more important than measures, and frequently a mere transient feeling being set off against the most important considerations of general policy.

Tilley was not in the House of Assembly during the sessions of 1852, 1853 and 1854; that period was one, however, of development in political matters and of substantial progress. The governor’s speech at the opening of the session of 1852 was largely devoted to railways, and it expressed the opinion that a railroad connecting Canada and Nova Scotia, and a connection with a line from St. John to the United States, would produce an abundant return to the province, and that by this means millions of tons of timber, then standing worthless in the forest, would find a profitable market. It was during this session that Messrs. Peto, Brassy
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and Betts proposed to construct the European and North American Railway, on certain conditions. The subsidies offered by the province at this time were twenty thousand pounds a year for twenty years, and a million acres of land for the European and North American Railway, as the line to the United States was termed; and for the Quebec line, twenty-two thousand pounds sterling for twenty years, and two million acres of land. A new company, which included Mr. Jackson, M. P., offered to build the New Brunswick section of both railroads, upon the province granting them a subsidy of twenty thousand pounds a year for twenty years, and four million acres of land. Attorney-General Street introduced a series of railway resolutions favouring the building of the Intercolonial Railway jointly by the three provinces, according to terms which had been agreed upon by the delegates of each. The arrangement was that the Intercolonial Railway should be built through the valley of the St. John, and for favouring resolutions in the House confirming this arrangement, Mr. Street's Northumberland constituents called upon him to resign his seat, a step which he refused to take.

The government railway resolutions were carried by a large majority. During the recess Mr. Chandler, as a representative of New Brunswick, and Mr. Hineks, a representative of Canada, went to London to endeavour to obtain from the British government a sum sufficient to build the Intercolonial
INTERCOLONIAL RAILWAY

Railway. The request of the delegates was refused on the ground that such a work had to be one of military necessity, and that the route which had been selected, by the valley of the St. John, was not a proper one for military purposes. As Mr. Chandler could not obtain what he wished from the British government, he applied to Messrs. Peto, Brassy and Betts, who said they were prepared to build all the railroads that New Brunswick might require, upon the most advantageous terms. Mr. Jackson visited the province in September of the same year, and it was agreed that his company should build a railway from St. John to Amherst, and from St. John to the United States frontier, the distance being then estimated at two hundred and fourteen miles, for the sum of sixty-five hundred pounds sterling per mile. The province was to take stock to the extent of twelve hundred pounds per mile, and to lend its bonds to the company for one thousand eight hundred pounds additional per mile. The completion of this arrangement caused great rejoicing in the province, especially in St. John, a special session of the legislature being called on October 21st for the express purpose of amending the Railway Act so that it might conform to the new conditions. As both branches of the legislature were strongly in favour of the railway policy of the government, the necessary bills were speedily passed and the legislature was prorogued after a session of eight days.
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The meeting of the legislature in 1853 derived its principal importance from the fact that much of its time was taken up with the discussion of the question of a reciprocity treaty with the United States of America. The discussion disclosed a strong disinclination on the part of many members to any arrangement by which the fisheries would be surrendered. An address to the queen was agreed to by both branches of the legislature in which it was stated that the exclusive use of the fisheries by the inhabitants of British North America would be much more advantageous and satisfactory than anything which the United States could offer as an equivalent. It was also stated that no reciprocity treaty with that country would be satisfactory to New Brunswick which did not embrace the free exchange of raw materials and natural products and the admission of colonial built vessels to registry in American ports. The tone of the discussions on this subject, both in 1853 and 1854, shows that reciprocity with the United States was not generally regarded as being an equivalent for the giving of the fisheries to our neighbours, and it is quite clear that, so far as New Brunswick was concerned, the reciprocity treaty would not have been agreed to had it not been that the matter was in the hands of the British government, and that the legislature of the province was not disposed to resist strenuously any arrangement which that government thought it wise to make.

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CHAPTER III

THE PROHIBITORY LIQUOR LAW

The House which had been elected in 1850 was dissolved after the prorogation in 1854, and the election came on in the month of July. It was a memorable occasion, because it was certain that the topics discussed by the House then to be elected would be of the very highest importance. One of these subjects was the reciprocity treaty, which at that time had been arranged with the United States through the British government. This treaty provided for the free interchange of certain natural products between the great republic and the several provinces which later formed the Dominion of Canada, and it had been brought about through the efforts of Lord Elgin, who at that time was governor-general of Canada. The treaty was agreed to on June 5th, and was subject to ratification by the imperial parliament and the legislatures of the British North American colonies which were affected by it. In the St. John constituencies there was at that time a strong feeling in favour of a protection policy, but this did not interfere with the desire to effect the interchange of raw material with the United States on advantageous terms. Tilley had been originally
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nominated as a protectionist, and still held views favourable to the encouragement and protection of native industries by means of the tariff, but he was also favourable to reciprocity with the United States if it could be obtained in such a manner as to be beneficial to the province. At the general election he led the poll in the city of St. John, his colleague being James A. Harding, who had been elected at a bye-election to the previous House. For the county, Mr. William J. Ritchie was one of the successful candidates, and the only Liberal returned for that constituency. The other members for the county were the Hon. John R. Partelow, Robert D. Wilmot and John H. Gray.

The new House was called together on October 19th for the purpose of ratifying the reciprocity treaty, and the Hon. D. L. Hanington was elected speaker by a vote of twenty-three to thirteen. This gave the opposition an earlier opportunity of defeating the Street-Partelow administration than would, under ordinary circumstances, have been possible. An amendment to the address was moved by the Hon. Charles Fisher, which was an indictment of the government for their various shortcomings and offences. The amendment was to expunge the whole of the fifth paragraph and substitute for it the following:—

"It is with feelings of loyalty and attachment to Her Majesty's person and government that we recognize, in that provision of the treaty which
QUESTION OF THE JUDGES REVIVED

requires the concurrence of this legislature, a distinct avowal by the imperial government of their determination to preserve inviolate the principles of self-government, and to regard the constitution of the province as sacred as that of the parent state. We regret that the conduct of the administration during the last few years has not been in accordance with these principles, and we feel constrained thus early to state to your Excellency that your constitutional advisers have not conducted the government of the province in the true spirit of our colonial constitution.” This amendment was debated for six days, and was carried by a vote of twenty-seven to twelve.

The general ground of accusation against the government, and the one most strongly insisted upon, was that it had yielded to the influence of the colonial office in the appointment of Judge Wilmot. It was well known that the government at that time, or at least a majority of them, did not consider it necessary to appoint another judge; at all events, they took no steps to bring about another appointment; but they yielded to the colonial office, and the pressure put upon them by Sir Edmund Head, the lieutenant-governor, so far as to acquiesce in the appointment of Judge Carter as chief-justice, and the elevation of Mr. Wilmot to the bench. This was a fair ground of attack, because it was clear that if the executive council of New Brunswick was under the orders of the home govern-
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ment, representative institutions and responsible government did not exist.

Thus the Street-Partelow government fell, and with it disappeared, at once and forever, the old Conservative régime which had existed in the province from its foundation, and which, unavoidably no doubt, had presided over the early political life of the colony, but the undue continuance of which was wholly incompatible with the full development of representative institutions and responsible government. It was a great triumph for the cause of Liberalism that the Conservatives of that period were not only defeated, but swept altogether out of existence. After that a government of men who called themselves Conservatives might go into power, but the old state of affairs, under which the lieutenant-governor could exercise almost despotic powers, had departed forever, and could no more be revived than the heptarchy. All that a Conservative government could do after that was to fall into line with the policy of the men they had displaced, and proceed, less rapidly perhaps, but none the less surely, along the path of political progress.

The new government which was formed as the result of this vote had for its premier the Hon. Charles Fisher, who took the office of attorney-general; Mr. Tilley became provincial secretary; Mr. James Brown, a few weeks later, received the office of surveyor-general; J. M. Johnson, one of the members for Northumberland, became solicitor-
general; and William J. Ritchie, Albert J. Smith and William H. Steeves were members of the government without office.

The bill to give effect to the reciprocity treaty passed its third reading on November 2d, only five members voting against it. On motion of the Hon. Mr. Ritchie, one of the members of the new government, it was resolved that it was desirable and expedient that the surveyor-general, who was a political officer, should hold a seat in the House of Assembly, and that the government should carry out the wishes of the House in this respect. Before the House again met the wishes of the House had been complied with, and Mr. Brown, of Charlotte, became surveyor-general.

The House met again on February 1st, 1855, and then the real work of legislative and administrative reform began. In the speech from the throne it was stated that the Customs Act would expire in the course of a year, and that it was necessary that a new Act should be passed. A better system of auditing the public accounts was also recommended, and a better system of electing members to the legislature. On March 5th, correspondence was brought down, dated the previous 15th of August, announcing, on the part of the imperial government, the withdrawal of the imperial customs establishment, which was considered to be no longer necessary, and stating that as the duties of these offices were now mainly in connection with
the registration of vessels in the colonies, and
the granting of certificates of the origin of colonial
products, this work would hereafter be performed
by the colonial officers. A letter addressed to the
comptrollers and other customs officers had in-
formed them that their services would be discon-
tinued after January 5th, 1855. So disappeared the
last remnant of the old imperial custom-house
system, which had been the cause of so many diffi-
culties in all the colonies and which had done more
than anything else to bring about the revolution
which separated the thirteen colonies from the
mother country.

The great measure of the session of 1855 was the
law to prevent the importation, manufacture or
selling of liquor. This bill was brought in by Mr.
Tilley as a private member, and not on behalf of
the government. It was introduced on March 3d.
Considering its importance and the fact that it led
to a crisis in the affairs of the government and
the temporary defeat of the Liberal party, it went
through the House with comparatively little diffi-
culty. It was first considered on March 19th, and
a motion to postpone its further consideration for
three months was lost by a vote of seventeen to
twenty-one. The final division on the third reading
was taken on March 27th, and the vote was twenty-
one to eighteen, so that every member of the
House, with one exception, voted yea or nay. The
closeness of this last division should have warned
PROHIBITORY LIQUOR ACT

the advocate of the measure that it was likely to produce difficulty, for it is clear that all laws which are intended to regulate the personal habits of men must be ineffectual unless they have the support of a large majority of the people affected by them. That this was not the case with the prohibitory liquor law was shown by the vote in the legislature, and it was still more clearly shown after the law came into operation on January 1st, 1856.

The passage of the prohibitory law was a bold experiment, and, as the sequel showed, more bold than wise. The temperance movement in New Brunswick, at that time, was hardly more than twenty years old, and New Brunswick had always been a province in which the consumption of liquor was large in proportion to its population. When it was first settled by the Loyalists, and for many years afterwards, the use of liquor was considered necessary to happiness, if not to actual existence. Every person consumed spirits, which generally came to the province in the form of Jamaica rum, from the West Indies, and as this rum was supposed to be an infallible cure for nearly every ill that flesh is heir to, nothing could be done at that time without its use. Large quantities of rum were taken into the woods for the lumbermen, to give them sufficient strength to perform the laborious work in which they were engaged, and if it had been suggested that a time would come when the same work would be done without any more powerful
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stimulant than tea, the person who ventured to make such a suggestion would have been regarded as foolish. Experience has shown that more and better work can be done, not only in the woods, but everywhere else, without the use of stimulants than with them; but no one could be persuaded to believe this sixty years ago. Every kind of work connected with the farm then had to be performed by the aid of liquor. Every house-raising, every ploughing match, every meeting at which farmers congregated, had unlimited quantities of rum as one of its leading features. It was also used by almost every man as a part of his regular diet; the old stagers had their eleven-o’clock dram and their nip before dinner; their regular series of drinks in the afternoon and evening; and they actually believed that without them life would not be worth living. Some idea of the extent of the spirit-drinking of the province may be gathered from the fact that, in 1838, when the population did not exceed 120,000, 312,298 gallons of rum, gin and whiskey, and 64,579 gallons of brandy were consumed in New Brunswick. Spirits, especially rum, were very cheap, and, the duty being only thirty cents a gallon, every one could afford to drink it if disposed to do so.

It was at midnight on December 31st, 1855, when the bells rang out a merry peal to announce the advent of the New Year, that this law went into force. This meant little less than a revolution in
PROHIBITORY ACT UNPOPULAR

the views, feelings and ideas of the people of the province, and, to a large extent, in their business relations. The liquor trade, both wholesale and retail, employed large numbers of men, and occupied many buildings which brought in large rents to their owners. The number of taverns in St. John and its suburb, Portland, was not less than two hundred, and every one of these establishments had to be closed. There were probably at least twenty men who sold liquor at wholesale, and who extended their business to every section of the province, as well as to parts of Nova Scotia, and their operations also had to come to an end. It was not to be supposed that these people would consent to be deprived suddenly of their means of living, especially in view of the fact that it was by no means certain that the sentiment in favour of prohibition was as strong in the country as it appeared to be in the legislature. It has always been understood that many men voted for prohibition in the House of Assembly who themselves were not total abstainers, but who thought they might make political capital by taking that course, and who relied on the legislative council to throw out the bill. No men were more disgusted and disappointed than they when the council passed the bill.

The result of the attempt to enforce prohibition was what might have been expected. The law was resisted, liquor continued to be sold, and when attempts were made to prevent the violation of the
law, and the violators of the law were brought before the courts, able lawyers were employed to defend them, while the sale of liquor by the same parties was continued, thus setting the law at defiance. This state of confusion lasted for several months, but it is unnecessary to go into details. In the city of St. John, especially, the conflict became bitter to the last degree, and it was evident that, however admirable prohibition might be of itself, the people of that city were not then prepared to accept it. At this juncture came the astounding news that the lieutenant-governor, the Hon. H. T. Manners-Sutton, had dissolved the House of Assembly against the advice of his council. This governor, who had been appointed the year previous, was a member of an old Conservative family, one of whom was speaker of the British House of Commons for a great many years. The traditions of this family were all opposed to such a radical measure as the prohibitory law, and, therefore, it was not to be expected that Manners-Sutton, who drank wine at his own table, and who considered that its use was proper and necessary, would be favourable to the law. But even if he had been disposed to favour it originally, or to regard it without prejudice, the confusion which it caused in the province when the attempt was made to enforce it, would naturally incline him to look upon it as an evil. At all events, he came to the conclusion that the people should have another opportunity of pro-
DISSOLUTION OF LEGISLATURE

nouncing upon it, and, as the result of this view of the situation, resolved to dissolve the legislature, which had been elected only a little more than a year, and had still three years to run.

The election which followed in July, 1856, was perhaps the most hotly contested that has ever taken place in the province. In St. John, especially, the conflict was fierce and bitter, because it was in this city that the liquor interest was strongest and most influential. All over the province, however, the people became interested in the struggle, as they had not been in any previous campaign.

