



1865 – 1949

Confederation Debates

senior
mini unit

<http://hcmc.uvic.ca/confederation/>



**British Columbia
National Edition**



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ABOUT THE CONFEDERATION DEBATES MINI-UNIT

Before each province and territory became a part of Canada, their local legislatures (and the House of Commons after 1867) debated the extent, purposes and principles of political union between 1865 and 1949. In addition to creating provinces, the British Crown also negotiated a series of Treaties with Canada's Indigenous Peoples. Although these texts, and the records of their negotiation, are equally important to Canada's founding, as the Truth and Reconciliation Committee recently explained, "too many Canadians still do not know the history of Indigenous peoples' contributions to Canada, or understand that by virtue of the historical and modern Treaties negotiated by our government, we are all Treaty people."

The vast majority of these records, however, remain inaccessible and many can only be found in provincial archives. By bringing together these diverse colonial, federal and Indigenous records for the first time, and by embracing novel technologies and dissemination formats, *The Confederation Debates* (<http://hcmc.uvic.ca/confederation/>) encourages Canadians of all ages and walks of life to learn about past challenges, to increase political awareness of historical aspirations and grievances and engage present-day debates, as well as to contribute to local, regional and national understanding and reconciliation.

This mini-unit for senior-level classes helps students to understand and analyze the key ideas and challenges that preceded British Columbia's entry into Confederation. The first section deals with the debates in the provincial and/or federal legislatures, while the second section addresses more specifically founding treaty negotiations with the First Nations. Each section can be taught independently.

The activities and attached materials will help students understand the diversity of ideas, commitments, successes and grievances that underlie Canada's founding.

By the end of this mini-unit, your students will have the opportunity to:

1. Use the historical inquiry process—gathering, interpreting and analyzing historical evidence and information from a variety of primary and secondary sources—in order to investigate and make judgements about issues, developments and events of historical importance.
2. Hone their historical thinking skills to identify historical significance, cause and consequence, continuity and change, and historical perspective.
3. Develop knowledge of their province/region within Canada, minority rights and democracy, and appreciate the need for reconciliation with Indigenous Peoples.

CURRICULUM OBJECTIVES

This mini-unit has been broadly designed for British Columbia senior-level classes. The activities described in the pages, for example, fulfill the following outcomes listed in British Columbia’s “Civic Studies 11” and “First Nations Studies 12” curriculum.

Civic Studies 11

UNIT 3: RIGHTS AND RESPONSIBILITIES

In this unit, students assess the historical and contemporary factors that have influenced the development of rights and responsibilities in Canada. The unit uses a variety of assessment strategies to illustrate the core rights and responsibilities concepts highlighted in Civic Studies 11. Specific research, comprehension, analysis, synthesis, and communication skills are emphasized throughout the unit. The unit features a mock parliamentary committee, gallery walk, and a case study to develop student understanding, analysis, and synthesis of the key concepts. The unit includes an analysis of the Canadian Charter of Rights and Freedoms prior to a case analysis on civil liberties in a high school setting. Students then complete an analysis of the landmark documents in the historical evolution of rights and responsibilities, and a mock trial on one or more precedent setting cases in the evolution of human rights in Canada.

- British North America Act 1867
- Canada’s multiethnic and bilingual society
- Canada’s parliamentary system of government and the role of parliamentary committees
- the nature of the conflict between individual and group rights and responsibilities

First Nations Studies 12

CONTACT, COLONIALISM, AND RESISTANCE

C3 assess the economic, social, political, and cultural impacts of contact with Europeans on BC First Nations during the period of the land-based fur trade up to Confederation

- describe the main developments in European colonization of British Columbia up to Confederation, including:
 - the gold rushes
 - establishment of early European settlements
- describe the impacts on First Nations of contact with Europeans in the period of the land-based fur trade, including:
 - economic and political (e.g., growth of the cash economy, changes in First Nations settlement patterns, the Douglas treaties, Joseph Trutch and the development of British colonial policy involving land pre-emption and prohibition of Aboriginal land ownership)
- defend a position with respect to the impact of contact on BC First Nations, using relevant supporting evidence