By the Liberals and friends of the government, the action of Governor Sutton was denounced as tyrannical, unjust and entirely contrary to the principles of responsible government. On the other hand, the friends of the governor and of the liquor interest declared that his action was right, and the cry of "Support the governor," was raised in every county. At this day it is easy enough to discern that there was a good deal of unnecessary violence injected into the campaign, and that neither party was inclined to do full justice to the other.
CHAPTER IV

REFORM AND PROGRESS

The result of the election was the defeat of the government. Mr. Tilley lost his seat for St. John city, and the Hon. James Brown, the surveyor-general, was rejected by the county of Charlotte, so that two of the principal members of the executive were not in their places when the House was called together in July. The city of St. John, and the city and county of St. John, sent a solid phalanx of six members opposed to prohibition, and an Act repealing the prohibitory liquor law was passed by a vote of thirty-eight to two. The new government which was formed had for its principal members, the Hon. John H. Gray, who became attorney-general; the Hon. John C. Allen, solicitor-general; the Hon. R. D. Wilmot, provincial secretary; the Hon. John Montgomery, surveyor-general, and the Hon. Francis McPhelim, postmaster-general. The other members of the executive council were the Hon. Edward B. Chandler, the Hon. Robert L. Hazen and the Hon. Charles McPherson.

When the House met in July, the Hon. Charles Simonds, of St. John, was elected speaker, and it was soon discovered, after the liquor bill had been
disposed of, that the majority supporting the government was so small as to make it impossible for them to accomplish any useful legislation. When the legislature again met, in the early part of 1857, it was seen that in a House of forty-one members twenty were arrayed against the government, and the only way in which government business could be done was by the casting vote of the speaker. This condition of affairs speedily became intolerable, because it practically made legislation impossible, but it was brought to an end by Mr. McMonagle, one of the members for the county of Kings, withdrawing his support from the government. Two courses only were now open to them, to tender their resignations or advise the dissolution of the legislature, and they chose the latter. The House of Assembly was dissolved by proclamation on April 1st, 1857, and the writs for the election were made returnable on May 16th.

The excitement attending this second election was, if possible, even greater than during the election of 1856, for the public mind had been wrought up to a high state of tension by the proceedings in the House and the numerous divisions in which the government was supported only by the casting vote of the speaker. The result of the election was so unfavourable to the Gray-Wilmot government that they at once tendered their resignations to the lieutenant-governor, agreeing to hold office only until their successors were appointed.
THE FISHER GOVERNMENT

The most bitter contest of the election centred in the city of St. John, and it resulted in the election of Mr. Tilley, with Mr. James A. Harding for his colleague, the latter having changed his views in regard to the question at issue since the previous election, when he was chosen as an opponent of the government of which Tilley had been a member. When the Gray-Wilmot government resigned, the lieutenant-governor sent for Mr. Fisher, and entrusted to him the business of forming a new government. The government thus formed comprised the Hons. James Brown, S. L. Tilley, William Henry Steeves, John M. Johnson, Albert J. Smith, David Wark and Charles Watters. The Hon. Charles Fisher became attorney-general, and, resigning his seat, was re-elected for the county of York prior to the meeting of the legislature on June 24th, 1857. The session lasted only until July 1st, being merely held for the purpose of disposing of the necessary business. James A. Harding was elected speaker of the House, and the legislation was confined to the passage of the supply bills, and matters that were urgent. Tilley took no part in the legislation of this session, for his seat immediately became vacant by his appointment as provincial secretary. The other departments were filled by the appointment of Mr. Brown to the office of surveyor-general; of Mr. Charles Watters, to the office of solicitor-general, and of John M. Johnson as postmaster-general.
The legislature met again on February 10th, 1858, and the speech from the throne dealt mainly with the financial crisis, the Intercolonial Railway, and the progress that was being made in the construction of the line between St. John and Shediac as a part of what was termed the European and North American Railway. The speech also referred to the fact that the surplus civil list fund had been, by arrangement with the British government made the previous year, placed at the disposal of the House of Assembly. It was soon seen that the government was strong in the House, the first test vote being that taken on the passage of the address in reply to the speech from the throne. This came in the form of an amendment, regretting that the arrangement in regard to the surplus civil list fund had been acceded to without the consent of the House. This amendment to the address received the support of only six members. A return brought down at an early period in the session showed that the revenue of the province for the fiscal year, ending October 31st, 1857, amounted to $668,252, an increase of $86,528 over the previous year. Of this sum upwards of $540,000 came from import duties and what were termed railway imposts, which were simply duties levied on imports for the purpose of defraying the cost of the railways then building. The casual and territorial revenue yielded only eighteen thousand pounds, but the export duties reached almost twenty thousand pounds.
INTERCOLONIAL RAILWAY

The Intercolonial Railway still continued to engage the attention of the legislature, and correspondence with the secretary of state, with the government of Canada, and with the government of Nova Scotia, in regard to this great work, was laid before the House soon after the session opened. The government of New Brunswick consulted with the governments of Canada and Nova Scotia as to what assistance should be given by the imperial government towards the construction of the Intercolonial Railway from Halifax to Quebec, in the form of a guarantee of interest. The British government professed to feel a strong sense of the importance of the object, but thought they would not be justified in applying to parliament for the required guarantee, because the heavy expenditures to which Great Britain had been subjected did not leave them at liberty to pledge its revenue for the purpose of assisting in the construction of public works of this description, however desirable in themselves. The correspondence on the subject of the Intercolonial Railway extended over a period of more than twenty years and grew to enormous proportions, but it is safe to assert that this line of railway would not have been constructed in the nineteenth century but for the fact that it was undertaken by the Canadian Dominion as a work which had to be built for the purpose of carrying out the terms of confederation as set out in the British North America Act (section 145).
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The railway to Shediac was finally completed and opened for traffic on August 5th, 1860, its length being one hundred and eight miles. The nineteen miles between Pointe du Chêne and Moncton had been open as early as August, 1857, and the nine miles from St. John to Rothesay, on June 1st, 1858. The railway was opened from St. John to Hampton in June, 1859, and to Sussex in November of the same year. Although the people of the province had abated something of their enthusiasm for railways by the time the St. John and Shediac line was finished, still its opening was a great event, because it was the commencement of a new era in transportation and gave St. John access to the north shore, from which it had previously been practically shut out. Goods could now be sent by means of railway and steamer to Prince Edward Island, and to the New Brunswick ports on the Gulf of St. Lawrence, and a community of interest which did not exist before was thus created between the most remote sections of the province.

The traffic receipts of the complete line were thought to be highly satisfactory; the business for the first three months amounted to about $45,000, and yielded a revenue of $18,000. This was a good showing and gave promise of still better things for the future. It may be interesting to state that in the last year that the railway was operated by the government of the province, the gross receipts amounted to $148,330, and the net receipts to 46
THE BALLOT

$51,760. The gross and net revenue of the road had shown a steady increase from the first, and although it had been a costly public work the people of the province considered it a good investment. It was only after it had passed into the hands of the government of Canada, and become a part of the Intercolonial Railway, that any colour was given to the accusation that it was an unprofitable line. The railway from St. John to Shediac had always paid well, and probably, if dissociated from its connecting lines, would at this day pay three or four per cent. upon its original cost.

The legislation of the province between 1858 and 1861, although it included many useful measures, evolved nothing that calls for particular mention, with the exception of the law which provided for voting by ballot. This was an innovation to which many were opposed, but which the Liberal party very properly considered necessary to the protection of the voter, who was liable to be coerced by his employer, or by those who had financial relations with him. The ballot system introduced by the government was quite imperfect and did not insure absolute secrecy, because it did not provide for an official ballot such as is required in the system of election which now prevails in connection with the choice of members to our Canadian parliament. Yet it was a vast improvement on open voting, not only because it gave the voter a certain degree of protection, but also from the
fact that it tended to promote order at elections, and to do away with that riotous spirit which was characteristic of the earlier contests in the province.

In 1859 an important step was taken for the reorganization of King’s College, which by an Act passed in that year, was changed into the University of New Brunswick. There had always been a great deal of dissatisfaction with the college in consequence of its denominational character, and in 1854 an Act was passed empowering the lieutenant-governor to appoint a commission to inquire into the state of King’s College, its management and utility, with a view to improving it. The commissioners appointed were the Hon. John H. Gray, the Rev. Egerton Ryerson, J. W. Dawson, the Hon. John S. Saunders and the Hon. James Brown. The report, which was dated December 28th, 1854, was laid before both branches of the legislature in 1855. In 1857 the college council appointed a committee and prepared a draft of a bill which was laid before the legislature. This, with a few slight alterations, was the bill which was passed in 1859 for the establishment of the University of New Brunswick, and in this bill were embodied the principal recommendations of the commissioners appointed in 1854 to enquire into the state of the college. This Act transferred to the University of New Brunswick all the property of King’s College and its endowment, and made the university liable for the payment of the debts and the performance of the contracts of
UNIVERSITY OF NEW BRUNSWICK

King's College. It created a new governing body for the college to be styled the senate, to be appointed by the governor in council, and the president of the college was required to be a member of that body and also to be a layman. It conferred upon the senate the power of appointing the professors and other officers of the university, except the president, and also the power of removing them from office, subject to the approval of the governor in council. It also authorized the senate to fix their salaries. It abolished the professorship of theology and provided for the affiliation of other institutions with the university, and also for a number of free scholars. This Act, which was passed in April, 1859, was especially approved by Her Majesty in council on January 25th, 1860. Thus a new era in the higher education of New Brunswick was commenced, and a long step was taken towards making the college more acceptable to the people of that province. Great hopes were entertained at the time that this liberalizing of the constitution of the college would lead to a large increase in the number of its students, and a more general interest in its work, but, unfortunately, as the sequel showed, these hopes were only partially realized.

During the spring of 1860 circumstances occurred which led to the resignation of the post-master-general, the Hon. Charles Connell. The legislature having adopted the decimal system of currency in
the place of the pounds, shillings and pence which had been the currency of the province since its foundation, Mr. Connell, in March, 1860, was authorized to obtain a new set of postage stamps of the denominations required for use in the postal service of the province. No person, at that time, thought that a political crisis would arise out of this order, but it appears that Mr. Connell, guided by the example of presidents and postmasters-general of the United States, had made up his mind that instead of the likeness of the queen, which had been upon all the old postage stamps of the province, the five-cent stamp, the one which would be most in use, should bear the impress of his own countenance. Accordingly the Connell postage stamp, which is now one of the rarest and most costly of all in the lists of collectors, was procured and was ready to be used, when Mr. Connell's colleagues in the government discovered what was going on and took steps to prevent the new five-cent stamp from being issued. The correspondence on the subject, which will be found in the journals of 1861, is curious and interesting; it ended in the withdrawal of the objectionable stamps and in the resignation of Mr. Connell, who complained that he had lost the confidence of his colleagues, and in resigning, charged them with neglecting the affairs of the province. Only a few of the Connell stamps got into circulation, the remainder of the issue being destroyed. Mr. Connell's place as postmaster-
Polling Day

From the painting by C. W. Jefferys
RESIGNATION OF MR. FISHER

general was filled by the appointment of James Steadman.

In the early part of 1861 a very important event occurred in connection with the government which produced a lasting effect on provincial politics. Charges were made by a St. John Conservative paper, *The Colonial Empire*, in which it was stated that members of the government and certain Crown lands officials had been purchasing the most desirable and valuable Crown lands of the province for speculative purposes, and that in bringing these lands to sale the government regulations had been violated and the public treasury had suffered. A committee of the House was appointed to investigate these charges, and inquiry established the fact that an official of the Crown lands department had purchased some eight hundred acres. These lands were all bought at public sale, but in the forms of application other names were used, which was a violation of the rules of the department. A portion of the press at the time created a widespread excitement upon this subject, and the services of the official referred to were dispensed with. Some of the supporters of the government also took such ground in reference to the attorney-general, Mr. Fisher, that his retirement from the government became necessary, the accusation against him being that he had negligently permitted some improper sales of Crown lands to be made. It was felt at the time by some that the penalty that
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was paid by the attorney-general was excessive for the offence; but, under the excitement then existing, it was the only course that could be taken to avoid the defeat of the government. At the general election that followed a few months later, Mr. Fisher was re-elected for the county of York, and later on, after the excitement had passed over, the delinquent Crown lands official was reinstated. At the same election, that took place in 1861, the government was handsomely sustained, after one of the warmest contests that had ever taken place in New Brunswick. Probably the most effective nomination speech ever made by Tilley, during his long political career, was the one then delivered at the court-house, St. John, in his own defence, and in the vindication of his government against the charges made by the Opposition candidates and press.
CHAPTER V

THE INTERCOLONIAL RAILWAY

The imperfect means of communication between the Maritime Provinces and Canada had long been recognized as a great evil, and very soon after the introduction of railways into England a line of railway was projected to run from St. Andrews, in New Brunswick, to Quebec. The transfer of a considerable tract of territory, which had been believed to be in New Brunswick, to the state of Maine, under the terms of the Ashburton Treaty, gave a check to this enterprise, and financial difficulties afterwards prevented its accomplishment. A more promising scheme was that of a railway from Halifax to Quebec, and this so far received the approval of the British government that an officer of engineers, Major Robinson, was, in 1847, detailed to conduct a survey of the proposed line. As this gentleman was influenced by purely military considerations, his line was carried as far from the United States boundary as possible, and consequently by a very long and circuitous route. During the session of 1852, Attorney-General Street introduced a series of resolutions in the New Brunswick legislature favouring the building of the Intercolonial Railway jointly by Canada, New
Brunswick and Nova Scotia, according to terms which had been agreed upon by the delegates of each. This arrangement was that the Intercolonial Railway should be built through the valley of the St. John. These resolutions were carried by a large majority. During the recess, Mr. Chandler, as the representative of New Brunswick, and Mr. Hincks, the representative of Canada, went to London to endeavour to obtain from the British government financial aid to build the Intercolonial Railway. This was refused on the ground that such a work had to be one of military necessity. Further efforts were made in 1855, and again in 1858, to influence the British government in favour of this railway, but without result; the answer of Downing Street being that the heavy expenditure involved in the Crimean War prevented the government from assisting in the construction of public works, such as the Intercolonial Railway, however desirable in themselves.

The effort to secure the construction of the Intercolonial Railway was renewed in 1861. At a meeting of delegates representing Canada, Nova Scotia and New Brunswick, which was held at Quebec on September 30th, it was resolved that the three governments should renew the offers made to the imperial government in 1858 with reference to the Intercolonial Railway, and that the route to be adopted be decided by the imperial government. The Hon. Mr. Tilley, who was at this
Quebec meeting, was sent to England as a delegate to confer with the imperial government with regard to the railway, while Nova Scotia was represented by the Hon. Joseph Howe, and Canada, by the Hon. P. M. Vankoughnet. The delegates reached England in November and placed themselves in communication with the Duke of Newcastle, who was then colonial secretary, and they also had interviews with the prime minister, Lord Palmerston, the chancellor of the exchequer, the secretary of war, and the president of the board of trade. While in England, the seizure of the commissioners of the southern confederacy, Messrs. Mason and Slidell, by Commodore Wilkes, on board the British mail steamer Trent, produced a crisis in the relations between Great Britain and the United States which seemed likely to lead to a war, and greatly strengthened the position of the delegates, who were able to point out the difficulty involved in defending Canada without a railway to the sea. They presented their views to the colonial secretary in a very ably written state paper, which should have convinced those to whom it was addressed that the railway was an absolute necessity. The delegates estimated the cost of the railway at £3,000,000 sterling, and they asked the imperial government to join in a guarantee of four per cent. interest on this sum, each of the provinces to guarantee £20,000 a year for this purpose and the imperial government, £60,000. This proposal was rejected by the
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British government, but it offered "an imperial guarantee of interest towards enabling them to raise by public loan, at a moderate rate, the requisite funds for constructing the railway." The British government, therefore, would do nothing for this great work except to indorse the bonds of the provinces to a limited extent, for it was stated in the Duke of Newcastle's letter to the delegates that "the nature and extent of the guarantee must be determined by the particulars of any scheme which the provincial governments may be disposed to found on the present proposal and on the kind of security which they would offer."

Delegates representing the three provinces met in Quebec in September, 1862, to consider this offer, New Brunswick being represented by Messrs. Tilley, Steeves and Mitchell. The delegates from the Maritime Provinces declared their willingness to propose to their respective governments to accept the proposition of the Duke of Newcastle if Canada would bear one-half of the expense of the railway instead of one-third. The Canadian government offered to assume five-twelfths of the liability for the construction and working of the Intercolonial, and to this the delegates for New Brunswick and Nova Scotia had to agree. This imposed a very serious burthen on two provinces, which, between them, had only six hundred thousand inhabitants, and their willingness to assume it shows the interest they took in this great work.
NEGOTIATIONS IN ENGLAND

In pursuance of an arrangement made at this Quebec meeting, delegates from the three provinces went to England to arrange the terms of the guarantee with the British government; the Hon. Mr. Tilley represented New Brunswick, and the Hon. Joseph Howe, Nova Scotia. Mr. Gladstone, who was then chancellor of the exchequer, insisted on a sinking fund being provided, which was to be a first charge on the revenues of the several provinces. This sinking fund was objected to by the colonial delegates, but the only modification in its terms which they were able to obtain was that the sinking fund was not to take precedence of any existing liability. Before leaving England, Messrs. Tilley and Howe prepared and submitted a memorandum to the Duke of Newcastle in which they expressed a hope that Mr. Gladstone might be induced to reconsider the matter of the sinking fund, and that it would not be insisted on. The Canadian delegates left England without an acceptance of the terms proposed by Mr. Gladstone, and without a formal rejection of them. Previous to the meeting of the Canadian parliament, Tilley proceeded to Quebec to urge upon the Canadian government the preparation of the necessary bills to carry out the agreement entered into for the construction of this great railway. He reported to the lieutenant-governor on his return that the government of Canada, for reasons stated, could not then undertake to pass the legislation required, which they greatly re-
gretted, but that they had not abandoned the arrangements for the construction of the railway. The Canadian government's declaration in the course of the session that they had abandoned this important enterprise was, accordingly, a source of great surprise and regret. The governments of New Brunswick and Nova Scotia passed the necessary legislation at the next session, but the government of Canada took no further step in the matter until the confederation negotiations were commenced in 1864.
CHAPTER VI

THE MOVEMENT FOR MARITIME UNION

We now come down to an event of the greatest interest, in which Mr. Tilley took part, and one of such vast and far-reaching importance that it quite overshadows all the other events of his career. The confederation of the Canadian provinces was, beyond all question, the most notable colonial movement within the British empire since the American Declaration of Independence. It changed at once the whole character of the colonial relations which had subsisted with the mother country, and substituted for a few weak and scattered colonies a powerful Dominion, able to speak with a united voice, and stand as a helpmeet to the nation from which most of its people had sprung. No man, whatever his views as to the wisdom of that political union may have been at the time, can now deny that it was timely and necessary, if the colonies and the mother country were to preserve their connection with each other. It is safe to say that, if confederation had not taken place in 1867, British interests on this continent would have suffered, and possibly some of the colonies would now have been a part of the United States. The policy of separating the colonies from England,
which has been so much advocated by many leading public men in the great republic, would have found free scope, and by balancing the interests of one colony against those of another, promoting dissensions and favouring those provinces which were disposed to a closer union with the United States, something might have been done to weaken their connection with the British empire, which is now the glory and the strength of the Dominion of Canada.

The question of the union of the several colonies of British North America was by no means a new one when it came up for final settlement. It had been discussed at a very early period in the history of the provinces, and indeed it was a question which it was quite natural to discuss, for it seemed but reasonable that colonies of the same origin, owing the same allegiance, inhabited by people who differed but little from each other in any respect, and with many commercial interests in common, should form a political union. No doubt it might have been brought earlier to the front as a vital political question but for the fact that the British government, which was most interested in promoting the union of the colonies, took no step towards that end until almost compelled by necessity to move in the matter. The colonial policy of England, as represented by the colonial office and in the royal instructions to colonial governors, has seldom been wise or far-seeing, and the British colonies which
CONFEDERATION FORESHADOWED

now girdle the world, have been built up mainly as the result of private enterprise; for the part taken by the government has, in most cases, been merely to give official sanction to what private individuals have already done, and to assist in protecting British interests when they have become important, especially in new regions of the world.

When the Earl of Durham was sent out as governor-general of Canada after the rebellion there in 1838, he suggested in his Report that the union of the colonies of British North America was one of the remedies which ought to be resorted to for the pacification of Canada and the reconstruction of its constitution. While a large proportion of the people of the colonies looked with favour upon the idea of a political union, there was in all of them a large body of objectors who were steadily opposed to it. People of that kind are to be found in all countries, and they have existed in all ages of the world's history. They are the persons who see in every new movement a thousand difficulties which cannot be surmounted. Their minds are constructed on the principle of rejecting all new ideas, and clinging to old forms and systems long after they have lost their vitality. They are a class who look back for precedents for any step of a political character which it is proposed to take, and who judge of everything by the standard of some former age. They seem to forget that precedents must be created some time or another, and that the present
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century has as good a right to create precedents as any of its predecessors. To these people every objection that could be urged against confederation was exaggerated and magnified, and whenever any proposal was made which seemed to tend towards the union of the colonies, their voices were heard upon the other side. We need not doubt the honesty or loyalty of these objectors, or consider that they were unfavourable either to British connection or to the building up of the empire. It was merely their misfortune that they were constitutionally adverse to change, and could not see any merit in a political movement which involved the idea of novelty.

For some time the principal advocate of confederation in the Maritime Provinces was the Hon. Joseph Howe, a man of such ability and force of character that on a wider stage he might have risen to eminence, and ranked amongst the world’s great statesmen. It is impossible indeed not to regret that so great a man, one so imperial in his instincts and views, should have been condemned to spend his life within the bounds of one small province.

The question of the political union of the British North American provinces was brought up in the House of Assembly of Nova Scotia in 1854, and then the leaders of both parties, the Hon. Mr. Johnson for the Conservatives, and the Hon. Mr.

1 For a full account of Howe’s views on confederation see the Hon. J. W. Longley’s Joseph Howe in this series.
ATTITUDE OF COLONIAL OFFICE

Howe for the Liberals, united in advocating the measure, and in depicting the advantage which would accrue from it not only to Nova Scotia, but to every British province in North America. In 1858 the question of confederation was discussed in the parliament of Canada, and such a union was made a part of the policy of the government; for Mr. A. T. Galt, on becoming a member of the administration, insisted upon its being made a cabinet question, and Sir Edmund Head, the governor-general, in his speech at the close of the session, intimated that his government would take action in the matter during the recess. Messrs. Cartier, Galt, and Ross, who were in England representing the government of Canada, waited upon the colonial secretary, Sir Edward Bulwer Lytton, asking the authority of the imperial government for a meeting of representatives from each of the colonies to take the question of union into consideration. The colonial secretary informed the Canadian delegates, no doubt after consultation with his colleagues, that the question of confederation was necessarily one of an imperial character, and declined to authorize the meeting, because no expression of sentiment on the subject had as yet been received from any of the Maritime Provinces except Nova Scotia. The Earl of Derby's government fell a few months after this declaration of its policy in regard to the colonies, and was succeeded by the government of Lord Palmerston, which was 63
in office at the time when the negotiations which resulted in the confederation of the colonies were commenced. At first Lord Palmerston's government seems to have been no more favourable to the union of the colonies than its predecessor; for in 1862 the Duke of Newcastle, then colonial secretary, in a despatch to the governor-general of Canada, after stating that Her Majesty's government was not prepared to announce any definite policy on the question of confederation, added that, "If a union, either partial or complete, should hereafter be proposed, with the concurrence of all the provinces to be united, I am sure that the matter would be weighed in this country both by the public, by parliament and by Her Majesty's government, with no other feeling than an anxiety to discern and promote any course which might be the most conducive to the prosperity, strength and harmony of all the British communities of North America." It must always be a subject of astonishment that the British government for so many years should have had no definite policy on a matter so momentous, and that they should have sought to discourage, rather than otherwise, a project which has been of such vast importance to the empire.

The first impulse in favour of confederation in the minds of the members of Lord Palmerston's cabinet seems to have developed about the time when it became evident that the result of the civil war in the United States would be the defeat of
A MISSIONARY OF UNION

the southern confederacy and the consolidation of the power of the great republic in a more effectual union than that which had existed before. No one who was not blind could fail to see that this change of attitude on the part of the United States would demand a corresponding change in the relations of the British colonies towards each other; for from being a mere federation of states, so loosely connected that secession was frequently threatened by states both north and south, the United States, as the result of the war, had become a nation with a strong central government, which had taken to itself powers never contemplated by the constitution, and which added immensely to its offensive and defensive strength.

In 1863, Thomas D'Acrey McGee, a member of the Canadian cabinet and a man of great eloquence and ability, visited St. John and delivered a lecture in the Mechanics' Institute Hall on the subject of the union of the colonies. His lecture was fully reported in the Morning News, a paper then published in that city, and attracted wide attention because it opened up a subject of the highest interest for the contemplation of the people of the provinces. Shortly afterwards a series of articles on the same subject, written by the author of this book, appeared in the columns of the Morning News, and were widely read and quoted. These articles followed closely the lines laid down for the union of the colonies by the late Peter S. Hamilton,
of Halifax, a writer of ability whose articles on the subject were collected in pamphlet form and extensively circulated. Thus in various ways the public mind was being educated on the question of confederation, and the opinion that the union of the British North American colonies was desirable was generally accepted by all persons who gave any attention to the subject. It was only when the matter came up in a practical form and as a distinct proposition to be carried into effect, that the violent opposition which was afterwards developed against confederation began to be shown.

An event occurred in the summer of 1864 which had its effect on the question of confederation. Up to that time the people of Canada and New Brunswick had been almost wholly unknown to each other, because the difficulties of travelling between the two provinces were so great. Any person who desired to reach Montreal at that time from St. John had to take the international steamer to Portland, Me., and was then carried by the Grand Trunk Railway to his destination. Quebec could be reached in summer by the steamer from Pictou which called at Shediac, but in winter the journey had to be made by the Grand Trunk Railway from Portland, the only alternative route being the road by which the mails were carried from Edmundston north to the St. Lawrence. Under these circumstances the people of the Canadian provinces and of the Maritime Provinces had but few oppor-
OPOLITICAL CRISIS IN CANADA

tunities of seeing each other, and the people of all the provinces knew much more of their neighbours in the United States than they did of their fellow-colonists. One result of the Hon. D'Arcy McGee's visit in 1863 was an invitation by the city of St. John to the legislature of Canada to visit the Maritime Provinces. The invitation was accepted and a party of about one hundred, comprising members of the legislature, newspaper men, and others, visited St. John in the beginning of August, 1864. Their trip was extended to Fredericton, where they were the guests of the government of New Brunswick, and to Halifax, where they were the guests of that city and of the government of Nova Scotia. This visit produced a good effect upon the public mind, and enabled the Maritime people to see what kind of men their fellow-colonists of Upper and Lower Canada were.

In the meantime a great crisis had arisen in the government of Canada, which was the immediate cause of the active part which that province took in the confederation movement. When Upper and Lower Canada were united in 1841, it was arranged that the representation of each province in the legislature should be equal. The arrangement at that time was favourable to Upper Canada, which had a smaller population than Lower Canada; but in the course of time, as the population of Upper Canada increased faster than that of the lower province, the people of Upper
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Canada felt that they had less representation than they were entitled to, and this state of affairs led to the raising of the cry of "Representation by Population" which was so often heard in that province prior to the era of confederation. In 1864 Upper Canada had half a million more people than Lower Canada, and yet was only entitled to the same number of members in the legislature. Another serious difficulty, which arose out of the union, was the necessity, which not long afterwards began to be recognized, of the government having a majority in the legislature from each section of the province. This, in time, grew to be so great an evil that the successful government of Canada became almost impossible, for the majority for the government in one province might at any time be disturbed by some local feeling, and as a consequence the government overthrown. To trace the history of the difficulties which arose from this cause would be to recite twenty years of the history of Canada; but it is only necessary to point out thus plainly the reasons for the willingness of the people of Upper and Lower Canada to resort to confederation as a means of getting rid of their embarrassments.

In 1863, the Hon. John Sandfield Macdonald was leader of the government, but he was compelled to resign when parliament met in the early part of 1864, and in March of that year a new administration under the premiership of Sir E. P.
MACDONALD-BROWN COALITION

Taché was formed. This new government developed very little strength, and was defeated on June 14th by a vote of fifty-eight to sixty, on a question relative to some transaction connected with bonds of the city of Montreal. A deadlock had come, and as it was evident that no new government which could be formed was likely to command sufficient support, it became necessary to make some new arrangements in regard to the system of administration. Immediately after the defeat of the government, Mr. George Brown, leader of the Opposition, spoke to several supporters of the administration strongly urging that the present time should be availed of for the purpose of settling forever the constitutional difficulties between Upper and Lower Canada, and assuring them that he was prepared to coöperate with the existing or any other administration that would deal with the question promptly and firmly, with a view to its final settlement. After much negotiation Messrs. Brown, Mowat and McDougall, three prominent members of the Reform party, agreed to enter the government for the purpose of carrying out this policy based on a federal union of all the provinces.