C4 analyse post-Confederation government policies and jurisdictional arrangements that affected and continue to affect BC First Nations:

- compare pre-Confederation and post-Confederation government policies toward First Nations with reference to

- the Royal Proclamation of 1763
- the Douglas treaties
- Joseph Trutch
- the terms of union (1871)
- the Indian Act (1876 and subsequent amendments)

SECTION 1 | CREATING CANADA'S PROVINCES

Prerequisite Skillset

- Word processing
- Web research
- Interpretation of primary sources
- Cooperative sharing
- Some familiarity with group debate

Background Knowledge

Students may need to be reminded of the following subjects from the preceding weeks.

SOCIAL

- Catholic/Protestant divisions in Canada during the first half of the 1860s

ECONOMIC

- Relations with the United States (and especially the American cancellation of the Reciprocity Treaty in 1866)

POLITICAL

- The difference between a legislative union (ex. Great Britain had a single legislature for England and Scotland) and a federal union (with federal and provincial legislatures that each have areas of exclusive jurisdiction)
 - Charlottetown and Quebec constitutional conferences of 1864
 - The concept of dividing powers between federal and provincial governments and the respective jurisdictions of each (ex. education, military)
 - Increasing Aboriginal marginalization (especially neglected Treaty Rights)
- The concept of Maritime (as opposed to British North American) union
- The worry that the main impetus for Confederation came from the Province of Canada's need to overcome its own political deadlock (as opposed to the genuine pursuit of common interests among the colonies)

Confederation Debates: Introductory Lesson

Lesson: Introduce Confederation and the concept of debate

Concepts Used: Brainstorming, concept map

Recommended Equipment: Computer(s) for viewing videos and reading *Dictionary of Canadian Biography* entries

Materials Provided: Video, handouts

Time Needed: 2 x 40-minute classes

INTRODUCTION

The teacher will engage students in a brainstorming session with the suggested list of framing questions below.

BRAINSTORM SESSION

To help students recall background knowledge (see previous page), please discuss the following questions:

1. What was Confederation?
2. What were the most influential ideas during the Confederation debates?
 - a. Point out that the arguments for and against joining Confederation that historical figures made between the 1860s and the 1940s were often remarkably similar. In the upcoming activity, we will therefore consider the Confederation debates from this long timespan together—even though they were from different periods.
3. Who was the most influential individual in the Confederation debates?
4. How did linguistic or ethnic tensions impact the debates and our constitution?
5. What are some areas of continuity and change between the Confederation period and today?

CONCEPT MAP

1. When the brainstorm session has been completed, the teacher will circle the most pertinent/important subjects and sub-subjects that resulted from the brainstorm session.
2. Teachers may add subjects or sub-subjects if important topics were missed during the brainstorm session.
3. Students will then develop a concept map to highlight the important subjects and sub-subjects.
4. A concept map will provide a visual aid for students to see the important subjects and sub-subjects throughout the unit.

INTRODUCTION TO PARLIAMENT

1. Distribute the “72 Resolutions Handout” to the students and highlight and discuss:
 - a. The fact that representation in the House of Commons is representation by population, and representation in the Senate is by region (ex. the Prairies)

- b. The division of powers between federal and provincial governments (note that one focuses on national issues like banking, while the other focuses on local concerns like hospitals).
- 2. Distribute “Introduction to Parliament: The Question Period” handout and review the questions with the class (see appendices).
- 3. Show the class any Question Period video posted to <http://www.cpac.ca/en/programs/question-period/>.
- 4. Pause the video at the start and point out the government side (left), the opposition side (right) and the Speaker of the House (centre).
- 5. Play several minutes of the video and ask students to fill out and submit the handout for teacher evaluation.
- 6. When the video is complete and the handouts are submitted, discuss the following points with the class:
 - a. Note that different parties form the government and opposition, and that each take opposite sides on issues
 - b. During Question Period, one person asks questions; the other side answers/rebutts
 - c. The Speaker of the House controls the discussion
 - d. The classroom debate will not have any:
 - i. Yelling
 - ii. Talking over one another