Prior to this time there had been various efforts made by the government of New Brunswick to enter into closer relations with Nova Scotia and Prince Edward Island. Previous to the year 1861 a number of factories of various kinds had been
established in the Maritime Provinces, but the limited market they then enjoyed prevented their extension and crippled their operations. To remedy this, Mr. Tilley, with the approval of his colleagues in the government, visited Nova Scotia and Prince Edward Island and proposed to the governments of both provinces free admission of their natural products and a uniform tariff on dutiable goods. In Halifax he had a lengthy and satisfactory conference with Mr. Howe, then leader of the government, and with Dr. Tupper, the leader of the Opposition. Both gentlemen agreed that the proposed arrangements would be in the interests of the three provinces, and Mr. Howe agreed to submit the matter to his government with the view of legislative action at the next session. Mr. Tilley then proceeded to Charlottetown, Prince Edward Island. At the conference held with the government there, his proposal was not so favourably entertained, the objection being that the existing tariff of Prince Edward Island was lower than the tariff of either Nova Scotia or New Brunswick, and sufficient for the financial wants of the Island, and that the necessary advance would be imposing taxation beyond their requirements. Notwithstanding the failure to secure the cooperation of the Island government, it was decided that the joint action of the Nova Scotia and New Brunswick legislatures in the direction named was desirable. When the Nova
SCHEME OF MARITIME UNION

Scotia legislature met and the public accounts were proposed, it was found that a reduction of tariff was not practicable, and Howe informed Tilley that the scheme would have to be postponed, "though in other respects desirable." But the subject was not allowed to sleep, and in 1864 there was a renewal of the movement for a union of the Maritime Provinces. At the session of the New Brunswick legislature held that year, resolutions were passed authorizing the government to enter into negotiations with Nova Scotia and Prince Edward Island to hold a convention for the purpose of carrying such a union into effect. Similar resolutions were carried in the legislatures of Nova Scotia and Prince Edward Island, and the convention thus authorized was appointed to meet at Charlottetown in the month of September following.
CHAPTER VII
THE QUEBEC CONFERENCE

The delegates appointed by the government of New Brunswick for the purpose of representing the provinces at Charlottetown in the convention for a union of the Maritime Provinces, were the Hon. Messrs. Tilley, Steeves, Johnson, Chandler and Gray. The first three were members of the government, while Messrs. Gray and Chandler were leading members of the Opposition, so that the arrangement had the assent of the leaders of both political parties and was in no sense a party movement. The Nova Scotia delegation consisted of the Hon. Charles Tupper, the leader of the government, the attorney-general, Mr. Henry, and Mr. Dickey, a Conservative supporter, and also the Hon. Adams G. Archibald and Jonathan McCully, leaders of the Liberal party. The Prince Edward Island delegates were also chosen from both sides of politics. The convention was opened in due form at Charlottetown on September 8th, in the chamber of the House of Assembly. The delegations had no power to decide finally on any subject, because any arrangements they made were necessarily subject to the approval of the legislatures of the three Maritime Provinces. But at this time the sentiment in favour
of maritime union was so strong it was confidently believed that whatever was agreed upon at Charlottetown would become the basis of a future union.

The government of Canada had full knowledge of what was going on at Charlottetown, and they considered the time opportune for the purpose of bringing to the notice of the delegates from the Maritime Provinces the subject of a confederation of all the British North American colonies. A telegram was received while the delegates were in session announcing that representatives of the government of Canada had left Quebec for the purpose of meeting the delegates of the Maritime Provinces, and placing certain proposals before them. On the receipt of this message the further consideration of the question which they had met to discuss was deferred until after the Canadian delegates had arrived. They came in the government steamer *Victoria* on the following day and were found to embrace the leading men then in Canadian political life,—the Hons. J. A. Macdonald, George Brown, Georges E. Cartier, Alexander T. Galt, Thomas D'Arcy McGee, Hector L. Langevin, William McDougall and Alexander Campbell. These delegates represented the Reform, as well as the Conservative party, and were therefore able to speak with authority in regard to the views of the people of both Upper and Lower Canada. They were accorded seats in the convention, and at once sub-
CHARLOTTETOWN CONVENTION

mitted reasons why in their opinion a scheme of union, embracing the whole of the British North American colonies, should be adopted. The Hon. John A. Macdonald and Messrs. Brown and Cartier were heard on this subject, the financial position of Canada was explained, and the sources of revenue and wealth of the several provinces were discussed. Speeches were also made by Messrs. Galt, McGee, Langevin and McDougall, and after having commanded the attention of the convention for two days the Canadian deputation withdrew. Before doing so they proposed that if the convention concluded to suspend its deliberations upon the question of Maritime union, they should adjourn to Quebec at an early day, to be named by the governor-general, to consider the question of confederation. On the following day the convention adjourned, on the ground that it would be more for the general interest of British North America to adopt the larger union than a union of the Maritime Provinces merely, and it was thought that this might be effected without any very great difficulty, for there was then no strong feeling evinced in any quarter against confederation.

From Charlottetown the members of the convention and the Canadian deputation went to Halifax, where they were received most cordially and entertained at a banquet. They then took their departure for St. John, where they were entertained at a public dinner at which many leading men of the
city were present. The chair was occupied by the Hon. John H. Gray, one of the delegates, and the expressions in favour of the proposed confederation were strong and hearty. No one could have suspected at that time that the movement for confederation would meet with so much opposition in New Brunswick. All seemed plain sailing but, as the result showed, the battle for confederation had yet to be fought, and it was won only after a long and doubtful struggle.

According to arrangement, the delegations from the other provinces met in convention at Quebec on October 10th, all the colonies, including Newfoundland, were represented and the delegates were as follows:


Nova Scotia.—Hon. Charles Tupper, provincial secretary; Hon. W. A. Henry, attorney-general,
THE QUEBEC CONFERENCE


Sir Etienne P. Taché, who was then premier of Canada, was unanimously chosen president of the conference, and Major Hewitt Bernard, of the staff of the attorney-general west, private and confidential secretary. It was arranged that the convention should hold its meetings with closed doors, and it was laid down as a principle of the discussion that, as the matters to come up for debate were all of a novel character, no man should be prejudiced or held liable to the charge of inconsistency because he had changed his views in regard to any particular matter in the course of the discussion. It was also agreed that the vote, in case of a division, should be by provinces and not by numbers, Canada having two votes, representing Canada East and Canada West, and each
of the other provinces one. This arrangement made it quite certain that the interests of the Maritime Provinces were not likely to be prejudiced by the result of the vote, or the work of the convention. It was soon decided that a federal union was to be preferred to a legislative union, and on the second day of the meeting the outlines of the proposed confederation were submitted in a series of resolutions by the Hon. John A. Macdonald. The general model of the proposed confederation was that of the United States, but with this difference, that whereas in the United States all powers not expressly given by the constitution to the federal government are held to belong to the several states, in the Canadian constitution all powers not expressly reserved to the several provinces were held to belong to the federal parliament. Thus in the United States the residuum of power is in the several states, while in Canada it is in the federal union and in the parliament of the Dominion. No doubt the recent example of the civil war in the United States, which was the result of an extreme assertion of state rights, was largely responsible for this feature of the Canadian constitution. It is clear, however, that it is a feature that is to be commended, because its tendency is to cause Canadians to regard themselves rather as Canadians than as belonging to any particular province, while in the United States the feeling of statehood is still very strong. There are,
DIFFICULT QUESTIONS

of course, many other contrasts between the Canadian confederation and the federal union of the United States, arising from radical differences in the system of government. Nothing like responsible government, as understood in the British empire, exists in the United States, while this essential feature had to be preserved in the Canadian constitution, not only with reference to the Dominion parliament, but also in the legislatures of the several provinces.

In all the proceedings at Quebec, Mr. Tilley, as the finance minister of New Brunswick, took a very prominent part. One great difficulty which arose was with respect to the amount of money to be given by the federal government to the several provinces for legislative purposes, in lieu of the revenue which they had been accustomed to obtain from customs duties and otherwise. The whole customs establishment was to be transferred to the central government, and as most of the provinces would have no other means of obtaining a revenue except by direct taxation, this feature of the matter became of very vital importance. The difficulty was increased by the fact that by the municipal system prevailing in Upper Canada the local needs of the municipalities, in the way of roads, bridges, schools and other matters, were provided for by local taxation, whereas in the Maritime Provinces the provincial government had been accustomed to bear these burdens. It was therefore an essential
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requisite to any scheme of union, to make it acceptable to the people of the Maritime Provinces, that sufficient money should be given to the provincial governments to enable them to continue these services as before. It was difficult to convince the representatives of Upper Canada of this, and it appears that the conference nearly broke up without arriving at any result, simply because of the apparently irreconcilable differences of opinion between the representatives of the Maritime Provinces and those of Canada in regard to this point. Finally these differences were overcome, and the conclusions of the conference were embodied in a series of seventy-two resolutions, which were agreed to, and which were to be authenticated by the signatures of the delegates, and transmitted to their respective governments, and also to the governor-general, for the secretary of state for the colonies. These resolutions formed the first basis of confederation and became what is known as the Quebec scheme.

It was perhaps inevitable that during the discussion of the scheme of confederation by the Quebec convention, the proceedings should be secret, but this restriction should have been removed as soon as the convention adjourned. That this was not done was the principal reason for the very unfavourable reception which the Quebec scheme met with from the people of New Brunswick, when it was placed before them. It was agreed
at the Quebec conference that the scheme should not be made public until after the delegates had reported to their respective governments for their approval, but it was impossible that a document, the terms of which were known to so many men, should be kept wholly concealed from the public, and so the details of the scheme leaked out and soon became a topic for public discussion. These discussions would have been conducted in a much more friendly spirit if the Quebec scheme had been given freely to the world, but as it was, prejudices and jealousies, in many cases, darkened the question, and made men, who were otherwise favourable to confederation, assume an attitude of hostility to the Quebec scheme.

One of the points which at once attracted the attention of the opponents of the scheme was the sum allowed to the several provinces for the purpose of conducting their local affairs. As the provinces had to surrender to the general government their right to levy customs and excise duties, it became necessary to make up in some way a sum sufficient to enable them to carry on those services which were still left to the provincial legislatures. It was arranged that this sum should be eighty cents a head of the population of the provinces as established by the census of 1861, which would give to New Brunswick something more than two hundred thousand dollars. This feature of the confederation scheme was eagerly seized upon as being
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a convenient club with which to strike it down. The cry was at once raised that the people of New Brunswick were asked to sell themselves to Canada for the sum of eighty cents a head, and this parrot-like cry was repeated with variations throughout the whole of the election campaign which followed in New Brunswick. It has often been found that a cry of this kind, which is absolutely meaningless, is more effective than the most weighty arguments, for the purpose of influencing men’s minds, and this proved to be the case in New Brunswick, when the question of confederation was placed before the people. It was conveniently forgotten by those who attacked the scheme in this fashion that, if the people of New Brunswick were selling themselves to Canada for the sum of eighty cents a head, the people of Canada were likewise selling themselves to New Brunswick for the same sum, because the amount set apart for the provincial legislatures was precisely the same in each case. It would not, however, have suited the enemies of the confederation scheme to view the matter in this light; what was wanted was a cry which would be effective for the purpose of injuring the scheme and making it distasteful to the people who were asked to vote upon it.

It is not necessary to assume that those who opposed confederation were all influenced by sinister motives. Many honest and good men, whose attachment to British institutions could not be questioned,
OPPONENTS OF CONFEDERATION

were opposed to it because their minds were of a conservative turn, and because they looked with distrust upon such a radical change that would alter the relations which existed between the province and the mother country. Many, for reasons which it is not easy to understand, were distrustful of the politicians of Canada, whom they looked upon as of less sterling honesty than their own, and some actually professed to believe that the Canadians expected to make up their financial deficits by drawing on the many resources of the Maritime Provinces through the confederation scheme. On the other hand confederation was opposed in the province of New Brunswick by a number of men who could only be described as adventurers, or discredited politicians, and who saw in this contest a convenient way of restoring themselves to influence and power. There were also among the opponents of the scheme some men who recognized in its success the means of perpetuating British power on this continent, and who, being annexationists, naturally looked with aversion upon it for that reason. The vast majority of the people, however, had given the matter but the slightest degree of attention, and their votes were cast in accordance with prejudice hastily formed, which they had an opportunity of reconsidering before another year and a half had elapsed.

It had been arranged at the convention that the first trial of the scheme before the people should be
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made in New Brunswick, the legislature of which was about expiring, and accordingly the appeal was made to the people and the elections came on in the month of March, 1865. The enemies of confederation were very active in every part of the province, and they left no stone unturned to defeat the measure. The great cry upon which they based their opposition to the union with Canada was that of taxation, and, as the voters of New Brunswick were not inclined to favour any policy which involved high taxation, the appeals made in this way had a powerful effect. All through the rural constituencies the Opposition candidates told the electors that if they united themselves with Canada direct taxation would be the immediate result. They said that every cow, every horse, and every sheep which they owned would be taxed, and that even their poultry would not escape the grasp of the Canadian tax-gatherers. In the city of St. John, Mr. Tilley and his colleague, Mr. Charles Watters, were opposed by Mr. J. V. Troop and Mr. A. B. Wetmore. Mr. Troop was a wealthy ship-owner, whose large means made him an acceptable addition to the strength of the anti-confederate party, although previously he had taken no active part in political affairs. Mr. Wetmore was a lawyer of standing in St. John, who was considered to be one of the best nisi prius advocates at the bar, and who carried the methods of the bar largely into his politics. In the course of time he became attorney-
FEELING IN NEW BRUNSWICK

general of the province, and later on a judge of the supreme court. Mr. Wetmore, when haranguing St. John audiences, used to depict the dreadful effects of confederation in a manner peculiarly his own. His great plea was an imaginary dialogue between himself and his little son, that precocious infant asking him in lisping tones, "Father, what country do we live in?" to which he would reply, "My dear son, you have no country, for Mr. Tilley has sold us to the Canadians for eighty cents a head."

In the county of St. John, the Hon. John. H. Gray, Charles N. Skinner, W. H. Scovil and James Quinton, who ran as supporters of confederation, were opposed by John W. Cudlip, T. W. Anglin, the Hon. R. D. Wilmot and Joseph Coram. Mr. Cudlip was a merchant, who at one time enjoyed much popularity in the city of St. John. Mr. Anglin was a clever Irishman, a native of the county of Cork, who had lived several years in St. John and edited a newspaper called the Freeman, which enjoyed a great popularity among his co-religionists. He was admitted to be the leader of the Irish Catholics of St. John, and had acquired an ascendancy over them which was not easily shaken; yet he was not, as a politician, a great success, nor did his efforts to improve the condition of his countrymen always lead to satisfactory results. The Hon. R. D. Wilmot had been a prominent Conservative politician, but was defeated, and had retired to his
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farm at Belmont. For some years he had been devoting his abilities to stock-raising; but at the first note of alarm on the confederation question he abandoned his agricultural pursuits and rushed into the field to take part in the contest. Mr. Joseph Coram was a leading Orangeman, and a highly respected citizen.

In the county of York, the Hon. George L. Hatheway, who was then chief commissioner of the board of works, appeared in the field as an Opposition candidate, in company with John C. Allen, John J. Fraser and William H. Needham. Mr. Hatheway deserted the government in its hour of need, apparently because he judged from the cries that were raised against confederation that the current of public opinion was strongly adverse to the Quebec scheme. Having left Mr. Tilley in the lurch on the eve of the confederation contest, he deserted the Smith government sixteen months later, when the second confederation election came to be run, thereby inflicting upon them a blow from which it was impossible they could recover. William H. Needham, whose name has already appeared in this volume, did not lay claim to any high political principles; but having retired some time before to private life, he found in the confederation struggle a good opportunity of getting into the legislature. He was a man of very considerable ability, and had his principles been only equal to his knowledge and talents, he might have risen to the highest position
A CRITICAL ELECTION

in the province. But his course on many occasions made the public distrustful of him, and he died without having enjoyed any of those honours which men of far less ability have obtained. John James Fraser, afterwards governor of New Brunswick, was a man of a different stamp, and seems to have been a sincere opponent of confederation from conviction. The same may be said of John C. Allen, afterwards chief-justice of the province, a man whose sterling honesty has never been questioned.
CHAPTER VIII
DEFEAT OF CONFEDERATION

THE result of the election was the most overwhelming defeat that ever overtook any political party in the province of New Brunswick. Out of forty-one members, the friends of confederation succeeded in returning only six, the Hon. John McMillan and Alexander C. DesBrisay, for the county of Restigouche; Abner R. McClelan and John Lewis for the county of Albert; and William Lindsay and Charles Connell for the county of Carleton. Every member of the government who held a seat in the House of Assembly, with the exception of the Hon. John McMillan, the surveyor-general, was defeated. The majorities against the confederation candidates in some of the counties were so large it seemed hopeless to expect that any future election would reverse the verdict. Both the city and county of St. John, and the county of York, made a clean sweep, and returned solid delegations of anti-confederates. With the exception of the two Carleton members, the entire block of counties on the river St. John and the county of Charlotte, forming the most populous and best settled part of the province, declared against the Quebec scheme. On the north shore, Westmorland, Kent, Northumberland and
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Gloucester pronounced the same verdict, and, on the day after the election, the strongest friends of confederation must have felt that nothing but a miracle could ever bring about a change in the opinion which had been pronounced with such emphasis and by so overwhelming a majority. Yet fifteen months later the verdict of March, 1865, was completely reversed, and the anti-confederates were beaten almost as badly as the advocates of confederation had been in the first election; such are the mutations of public opinion.

Mr. Tilley and his colleagues resigned immediately after the result of the elections became known, and the Hon. Albert J. Smith was called upon to form a new government. Mr. Smith had been attorney-general in Mr. Tilley's government up to the year 1862, when he resigned in consequence of a difference with his colleagues in regard to the negotiations which were being carried on for the construction of the Intercolonial Railway. He was a fine speaker, and a man of ability. At a later period, when confederation had been established, he became a cabinet minister in the government of the Hon. Alexander Mackenzie. His powerful influence was largely responsible for the manner in which the North Shore counties declared against confederation, and he also did much to discredit the Quebec scheme by his speeches delivered in the city of St. John. Mr. Smith did not take the office of attorney-general in the new government, but contented himself with the

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position of president of the council, the Hon. John C. Allen, of York, becoming attorney-general, and the Hon. A. H. Gillmor, of Charlotte, provincial secretary. The Hon. Bliss Botsford, of Westmorland, was made surveyor-general; and the Hon. George L. Hatheway retained his old office as the chief commissioner of the board of works. The other members of the government were the Hon. Robert Duncan Wilmot, of Sunbury, the Hon. T. W. Anglin, of St. John, and the Hon. Richard Hutchinson, of Miramichi.

The new government looked strong and imposing, and seemed to be secure against the assaults of its enemies, yet it was far from being as compact and powerful as it appeared to the outward observer. In the first place, it had the demerit of being founded solely on a negative, and upon opposition to a single line of policy. The reason why these men were assembled together in council as a government was that they were opposed to confederation, and, this question having been disposed of, they were free to differ upon all other points which might arise. Some of the men who thus found themselves sitting together at the same council board had all their lives been politically opposed to each other. The Hon. R. D. Wilmot, an old Conservative, could have little or no sympathy with Mr. A. H. Gillmor, a very strong Liberal. The Hon. A. J. Smith, also a Liberal, had little in common with his attorney-general, Mr. Allen, who was a Conservative. Mr. Odell, the post-
master-general, represented the old Family Compact more thoroughly than any other man who could have been chosen to fill a public office in New Brunswick, for his father and grandfather had held the office of provincial secretary for the long term of sixty years. As he was a man of no particular capacity, and had no qualification for high office, and as he was, moreover, a member of the legislative council, his appointment to such a position was extremely distasteful to many who were strongly opposed to confederation. The Hon. Bliss Botsford, of Moncton, who became surveyor-general, was another individual who added no strength to the government. In a cabinet consisting of four men in the government who might be classed as Liberals, and five who might be properly described as Conservatives, room was left for many differences and quarrels over points of policy, to say nothing of patronage, after the great question of confederation had been disposed of. Local feelings also were awakened by the make-up of the government, for the North Shore people could not but feel that their interests were in danger of being neglected, as instead of having the attorney-generalship and the surveyor-generalship, which had been theirs in the previous government, they had to be content with a single member in the government, without office, in the person of Mr. Richard Hutchinson, who, as the representative of Gilmour, Rankine & Co., the great lumber house of the North Shore, was ex-
DISSENSIONS IN THE GOVERNMENT

tremely unpopular, even in the county which had elected him. The Hon. Robert Duncan Wilmot was perhaps the most dissatisfied man of any, with the new cabinet in which he found himself. He had not been a fortnight in the government before he began to realize the fact that his influence in it was quite overshadowed by that of Mr. Smith and Mr. Anglin, although neither of them held any office. Mr. Wilmot was a man of ability, and of strong and resolute will, so that this condition of affairs became very distasteful to him and his friends, and led to consequences of a highly important character.

The new government had not been long in existence before rumours of dissensions in its ranks became very common. Mr. Wilmot made no secret to his friends of his dissatisfaction, and it was understood that other members found their position equally unpleasant. An element of difficulty was early introduced by the resignation of the chief-justice, Sir James Carter, who, in September, 1865, found it necessary, in consequence of failing health, to retire from the bench, rendering it immediately necessary for the government to fill his place. The Hon. Albert J. Smith, the leader of the government, had he chosen, might have then taken the vacant position, but he did not desire to retire from political life at that time, and the Hon. John C. Allen, his attorney-general, was appointed to the bench as a puisne judge, while the Hon. Robert Parker
was made chief-justice. The latter, however, had but few weeks to enjoy his new position, dying in November of the same year, and leaving another vacancy on the bench to be filled. Again, as before, the Hon. Mr. Smith declined to go on the bench, and the Hon. John W. Weldon, who had been a long time a member of former legislatures, and was at one time speaker, was appointed to the puisne judgeship, and the Hon. William J. Ritchie was made chief-justice. The entire fitness of the latter for the position of chief-justice made his appointment a popular one, but he was the junior of the Hon. Lemuel A. Wilmot as a judge, and the Hon. R. D. Wilmot, who was a cousin of the latter, thought the senior judge should have received the appointment of chief-justice. His disappointment at the office being given to another caused a very bad feeling on his part towards the government, and he would have resigned his seat forthwith but for the persuasions of some of those who were not friends of the government, who intimated to him that he could do them a great deal more damage by retaining his seat, and resigning at the proper time than by abandoning the government at that moment. Mr. Wilmot remained in the government until January, 1866, but although of their number, his heart was estranged from them, and he may properly be regarded as an enemy in their camp.

Mr. Anglin also had some difference with his colleagues with regard to railway matters, and he
CONFEDERATION VICTORY IN YORK

resigned his seat early in November, 1865; still he gave a general support to the government, although no longer in its councils. But the most severe blow which the administration received arose from the election in the county of York, which followed the seating of the Hon. John C. Allen on the bench. The confederation party had been so badly beaten in York at the general election that no doubt was felt by the government that any candidate they might select would be chosen by a very large majority. The candidate selected by the government to contest York was Mr. John Pickard, a highly respectable gentleman, who was engaged in lumbering, and who was extremely popular in that county, in consequence of his friendly relations with all classes of the community and the amiability of his disposition. The Hon. Charles Fisher was brought forward by the confederation party as their candidate in York, although the hope of defeating Mr. Pickard seemed to be desperate, for at the previous election Mr. Fisher had received only 1,226 votes against 1,799 obtained by Mr. Needham, who stood lowest on the poll among the persons elected for York. Mr. Fisher by his efforts in the York campaign, which resulted in his election, struck a blow at the anti-confederate government from which it never recovered. His election was the first dawn of light and hope to the friends of confederation in New Brunswick, for it showed clearly enough that whenever the people of the province were given
another opportunity of expressing their opinion on the question of confederation, their verdict would be a very different one from that which they had given at the general election. Mr. Fisher beat Mr. Pickard by seven hundred and ten votes, receiving seven hundred and one votes more than at the general election, while Mr. Pickard's vote fell five hundred and seventy-two below that which Mr. Needham had received on the same occasion.
CHAPTER IX

TILLEY AGAIN IN POWER

Among the causes that had assisted to defeat confederation in New Brunswick, when the question was first placed before the people, was the active hostility of the lieutenant-governor, Mr. Arthur Hamilton Gordon, a son of that Earl of Aberdeen who was prime minister of England at the outbreak of the Crimean War. Mr. Gordon had been a strong advocate of maritime union and had anticipated that he would be the first governor of the united province of Acadia, or by whatever name the maritime union was to be known. He was therefore greatly disappointed and annoyed when the visit of the Canadians to Charlottetown, in September, 1864, put an end to the conference which had met for the purpose of arranging the terms of a union of that character. While a governor cannot take a very active part in political matters, he may stimulate others to hostility or to a certain course of action, who, under other circumstances, would be neutral or inactive, and there is reason to believe that some of the men who were most prominent in opposing confederation at the general election of 1865 were mainly influenced by the views of the lieutenant-governor. Confedera-
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tion, however, had been approved by the British government, after the terms arranged at Quebec had been submitted to it in a despatch from the governor-general; and those officials in New Brunswick and elsewhere, who expected to find support in Downing Street in their hostility to confederation, were destined to be greatly disappointed. Not long after the new government was formed in New Brunswick, Mr. Gordon returned to England, and it was generally believed that he was sent for by the home authorities. Instead of being favourably received on the ground of his opposition to confederation, he is said to have been compelled to submit to a stern reproof for his anti-constitutional meddling in a matter which did not concern him, and to have been given decidedly to understand that if he returned to New Brunswick, to fill out the remainder of his term of office, it must be as one pledged to assist in carrying out confederation and not to oppose it. When Mr. Gordon returned he was an entirely changed man, and whatever influence he was able to exert from that time forward was used in favour of confederation.

Another cause which made confederation more acceptable to the people of the province arose from the threats of the Fenians to invade Canada, which were made during the year 1865, and which were followed by armed invasions during the following year. Although there was no good reason for believing that the opponents of confederation were
FENIAN THREATS

Less loyal than its supporters or less inclined to favour British connection, it was remarked that all the enemies of British connection seemed to have got into the anti-confederate camp. The Fenian movement had its origin in the troubles in Ireland arising out of oppressive land laws and other local causes, and it soon extended to America, where the politicians found it useful as a means of increasing their strength among the Irish people. At that time, there were in the United States many hundreds of thousands of men who had been disbanded from the army at the close of the Civil War, and who were only too ready to embrace any new opportunity of winning for themselves fame and rank on other fields of glory. Among these disbanded soldiers were many Irishmen, and it soon came to be known that bands of men could be collected in the United States for the invasion of this country, with the avowed object of driving the British flag from the American continent and substituting the stars and stripes. It was impossible that the people of Canada could view without emotion these preparations for their undoing, and in New Brunswick, especially, which was the first province to be threatened, the Fenian movement materially assisted in deciding the manner in which the people should vote on this great question of confederation when it came to be submitted to them a second time.

The House of Assembly met on March 8th,
1866, and the speech from the throne, delivered by the lieutenant-governor, contained the following paragraph: "I have received Her Majesty's commands to communicate to you a correspondence on the affairs of British North America, which has taken place between Her Majesty's principal secretary of state for the colonies and the governor-general of Canada; and I am further directed to express to you the strong and deliberate opinion of Her Majesty's government that it is an object much to be desired that all the British North American colonies should agree to unite in one government. These papers will immediately be laid before you." This paragraph was not inserted in the speech without considerable pressure on the part of the lieutenant-governor, and it excited a great deal of comment at the time, because it seemed to endorse the principle of confederation, although emanating from a government which had been placed in power as the result of an election in which confederation had been condemned. When this portion of the speech was read by the lieutenant-governor, in the legislative council chamber, the crowd outside the bar gave a hearty cheer,—a circumstance which never occurred before in the province of New Brunswick, and perhaps not in any other British colony.

The members of the House favourable to confederation immediately took up the matter, and dealt with it as if the government had thereby
pledged themselves in favour of that policy, and indeed there was a fair excuse for such an inference. When the secret history of the negotiations between the lieutenant-governor and his advisers, prior to the meeting of the legislature, comes to be told, it will be found that at least some of the members of the government had given His Excellency to understand that they were prepared to reverse their former action and to adopt confederation. The difficulty with them was that they feared their own supporters, and thought that if they made such a move they would lose the favour of those who had placed them in power, and this fear was certainly a very natural one.

As soon as the House met, it was discovered that Mr. A. R. Wetmore, one of the prominent supporters of the government who had been elected to represent the city of St. John as an anti-confederate, was no longer in sympathy with the government. Mr. Wetmore's long experience as a nisi prius lawyer, and his curt and imperturbable manner, rendered him a most exasperating and troublesome opponent, and at a very early period of the session he commenced to make it unpleasant for his former friends. He cross-examined the members of the government in the fashion which he had learned from long experience in the courts. Such attacks proved extremely damaging as well as very annoying.

The address in reply to the speech from the throne was moved in the House of Assembly by
Colonel Boyd, of Charlotte County, and when the paragraph relating to confederation was read, Mr. Fisher asked him what it meant. Mr. Boyd replied that the government had no objection to confederation, provided the terms were satisfactory. This reply still further strengthened the feeling that the government were inclined to pass the measure which they had been elected to oppose. Mr. Fisher moved an amendment to the fourth paragraph of the address, which referred to the Fenian conspiracy against British North America, expressing the opinion that while His Excellency might rely with confidence on the cordial support of the people for the protection of the country, his constitutional advisers were not by their general conduct entitled to the confidence of the legislature. This amendment was seconded by Mr. DesBrisay, of Kent, who had been elected as a supporter of the government, and it was debated at great length. The discussion upon it continued from day to day for about three weeks, when, on April 10th, the government resigned in consequence of difficulties with His Excellency in regard to his reply to the address of the legislative council. The legislative council had proceeded to pass the address in reply to the speech, but in consequence of the delay in the House of Assembly, this reply had not before been presented to the governor. In answer to the address of the legislative council, His Excellency said: "I will immediately transmit your address to the secretary
THE GOVERNMENT RESIGNS

of state for the colonies in order that it may be laid at the foot of the throne. Her Majesty the Queen has already been pleased to express deep interest in a closer union of her North America colonies and will no doubt greatly appreciate this decided expression of your opinion, and the avowal of your desire that all British North America should unite in one community, under one strong and efficient government, which cannot but tend to hasten the accomplishment of this great measure."

The resignation of the government was announced in the House of Assembly on April 13th by the Hon. A. J. Smith, and the correspondence between the lieutenant-governor and his advisers was laid before the House at the same time. The immediate and ostensible cause of the resignation was the terms of approval in which the lieutenant-governor had replied to the address of the legislative council in reference to confederation. Mr. Smith claimed that it was the duty of the lieutenant-governor to consult his constitutional advisers in regard to the answer to be given, and that, in assuming to himself the right to reply to such an address without consulting them, he had not acted in accordance with the true spirit of the constitution. This was certainly sound doctrine, and the reply of the lieutenant-governor was by no means satisfactory on this point, but he was able to show that Mr. Smith had himself expressed his willingness to enter into a scheme of union, although
SIR LEONARD TILLEY

opposed to the Quebec scheme, and had suggested that, as a preliminary step, the papers on that subject should be referred to a joint committee of both Houses with an understanding that the committee should report in favour of a measure of union. At a later period Mr. Smith seemed indisposed to carry out this arrangement, his conduct evidently being the result of timidity, and so he found himself, to use the language of Sir Arthur Gordon, "entangled in contradictory pledges from which he found it impossible to extricate himself." He had, in fact, placed himself in the power of the lieutenant-governor, and his only resource was to resign. It was understood at the time, and has never been denied, that His Excellency was acting under the advice of the Hon. Peter Mitchell, a member of the legislative council, who was a strong supporter of confederation. Mr. Mitchell was a man of great force of character, and, next to Mr. Tilley, must be regarded as the most potent factor in bringing about the change in the sentiments of the people of the province with respect to confederation.

The lieutenant-governor called upon the Hon. Peter Mitchell, who was a member of the legislative council, to form a government. Mr. Mitchell had been very active in the cause of confederation, and was the moving spirit in the legislative council in all the proceedings in its favour taken in that body; but, when asked to form a new government, he advised the lieutenant-governor that the proper
person to undertake that responsibility was the Hon. Mr. Tilley. The latter, however, declined the task on the ground that he was not a member of the legislature, whereupon Mr. Mitchell associated with himself the Hon. Mr. Wilmot for the purpose of forming a new government. The government was announced on April 18th, and was formed as follows:—Hon. Peter Mitchell, president of the council; Hon. S. L. Tilley, provincial secretary; Hon. Charles Fisher, attorney-general; Hon. Edward Williston, solicitor-general; Hon. John McMillan, postmaster-general; Hon. A. R. McClelan, chief commissioner of public works; Hon. R. D. Wilmot and Hon. Charles Connell, members without office. The latter afterwards became surveyor-general.

While the government was being formed in New Brunswick, a Fenian army was gathering upon the border for the purpose of invading the province. This force consisted of four or five hundred young men, most of whom had been in the army of the United States. It was recruited at New York, and its chief was a Fenian named Doran Killian. A part of his force arrived at Eastport on April 10th, and a schooner, laden with arms for the Fenians, soon after reached that place. From this schooner, which was seized by the United States authorities, one hundred and seventeen cases of arms and ammunition were taken,—a clear proof that the intentions of the Fenians were warlike, and that their presence on
the border was not a mere demonstration. The Fenians appeared to have been under the impression—as many residents of the United States are to this day—that the people of Canada and of New Brunswick were dissatisfied with their own form of government, and were anxious to come under the protection of the stars and stripes. This absurd idea was responsible, largely, for the War of 1812, and it has been responsible, since then, for many other movements, with respect to the British provinces of North America, in which residents of the United States have taken part. There never was a greater delusion than this, and, in the instance referred to, the Fenians were doomed to be speedily undeceived. The presence of a Fenian force on the border sounded like a bugle blast to every able-bodied man in New Brunswick, and the call for troops to defend the country was instantly responded to. About one thousand men were called out and marched to the frontier. The troops called out consisted of the three batteries of the New Brunswick regiment of artillery, seven companies of the St. John volunteer battalion, one company of the first battalion of the York County militia, one company each of the first and third battalions of the Charlotte County militia, and two companies each of the second and fourth battalions of the Charlotte County militia. These troops remained in arms on the frontier for nearly three months, and were disbanded by a general order dated June 20th. The
CONFEDERATION VICTORIES

Fenian raid on New Brunswick proved to be a complete fiasco. The frontier was so well guarded by the New Brunswick militia and by British soldiers, and the St. Croix so thoroughly patrolled by British warships, that the Fenians had no opportunity to make any impression upon the province. It ought to be added that the United States government was prompt to take steps to prevent any armed invasion, and General Meade was sent down to Eastport with a force of infantry and a ship of war to prevent the Fenians from making that place a base of operations against these provinces.

The general elections to decide whether or not New Brunswick was willing to become confederated with Canada, were held in May and June. The first election was that for the county of Northumberland on May 25th, and the result was that the four candidates who favoured confederation, Messrs. Johnson, Sutton, Kerr and Williston, were elected by large majorities. The same result followed in the county of Carleton, where the election was held on May 26th, Messrs. Connell and Lindsay being elected by a vote of more than two to one over their anti-confederate opponents. The third election was in Albert County on the 29th, and there Messrs. McClelan and Lewis, the two candidates in favour of confederation, were triumphantly returned. On May 31st, elections were held in Restigouche and Sunbury, and, in these counties, the candidates in favour of confederation were returned by large
majorities. The York election came next. In that county, the anti-confederates had placed a full ticket in the field, the candidates being Messrs. Hatheway, Fraser, Needham and Brown. Mr. Fisher had with him on the ticket, Dr. Dow and Messrs. Thompson and John A. Beckwith. Every person expected a vigorous contest in York, notwithstanding the victory of Mr. Fisher over Mr. Pickard a few months before. But, to the amazement of the anti-confederates in other parts of the province, the Hon. George L. Hatheway and Dr. Brown retired after nomination day and left Messrs. Fraser and Needham to do battle alone. Mr. Hatheway's retirement at this time was a death-blow to the hopes of the anti-confederates all over New Brunswick, affecting not only the result in the county of York, but in every other county in which an election was to be held. A few nights before his resignation, Mr. Hatheway had been in St. John addressing a packed meeting of anti-confederates in the hall of the Mechanics' Institute, and he had spoken on that occasion with apparent confidence. When his friends in St. John, who had been so much moved by his vigorous eloquence, learned that he had deserted them, their indignation was extreme, and they felt that matters must indeed be in a bad way when he did not dare to face the York electors.

The election in the county of St. John was held on June 6th, and that in the city, on the seventh.
THE BATTLE IS WON

For the county, the confederate candidates were Messrs. C. N. Skinner, John H. Gray, James Quinton and R. D. Wilmot, and the anti-confederate candidates were Messrs. Coram, Cudlip, Robertson and Anglin. The former were elected by very large majorities, Mr. Wilmot, who stood lowest on the poll among the confederates, having a majority of six hundred over Mr. Coram, who stood highest among the defeated candidates. The election for the city was an equally emphatic declaration in favour of confederation. The candidates were the Hon. S. L. Tilley and A. R. Wetmore on the confederate side, and J. V. Troop and S. R. Thompson opposed to confederation. Mr. Tilley's majority over Mr. Troop, who stood highest on the poll of the two defeated candidates, was seven hundred and twenty-six. The only counties which the anti-confederate party succeeded in carrying were Westmorland, Gloucester and Kent,—three counties in which the French vote was very large,—so that of the forty-one members returned, only eight were opponents of confederation. The victory was as complete as that which had been recorded against confederation in the beginning of 1865.

The battle of confederation had been won, and the triumph was mainly due to the efforts of the Hon. Mr. Tilley. That gentleman, as soon as the defeat of confederation took place in March, 1865, had commenced a campaign for the purpose of educating the people on the subject. Being free from his
official duties and having plenty of time on his hands, he was able to devote himself to the work of explaining the advantages of the proposed union to the people of the province; and during the years 1865 and 1866, he spoke in almost every county on the subject which was so near to his heart. He had embraced confederation with a sincere desire for the benefit of his native province, and with the belief that it would be of the greatest advantage to New Brunswick. If the fruits of confederation have not yet all been realized, that has been due rather to circumstances over which neither Mr. Tilley nor any one else had any control, than to any inherent vice of confederation itself. If union is strength, then it must be admitted that the union of the British North American provinces, which consolidated them into a powerful whole, was a good thing; and there cannot be a doubt that if the provinces had remained separate from each other, their present position would have been much less favourable than it is now.
CHAPTER X

THE BRITISH NORTH AMERICA ACT

ONE of the great objects of confederation was the construction of the Intercolonial Railway from St. John and Halifax to Quebec. It was thought that there could be no real union between the several colonies of British North America unless a good means of communication existed, and such a means was to be obtained only through the construction of this line of railway. The Intercolonial Railway, as we have seen, had been a part of the policy of successive governments in the province for many years, and it became an essential part of the scheme of confederation. When confederation was accepted by the people of New Brunswick in 1866, the Intercolonial Railway had yet to be built. Western Extension, as the line to the Maine border was called, had only been commenced; Eastern Extension, from the Shediac line towards Halifax, was in the same condition; in fact, the total mileage of the railways in New Brunswick did not exceed two hundred miles, and these lines were isolated and formed no part of any complete system. New Brunswick now has three separate lines of railway leading to Quebec and Montreal; it is connected with the great railway systems of the continent;
there is no county in the province which has not a line of railway traversing it; and the mileage has risen from less than two hundred to more than fourteen hundred.

Mr. Tilley realized that the time had come when the communities which form the British provinces of North America must either become politically connected or else fall, one by one, beneath the influence of the United States. After confederation had been brought about between Canada, New Brunswick and Nova Scotia, enough was seen in the conduct of American statesmen towards Prince Edward Island to show that their design was to try to create a separate interest in this colony apart from the general interest of Canada. The acceptance of the scheme of confederation by Prince Edward Island, at a comparatively early period, put an end to the plots in that quarter; but in the case of Newfoundland the same thing has been repeated, and an attempt was made by American statesmen to cause the people of that island to believe that their interests and those of Canada are not identical, and that they would be specially favoured by the United States if they held aloof from the great Dominion. The attitude of the people and congress of the United States towards Canada has not been marked, for the most part, by any great friendliness. They saw in confederation an arrangement that was likely to prevent this country from ever becoming absorbed by their
HIS SPEECHES

own, and they believed that by creating difficulties for us with respect to the tariff and other matters, and limiting the area of our commercial relations, they could put such pressure upon Canada as would compel our people to unite with them. This scheme has failed because it was based on a misconception of the spirit of our people; but who will say that it would not have succeeded if the several provinces which now form the confederation had been disunited and inharmonious in their relations and had pursued different lines of policy?

It is unfortunate that, owing to the absence of verbatim reports, it is impossible to reproduce any of Tilley’s speeches during the confederation campaign. No speaker that New Brunswick has ever produced has been more generally acceptable than was Tilley. His speeches were pointed, and so clear that they could not be misunderstood. He possessed, to a very large extent, that magnetism which enabled him to retain the attention and to awaken the sympathy of his audience. At all the meetings which he addressed, there were many who regarded themselves always as his friends and supporters and who formed a phalanx around him, giving him a confidence and political strength which few statesmen have ever enjoyed to a like extent. Although his addresses frequently provoked the bitter animosity of his enemies, he had always enough friends to counteract their influence; and during the many contests which he had to fight
for his seat in the city of St. John, he was always able to rely on the loyalty of those who were his early associates and who remained his supporters until the end of his career. It is quite safe to assert that confederation could not have been carried had it not been for the personal efforts of Mr. Tilley. As the leader of the government which had consented to the Quebec scheme, he was properly looked upon as the chief promoter of confederation in New Brunswick, and his name will go down to future generations identified with that large and necessary measure of colonial statesmanship.

Although the vote of the electors had been taken on the question, much remained to be done before confederation could become an accomplished fact. The last elections, which were those of Kings and Charlotte, were held on June 12th, but more than a year was to elapse before the union was effected, and the result which the election was intended to bring about realized. The first thing to be done was to call the legislature together and complete the business of the province, which had been interrupted by the dissolution. The legislature met on June 21st, and the Hon. John H. Gray, who had been an active advocate of confederation, and who was one of the members for the county of St. John, was made speaker. In the speech from the throne the following reference was made to the question of confederation:
"Her Majesty's government have already expressed their strong and deliberate opinion that the union of the British North American provinces under one government is an object much to be desired. The legislatures of Canada and Nova Scotia have formed the same judgment, and you will now shortly be invited to express your concurrence with or dissent from the view taken of this great question by those provinces."

The address in reply was moved by Mr. Kerr, of Northumberland, and seconded by Mr. Beveridge of Victoria, and its consideration was made the order of the day for the following Saturday. When it came up for discussion the Hon. Albert J. Smith was not in his place, and Mr. Botsford, one of his colleagues from Westmorland, endeavoured to have the consideration of the matter postponed; but the House was in no humour to await the convenience of any single member, and the address was passed the same day by a vote of thirty to seven. Attorney-General Fisher, immediately on the passage of the address, gave notice of the following resolution, which was to be made the order of the day for Monday, June 26th:

"Resolved, That an humble address be presented to His Excellency, the lieutenant-governor, praying that His Excellency be pleased to appoint delegates to unite with delegates from the other provinces in arranging with the imperial government for the union of British North America, upon
such terms as will secure the just rights and interests of New Brunswick, accompanied with provision for the immediate construction of the Intercolonial Railway; each province to have an equal voice in such delegation, Upper and Lower Canada to be considered as separate provinces.”

Mr. Fisher moved the resolution in question in a very brief speech, and was replied to by the Hon. Mr. Smith, who spoke at great length and continued his speech on the following day. Mr. Smith took exception to giving the delegates power to fix the destinies of the provinces forever, without again submitting the scheme of union to the people. He proceeded to discuss the Quebec scheme, and took exception to the construction of the Upper House of the proposed legislature of the confederation, declaring that each province should have an equal number of representatives in it, as was the case in the United States. After going over the ground pretty thoroughly and criticizing most of the terms of the scheme of confederation, he moved an amendment, to the effect that no Act or measure for a union with Canada take effect until approved by the legislature or the people of the province.

The Hon. Mr. Tilley replied to the leader of the Opposition in one of the most effective speeches that he ever delivered in the legislature. He first took up Mr. Smith’s allusion to the constitutional question, and, with immense power and solemnity, he charged that any want of constitutional action
A PLAN FOR CONFEDERATION

which existed was due to Mr. Smith and his colleagues. He stated that the governor's sympathies were with the late government, and that he had endeavoured to aid and not to injure them. Mr. Smith had alluded to the Hon. Joseph Howe, who was then an opponent of confederation, in terms of praise, and Mr. Tilley, in reply, read from Mr. Howe's speech, made in 1861, a magnificent paragraph on the union of British America. Mr. Tilley stated that the government would take the Quebec scheme for a basis, and would seek concessions to meet the views of those who found objection to parts of it. He mentioned the various counties of the province to show that they were either expressly or potentially favourable to the Quebec scheme. He was convinced that even his friend, the ex-attorney-general and member for Westmorland, was hardly against union. He asked, "Was there one anti-unionist on the floor of the House? Where was Mr. Anglin? Mr. Needham? Mr. Hill and all the rest of the anti-unionists? They were all swept away and unionists had taken their places, and when the arrangements for union were carried out, the feeling in its favour would be deeper and deeper." Mr. Tilley showed the great advantages which would accrue to New Brunswick eventually in consequence of confederation. He combated the statement made by Mr. Smith that after confederation the provincial legislature would become a mere farce, showing that of all the Acts passed
during the previous two years there were only seven which would have come under the control of the general legislature. Mr. Tilley closed by dwelling on the impression of power which union would have on the minds of those abroad who were plotting our ruin. The speech was listened to with the utmost attention by the members of the legislature and by a very large audience which completely filled the galleries, and it was generally considered to have been one of his greatest efforts.

The resolution was finally carried by a vote of thirty to eight, only two members, both of whom would have voted for the resolution, being absent. As soon as the confederation resolution was passed the Hon. A. J. Smith moved a resolution which, after reciting the steps which had already been taken in favour of union with Canada, continued as follows:—

"Therefore, Resolved, as the deliberate opinion of this House, that no measure for such union should be adopted which does not contain the following provisions, viz.: first, an equal number of legislative councillors for each province; second, such legislative councillors to be required to reside in the province which they represent and for which they are appointed; third, the number of representatives in the federal parliament to be limited; fourth, the establishment of a court for the determination of questions and disputes that may arise between the federal and local governments as to
SMITH'S AMENDMENT

the meaning of the Act of Union; fifth, exemption of this province from taxation for the construction and enlargement of canals in Upper Canada, and for the payment of money for the mines and minerals and lands of Newfoundland; sixth, eighty cents per head to be on the population as it increases and not to be confined to the census of 1861; seventh, securing to each of the Maritime Provinces the right to have at least one executive councillor in the federal government; eighth, the commencing of the Intercolonial Railway before the right shall exist to increase taxation upon the people of the province."

Mr. Smith supported his resolution in a lengthy speech in which he predicted increased taxation as the result of confederation. He said that the House, instead of being a deliberative assembly, had to surrender its judgment to the government. Confederation was a great experiment at best, and called for the exercise of other men's judgment. The government were going on in the most high-handed manner and were not justified in withholding information asked for. He elaborated the idea that Canada was pledged to issue treasury notes to pay present liabilities, and asserted that the government was altogether under the control of Canadian politicians. He insisted particularly on a provision in the Act of Union that each of the Maritime Provinces have an executive councillor in the federal government. Finally the vote was taken and the
SIR LEONARD TILLEY

following amendment, which had been moved by the Hon. Mr. Fisher, was carried, only eight members voting against it:—

"Resolved, That the people of this province having, after due deliberation, determined that the union of British North America was desirable, and the House having agreed to request His Excellency the lieutenant-governor to appoint delegates for the purpose of considering the plan of union upon such terms as will secure the just rights of New Brunswick, and having confidence that the action of His Excellency under the advice of his constitutional advisers will be directed to the attainment of that end, sound policy and a due regard to the interests of this province require that the responsibility of such action should be left unfettered by an expression of opinion other than what has already been given by the people and their representatives."

This ended the battle for confederation in New Brunswick, for what remained to be done was merely the arrangement of the details of the union by the delegates who had received full powers for that purpose. The session of the legislature, which must be considered one of the most important ever held in New Brunswick, came to a close on Monday, July 7th. At a meeting of the government held immediately after the prorogation, the Hon. Messrs. Tilley, Wilmot, Fisher, Mitchell, Johnson and Chandler were appointed to go to England as delegates for the purpose of meeting delegates from
THE DELEGATES IN ENGLAND

Canada and Nova Scotia, and framing the bill which was to be passed by the imperial parliament for the consummation of confederation. It was understood that there would be no delay on the part of the delegates from Canada, but Sir John A. Macdonald and the other Canadian delegates were unable to leave at the time appointed, and did not meet the Maritime Provinces delegation in England until many months after the latter had arrived there. This unfortunate circumstance produced much comment at the time, because it looked as if the government of Canada was treating the delegates of New Brunswick and Nova Scotia with discourtesy. Instead of the business being completed promptly, as was expected, and the bill passed by the parliament during the autumn season, the whole matter was thrown over until the following year, and the New Brunswick delegates, most of whom were prominent members of the government, had to remain in England for about ten months at great expense and inconvenience.

The delegates from the three provinces, Canada, Nova Scotia and New Brunswick, met at the Westminster Palace Hotel, London, in December, 1866, the Hon. John A. Macdonald in the chair and Lieut.-Col. Hewitt Bernard acting as secretary. The resolution passed at the Quebec conference held in 1864 was read, and amendments were moved in accordance with the suggestions made in the several legislatures during the discussions at the previous
sessions. It was conceded by all that the Intercolonial Railway, by which facilities for interprovincial commercial intercourse should be secured, must be built by the united provinces and without delay. It was also conceded that in the provinces where separate schools were established by law, that principle should not be disturbed. In the discussion it was claimed that the sole right of imposing an export duty should be vested in the federal authority. This was objected to by the New Brunswick delegates, on the ground that as the people of that province had expended a large sum of money in the improving of the navigation of the upper St. John, they had to recoup themselves by imposing an export duty on lumber shipped from the province. A considerable portion of the income thus received was paid by the lumbermen of the state of Maine, the advantage derived by them from such improvements being very great. The claim thus presented by the New Brunswick delegates was conceded, and the province was permitted to retain the right. This right was abandoned after confederation, the Dominion paying therefor a hundred and fifty thousand dollars per annum to the New Brunswick government.

During the sitting of the delegates, which lasted for two months, many conferences were held with Lord Carnarvon, then secretary of state for the colonies, and the law officers of the Crown, in regard to objections which were taken to some of the reso-
THE BRITISH NORTH AMERICA ACT

olutions adopted by the delegates. The governor-general of Canada, Viscount Monck, was in London at the time, and was able to render valuable assistance during the conference, owing to his intimate knowledge of the previous negotiations at Quebec. The arrangements there made, in regard to the strengthening of the central government, founded on the experience of the United States during the War of Secession, were adhered to in the London resolutions and accepted by the imperial authorities. When the bill reached parliament some amendments were suggested, but when it was pointed out that the bill as presented was the result of the most careful consideration of both the imperial authorities and the colonial representatives, the suggested amendments were not pressed and the measure passed through both Houses with very little discussion. But one spirit seemed to animate both the imperial government and the members of parliament, and that was to give the provinces interested the fullest powers consistent with their relation to the Empire. The parliamentary opposition to the measure was much less than might have been expected, when it is remembered that the opponents of confederation had representatives in London, well able to present objections from their standpoint, who had the ear of Mr. Bright and other members of the House of Commons. Her Majesty took a deep interest in the measure and expressed that interest to members of
the delegation, adding that she felt a great affection for her loyal Canadian subjects. While the bill was before the House of Lords, Messrs. Macdonald, Cartier, Galt, Tupper and Tilley were honoured by a private presentation to Her Majesty, at Buckingham Palace, and shortly afterwards all the members of the conference were presented at a drawing-room at the same place.

The New Brunswick delegates returned to Canada in the spring of 1867, having completed their labours, and the legislature was called together on May 8th. The business before it was of great importance, for the province was entering upon a new era as a member of the Canadian confederation, and the legislature was about to lose that portion of its powers which was delegated to the federal parliament. It is not, however, necessary to enter into any details of the work of the session, which was carried through without any particular difficulty, the Opposition being too weak to oppose seriously the measures of the government. It was felt on all sides that, as twelve members of the legislative council were about to become members of the senate of Canada, and as fifteen representatives were to be elected to the House of Commons, most of whom would come from the House of Assembly, a striking change would take place in the composition of the legislature, which would be deprived of the services of a large number of its ablest men. One of the important bills of the session was the passage
COUNTY COURT ACT

of the Act establishing county courts in the province, and in respect to this measure a difference of opinion took place between Mr. John M. Johnson, one of the delegates and member for Northumberland, and his fellow-delegates to England. He thought that the legislature had no authority under the terms of confederation, or from any understanding between the delegates while in England, to create county courts, while the other delegates held a different view. The Act was passed, however, and has proved to be one of the most useful ever placed upon the statute-book, relieving the supreme court of many cases, both civil and criminal, which would otherwise block its business, and enabling them to be disposed of more rapidly than before. The county court judges appointed under this Act were, with one exception, taken from the legislature, and this made another serious drain upon its experienced members.
CHAPTER XI

THE FIRST PARLIAMENT OF CANADA

The British North America Act, by which the provinces of Upper and Lower Canada, New Brunswick and Nova Scotia were bound into a confederation, came into force by royal proclamation on the first day of July, 1867. When it is considered how vast and vital a change this measure brought about, it is surprising that it produced so little excitement anywhere. With the exception of one or two demonstrations which were made with flags by persons hostile to confederation, it was received in the province of New Brunswick, which had been so much excited during two elections, with perfect calmness, and although for some years afterwards there were always a number of persons opposed to union who predicted direful things from confederation, and thought it must finally be dissolved, the voices of such persons were eventually silenced either by death or by their acquiescence in the situation. To-day it may be safely declared that the Canadian confederation stands upon as secure a foundation as any other government in the civilized world.

In June, 1867, the Hon. John A. Macdonald, the leading spirit in the government of Canada, was
entrusted by Lord Monck, then governor-general, with the formation of a ministry for the Dominion. Mr. Macdonald naturally experienced a good deal of difficulty in making his arrangements. In the formation of the first ministry much care was necessary; provincial and national interests were to be thought of and denominational claims had to receive some attention. But the greatest difficulty arose with respect to old party lines. Mr. Macdonald thought that these ought, as far as possible, to be ignored, and accordingly selected his men from the leading advocates of confederation belonging to both parties, placing in his cabinet seven Conservatives and six Liberals. The Liberals included the names of Mr. W. P. Howland and Mr. William MacDougall for Ontario. A large number of the Liberals of Ontario, including George Brown and Alexander Mackenzie, opposed this arrangement, called a public meeting in Toronto, and passed resolutions in favour of a strictly party government on the old lines. It declared hostility to the proposal for a coalition, and resolved to oppose Messrs. Howland and MacDougall, should they accept office under Mr. Macdonald. This decision was carried out, but these gentlemen were both elected by good majorities. In this first ministry there were five members from Ontario, four from Quebec, two from Nova Scotia, and two from New Brunswick: S. L. Tilley and Peter Mitchell.
FIRST CONFEDERATION MINISTRY

The wisdom of the course adopted will be apparent when it is remembered that the question of confederation was not settled or carried on party lines, some of the Conservatives opposing and some Liberals supporting it. This was clearly the case in New Brunswick, as shown by the last two elections held there. About one-third of the Liberal party, and a like proportion of the Conservative party, opposed confederation at the second election. To have formed the first government on a party basis would have necessitated the selection of some men who were opposed to the union, and whose efforts might not have been devoted to making it a success.

The first confederation ministry was a very strong one. The Hon. John A. Macdonald became premier and minister of justice; the Hon. George E. Cartier was minister of militia and defence; Alexander T. Galt was minister of finance; the Hon. William MacDougall was minister of public works; the Hon. W. P. Howland was minister of inland revenue; the Hon. A. J. F. Blair, president of the privy council; the Hon. Alexander Campbell, postmaster-general; the Hon. J. C. Chapais, minister of agriculture; the Hon. Hector L. Langevin, secretary of state. The Hon. Mr. Tilley became minister of customs and the Hon. Mr. Mitchell minister of marine and fisheries, while the two Nova Scotia representatives, Messrs. Archibald and Kenny, became respectively secretary of state for the provinces and receiver-general.
SIR LEONARD TILLEY

It will thus be seen that the Maritime Provinces had four representatives out of thirteen members of the cabinet, and this proportion has generally been maintained since that time; so that the fears of those who anticipated that the provinces by the sea would not receive fair treatment in the distribution of high offices have proved to be groundless. On the contrary, it can be said that the Maritime Province members of the government appear always to have occupied a very influential position.

The office of minister of customs, which Mr. Tilley received, was thought by some of his friends to be less important than he deserved, they being of the opinion that he should have been made minister of finance. This office, however, went to Mr. Galt, who, owing to a difference with the rest of the government, resigned four months later, his place in the cabinet being taken by Sir John Rose, who held the office of finance minister until October, 1869, Sir Francis Hincks then receiving the appointment. It was not until the resignation of the latter in February, 1873, that Mr. Tilley became minister of finance. The office at first assigned to him, however, was one of great importance, involving as it did the reorganization of the entire establishment of the customs of Canada, and it gave ample scope for his great ability as a business man.

The elections for the House of Commons in the new parliament of Canada took place in August,
FIRST CANADIAN PARLIAMENT

when Tilley was chosen to represent the city of St. John, and John H. Gray, the county. It had been expected, in view of the fact that these men had been so largely instrumental in bringing about confederation, that they would be allowed to walk over the course unopposed. This was the case with Mr. Gray, whose candidature met with no opposition; but Mr. Tilley was opposed by Mr. John Wilson, who received a very small vote. This needless and futile opposition to the candidature of a man who deserved so well from the province, was merely one of the proofs of the existence of political rancour in the breasts of those who had been defeated on the confederation question.

The first parliament of united Canada met on November 6th, 1867, and the address was moved by the Hon. Charles Fisher, who had been elected to represent the county of York. The session was a very long one, lasting until May 22nd of the following year; but there was an adjournment, extending from December 21st to March 20th. This meeting of parliament was especially memorable, inasmuch as it brought together, for the first time, the representatives of all the provinces, and the ablest men of all political parties. The people of Ontario and Quebec were little known to the people of the Maritime Provinces, and those who resided in the larger provinces in like manner knew comparatively little of their fellow-subjects who dwelt by the sea. It was expected by some
that the Maritime Province representatives would be completely overshadowed by men of greater political reputation belonging to the larger provinces, but this did not prove to be the case. The Maritime representatives at once took a leading position in parliament, and this position they have steadily maintained down to the present time. No man stood better in the House of Commons than the representative from St. John, the Hon. S. L. Tilley. At that time Her Majesty, the Queen, in acknowledgment of his services in the cause of confederation, had created him a Companion of the Bath, a distinction which was also given to the Hon. Charles Tupper, of Nova Scotia.

A vast amount of business had to be disposed of at the first session of the parliament of Canada. Although the Union Act embodied the plan upon which confederation was founded, it was necessary to supplement it by a great deal of special legislation, for the purpose of interpreting it and making preparations for the practical working of the constitution. In all the discussions relative to the measures which had to be passed at that time, Tilley took a prominent part, and, when the session was over, he had established in the House of Commons, as fully as he had in the legislature of New Brunswick, a reputation for ability as a speaker and as a man of affairs. He was looked upon as one whose wide knowledge of the needs of the province and whose experience in departmental work were
MINISTER OF FINANCE

likely to be of the greatest use to the confederation. His high character gave weight at all times to his words, and caused him to be listened to with the most respectful attention. During the whole period that Tilley sat in the House of Commons, he had the pleasure of knowing that even his political enemies respected his character and abilities, and, with the exception of the premier, perhaps no man wielded a more potent influence in the councils of the Dominion than he.

It is not necessary here to trace to any large extent the career of Sir S. L. Tilley in the parliament of Canada; that belongs rather to the history of the Dominion than to a work which deals particularly with his connection with his native province. Only so much of his public life in the House of Commons will be dealt with as seems necessary to complete his personal history. Tilley continued to hold the position of minister of customs during the whole of the term of the first parliament of Canada. This parliament held five sessions and dissolved in the summer of 1872, the general election being in the month of July, upon which occasion he was re-elected for the city of St. John without opposition.

The second parliament met on March 5th, 1873. Eleven days before that time Mr. Tilley had become minister of finance, succeeding Sir Francis Hincks, who had resigned that office after holding it for more than three years. The advance-
ment of Mr. Tilley to this responsible and influential position was very pleasing to his friends, and was received with satisfaction by the country generally.

The first confederation ministry of Canada resigned office on November 5th, 1873, under circumstances which are a part of the political history of the Dominion and need not be gone into in this volume, further than to say that, whatever basis there may have been for charges of corruption in connection with the Pacific Railway contract against other persons in the government, none were ever preferred against Mr. Tilley; nor did any one suspect or believe that he had anything whatever to do with the transactions which led to the resignation of the government. Prior to that event Mr. Tilley had been appointed lieutenant-governor of the province of New Brunswick in succession to the Hon. Lemuel A. Wilmot, whose term had expired. Every one felt that the honour thus bestowed upon Tilley was a most fitting one, for he was New Brunswick’s foremost son in political life, and had reached his high position purely through his own ability and his own good character. That position he filled a greater number of years than any of his successors are likely to do, and it is admitted on all sides that no man could have performed the duties of the office more satisfactorily than he did.
CHAPTER XII

FINANCE MINISTER AND GOVERNOR

Mr. Tilley took up his residence in the old Government House, Fredericton, and he must have been struck with the changed aspect of affairs from that presented under the old régime, when lieutenant-governors were appointed by the British government and sent out from England to preside over the councils of a people of whom they knew little or nothing. Most of these former governors had been military men, more accustomed to habits of command than to deal with perplexing questions of state. They looked with a very natural degree of impatience on the attempts which the people of the province were making to get the full control of their own affairs. Under the old régime the governor was surrounded with military guards, and sentries paced the walks and guarded the entrances to the Government House. The withdrawal of the British troops from Canada before the lieutenant-governorship of Mr. Tilley commenced relieved him of any embarrassment in regard to dispensing with military guards and sentries; but all pretentious accompaniments of authority were foreign to his nature, and he always showed, by the severe simplicity of his life, that he felt he was one
of the people, and that it was his duty as well as his pleasure to permit all who had any occasion to see him to have free access to him, without the necessity of going through any formal process.

When Mr. Tilley became lieutenant-governor of the province, he was fifty-five years of age, and he seems to have thought that his political career was ended, because, by the time his term of office expired in its natural course, he would have reached the age of sixty, a period when a man is not likely to make a new entrance into public life. But circumstances, quite apart from any desire on his part, made it almost necessary for him to change his determination, and during the summer of 1878, when the general election was imminent, he found himself pressed by his old political friends to become once more the candidate of his party for his old constituency, the city of St. John. There was great enthusiasm amongst them when it was announced that he would comply with their wishes, and that he had resigned the lieutenant-governorship. The result of that general election is well known. The Liberal party, which had succeeded to the government less than five years before with a large majority in the House of Commons, experienced a severe defeat, and the Hon. Alexander Mackenzie, seeing this, very properly did not await the assembling of parliament, but sent in the resignation of the ministry, and Sir John A. Macdonald was called upon to form a new government. In the cabinet thus constructed Mr.
THE PROTECTIONIST TARIFF

Tilley resumed his old office of minister of finance, and one of his first duties was to assist in the framing of a new customs tariff which was to give effect to the principle, upon which the election had been run, of protection to home industries. This idea of protection had not been heard of in the Canadian confederation as the policy of any political party until Sir John A. Macdonald took it up about a year before the general election, but it proved a winning card and was the means of giving the new government a long lease of power.

Sir Leonard Tilley's speech in introducing the new tariff was well received and made a strong impression upon all who heard it. It was admitted, even by those who were opposed to the views he held, that he showed a great mastery of the details, and that he illustrated in a very clear manner the view that the country was suffering because the duties imposed upon foreign goods were not sufficiently high to protect Canadian manufactures.

It is not the intention of this volume to deal to any full extent with the career of Sir Leonard Tilley during his second term of office as minister of finance of Canada. To enter into that phase of his career would be to relate the history of Canada, for he was but one member of the government, and not its leader. It is admitted that, in respect to financial questions, Sir Leonard showed the same ability that had characterized his career during his
SIR LEONARD TILLEY

previous term of office, and he was looked upon by his colleagues as a man in whose judgment the utmost confidence could be placed. At this time, however, his health began to fail, and the disease which finally carried him off developed to such an extent that he was told he must cease all active work or his days would be shortened. Under these circumstances, it became necessary for him to retire from the severe duties of his very responsible and laborious office, and on October 31st, 1885, he was again appointed lieutenant-governor of New Brunswick, an office which he had filled with so much acceptation between 1873 and 1878. Sir Leonard Tilley continued lieutenant-governor during a second term, for almost eight years, or until the appointment of the Hon. John Boyd to that position. He was lieutenant-governor of New Brunswick for considerably more than twelve years, a record which is not likely to be equalled by any future lieutenant-governor for many years to come, if ever.

There was no event of particular importance to distinguish Sir Leonard Tilley's second term as lieutenant-governor. The Hon. Mr. Blair was premier of New Brunswick during the whole period, and there was no political crisis of any importance to alter the complexion of affairs. The only event in connection with the governorship which is worthy of being mentioned is the change that was made by the abandonment of the old Government House,
SECOND TERM AS GOVERNOR

at Fredericton, as the residence of the lieutenant-governor. This building had become antiquated, and in other ways unsuitable for the occupancy of a lieutenant-governor, and its maintenance involved a very large expenditure annually, which the province was unable to afford. It was therefore determined that in future the lieutenant-governor should provide his own residence, and that the amount spent on the Government House annually should be saved. Sir Leonard Tilley built a residence in St. John, in which he lived for the remainder of his life, and the seat of government, so far as his presence was concerned, was transferred to that city. Sir Leonard Tilley was always on the most cordial terms with the various premiers who led the government of New Brunswick during their terms of office. He knew well the strict constitutional limits of his office, and was always careful to confine his activities within their proper scope. The lessons of responsible government which he had learned in his early youth, and which had been the study of his manhood, enabled him to avoid those pitfalls which beset the steps of earlier lieutenant-governors.

During Sir Leonard Tilley's last term of office, and after its close, he abstained wholly from any interference with public affairs in the Dominion, and although he still remained steadfastly attached to the Liberal-Conservative party, he gave no outward sign of his desire for their success. This ne-
tral position which he assumed in political matters had the effect of drawing towards him thousands of his fellow-countrymen who, in former years, had been accustomed to regard him with unfriendly feelings. They forgot the active political leader and saw before them only the aged governor, whose venerable figure and kindly face were so familiar at social or other gatherings, or whenever work was to be done for any good cause. In this way Sir Leonard Tilley grew to assume a new character in the public estimation, and at the time of his death the regret was as great on the part of those who had been his political opponents as among those who had been his associates in political warfare. This was one of the most pleasing features of his declining years, and one that gave him the greatest satisfaction, because it enabled him to feel that he enjoyed the affectionate regard of the whole body of the people.

Sir Leonard Tilley throughout his life gave great attention to his religious duties. He was a devoted member of the Church of England, and his attendance at its services was constant and regular. For several years before his death he was connected with St. Mark's congregation, and no cause, except severe bodily illness, was ever allowed to prevent him from going to church on Sunday morning. On many occasions, when his steps had grown feeble and his strength was failing, it was suggested to him that he should drive to church, but he always replied
HIS IMPERIAL HONOURS

that he would walk to church as long as he had strength left to do so, and that he would not have people harnessing up horses on the Sabbath Day on his account. This resolution he maintained to the end of his life. Sometimes, when he met an old acquaintance, as he toiled up the street which led to his favourite church, he would cheerfully greet him by saying, "John, this hill has grown steeper than it used to be," but he climbed the hill to the end, and the last Sunday he was able to be out of his bed he walked to church as usual. He also took a deep interest in all humane and philanthropic objects as well as in the great work connected with the spread of the Gospel. He was a constant attendant at the annual meetings of the British and Foreign Bible Society, and was a life member of that admirable association.

The honours that Sir Leonard Tilley received from Her Majesty, in recognition of his great public services, were very gratifying to his friends as well as to himself, and when he was made a Knight Commander of St. Michael and St. George, in 1879, his temperance friends embraced the first opportunity on his return to St. John to have a banquet in his honour, at which he wore, for the first time in public, the insignia of the knightly order of which he had become a member. There was probably no public event in the whole course of his life which gave him greater pleasure than this proof of the attachment of his old friends.

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SIR LEONARD TILLEY

Sir Leonard's last visit to England was marked by an extremely gracious invitation to visit the queen at Osborne, in the Isle of Wight. While he and Lady Tilley were sojourning at Cowes a message was sent summoning them to Osborne House, where they were received by Her Majesty in the beautiful grounds that surround that palace. The Princess Louise and Princess Beatrice, with an equerry in waiting, were the only other persons present. After an interesting conversation they were permitted to visit the private apartments of Her Majesty, and the Prince Consort's farm.

Sir Leonard Tilley was first married in 1843 to Julia Ann, daughter of the late James T. Hanford, who died in 1862. By her he had seven children, two sons and five daughters. In 1867, he married Alice Starr, daughter of the late Z. Chipman, of St. Stephen. By this marriage he had two sons, Mr. Herbert C. Tilley, of the Imperial Trust Company, who resides in St. John, and Mr. L. P. DeWolfe Tilley, barrister, who is also a resident of St. John. These two sons, Herbert and Leonard, were the prop and comfort of his declining years and were devoted wholly to him to the end.

Sir Leonard Tilley's second marriage was contracted at the time when he was exchanging the limited field of provincial politics for the wider sphere which confederation opened up to him in the parliament of Canada. It was a fortunate union, for it gave him a helpmeet and companion
LADY TILLEY

who was in full sympathy with him in all his hopes and feelings, and who was singularly well qualified to preside over his household, which, in his capacity of a minister of the Crown, had become, to a considerable extent, a factor in the public life of Canada. Lady Tilley had a high ideal of her duty as the wife of a cabinet minister and of the governor of New Brunswick, and was not content to lead a merely ornamental life or confine her energies within a narrow range. She saw many deficiencies in our appliances for relieving human misery, and with a zeal which could not be dampened, she sought to remedy them. The Victoria Hospital at Fredericton is her work; hers also is the Nurses' Home in connection with the Public Hospital in St. John, and the Reformatory for the care of bad or neglected boys, who are in danger of becoming criminals if they are not educated and disciplined when they are young. In every work of philanthropy Lady Tilley has always taken not only an active, but a leading part, and her position has enabled her to enlist in the cause of humanity the energies of many who, under other circumstances, might not have given their attention to philanthropic work.

Sir Leonard Tilley for many years had suffered from an incurable disease, which had been mitigated by rest and medical treatment, but not removed. It was the knowledge of the fact that his days would be shortened if he continued in active po-
SIR LEONARD TILLEY

political life that compelled him to leave the government in 1885. For many years before his death the malady had been so far subdued that it gave him comparatively little trouble, but any unusual exertion on his part was almost certain to arouse it again to activity, so that he was prevented on many occasions from taking part in public functions which, under other circumstances, he would have been glad to attend. Still, he always contrived to take his daily walk, and few who saw him ever suspected that he was constantly menaced by death. For three or four years before his decease his strength had been failing, he stooped more as he walked, and it was evident that he was not destined to enjoy many more years of life. Yet during the spring of 1896 there was nothing whatever to indicate that the end was so near, for he went about as usual, and was able to preside at the annual meeting of the Loyalist Society which was held during the last week in May. On that evening he appeared very bright and cheerful, and he entered with much interest into the discussion of the details of an outing which it was proposed the society should hold during the summer. "Man proposes, God disposes." Sir Leonard had gone to Rothesay early in June to spend a few weeks in that pleasant spot, and he appeared to be in his usual health until the night of June 10th, when he began to suffer great pain from a slight cut which he had received in the foot. The symptoms became alarming and gave indications of
blood poisoning, a condition due to the disease from which he had suffered so many years. On June 11th, he was taken to Carleton House, his town residence, and from that time the doctors gave no hope of his recovery. It was one of the sad features of his illness that his life-long friend and physician for many years, Dr. William Bayard, was unable to attend him, being himself confined to his bed by illness.

After Sir Leonard Tilley reached his home in St. John he never rallied, and he was well aware that his end was near. He was attended by Dr. Inches and Dr. Murray McLaren, but he was beyond medical aid, and therefore the people of St. John, for several days before the event took place, were aware that their foremost citizen was dying. The time was one of great excitement, for the general election was near, yet the eyes of thousands were turned from the moving panorama of active life which passed before them to the silent chamber where the dying statesman was breathing his last. The regret and sympathy that was expressed was universal, and in their kindly words those who had been his life-long political opponents were not behind those who had been his friends. Sir Leonard Tilley died at three o'clock on the morning of June 25th, the second day after the general election which brought about the defeat of the party with which he had been so long identified.
His death evoked expressions of sympathy and regret from all parts of the empire and from many states of the union. The letters and telegrams of condolence which Lady Tilley received during the first days of her widowhood would of themselves fill a volume, showing how widely he was known and respected. The funeral, which took place on the Saturday following his death, was one of the largest ever seen in St. John, and was attended by the Board of Trade, the Loyalist Society, the various temperance organizations, the members of the provincial government, and a vast concourse of prominent citizens. The services took place at St. John’s Episcopal Church, and were conducted by the rector, the Rev. John deSoyres, assisted by the Rev. R. P. McKim, rector of St. Luke’s Church, with which Sir Leonard had been identified in his earlier years. The interment took place in the Rural Cemetery. Many references to the decease of this eminent man were made from the pulpits of St. John and other parts of the province on the Sunday following his death, and all the newspapers had long notices of the event and editorials on his life and character. We may fittingly close this work by quoting a portion of what was said of him by the St. John Telegraph, a paper that was politically opposed to him for many years:—

"It is greatly to the honour of Sir Leonard Tilley that no scandal, public or private, was ever attached to his name. A consistent temperance
man to the end of his life, he was faithful to the cause which he had espoused when he was young, and he enjoyed the confidence and received the steady support of a vast majority of the temperance men of the province, who looked upon him as their natural leader. His capacity for friendship was great, and his friends might be numbered by thousands, for he had a peculiar faculty of strongly attracting men to himself. This may be ascribed, in part, to the magnetism of a buoyant and strong nature, but it was more largely due to the extreme simplicity of his character, which remained wholly unspoiled by the favours which fortune had showered upon him. No man, however humble, had any difficulty in obtaining an interview with Sir Leonard Tilley; he was every inch a gentleman, and was, therefore, as polite to the poorest labourer as to the richest in the land. Such a man could not fail to be loved even by those who had been his most bitter opponents in former years, when he was in active political life.

"It is one of the drawbacks of this human life that the wise, the learned, the good, and those whom we most love and honour, grow old and feeble, fall by the wayside and pass away. So while we lament the death of Sir Leonard Tilley, we must recognize it as an event that was inevitable, and which could not long have been postponed. His lifework was done; his labours were ended; his active and brilliant career was closed; he was
but waiting for the dread summons which sooner or later must come to all. The summons has come, and he has gone from among us forever. His venerable, noble face will no longer be seen on our streets, his kindly greeting will no longer be heard. But his memory will live, not only in the hearts of all his countrymen, but enshrined in the history of this his native province, and of the great Dominion which he did so much to create, and which he so fondly loved."
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