Confederation Debates: Biographical Research

Lesson: Introduce the key historical figures in the Confederation debates

Concepts Used: Critical thinking, historical inquiry process, historical thinking, online research

Materials Required: Computers

Materials Provided: List of biographies, biography handout, primary document handouts, self-evaluation for jigsaw activity

Time Needed: 3 x 40-minute classes

HISTORICAL FIGURE COMPUTER RESEARCH

1. Before beginning this activity, teachers may wish to familiarize themselves with the key details of each historical figure using the teacher briefs (see appendices).
2. Assign each student one of the historical figures listed below so that they can proceed with their online research. Each province's list alternates between pro- and anti-Confederation figures, with the most prominent appearing at the top of each list. If a class is small, teachers should assign the first two historical figures to students. If they are teaching a larger group of students, additional historical figures can be assigned.

British Columbia

- a. Amor de Cosmos
- b. John Sebastian Helmcken
- c. Henry Crease
- d. John Robson
- e. George Cartier
- f. Alexander Mackenzie

Alberta and Saskatchewan

- a. Frederick W.A.G. Haultain
- b. Wilfrid Laurier
- c. Henri Bourassa
- d. Frank Oliver
- e. Robert Borden
- f. Clifford Sifton
- g. Thomas Walter Scott

Manitoba

- a. Louis Riel
- b. Donald Smith
- c. Adams G. Archibald
- d. George Cartier
- e. Alexander Mackenzie
- f. William McDougall

Ontario

- a. George Brown
- b. John A. Macdonald
- c. John S. Sanborn

Quebec

- a. Antoine-Aimé Dorion
- b. Sir George-Étienne Cartier
- c. Christopher Dunkin

New Brunswick

- a. Samuel Leonard Tilley
- b. Albert James Smith
- c. Arthur Hill Gillmor
- d. Timothy Warren Anglin
- e. John Costigan

Nova Scotia

- a. William Annand
- b. Charles Tupper
- c. Joseph Howe
- d. Adams George Archibald

Prince Edward Island

- a. James Colledge Pope
- b. William Henry Pope
- c. George Coles
- d. John Hamilton Gray
- e. Joseph Hensley

Newfoundland and Labrador

- a. Charles James Fox Bennett
- b. Joseph "Joey" Smallwood
- c. Peter Cashin
- d. Louis St. Laurent
- e. Ambrose Shea

3. Students will be taken to a computer lab and broken into groups according to the province of their historical figure.
4. Ideally, every student should do the research at their own computer.
5. Students will be asked to use online resources to create a detailed description of their historical figure using a template (see handout in appendices).
6. Students will design a basic website (see handout in appendices) using a free drag and drop service (ex. [Google Sites](#), [wix.com](#), or [weebly.com](#)). Each website will have three components:
 - a. An introductory (landing) page for your province listing the province, historical figures (and the students responsible for each historical figure).
 - b. A page for each historical figure from the province consisting of a biography and photos, maps, political cartoons, etc. See <http://www.constitutionfacts.com/us-founders/about-the-founders/> for a similar example from an American project. (Note that your website will have separate pages for each historical figure; it will not list all historical figures on the same page.)
 - c. A collaboratively written page describing your historical figures' province at the time, and the main issues relating to Confederation (with the same format as the biographies). This page should compare and contrast the positions and rationales of your historical figures. See <http://teachingamericanhistory.org/ratification/stagefive/#virginia> for a similar example from an American project.
7. Once websites have been completed, teachers may ask their students for permission to forward their website's URL to the Confederation Debates e-mail (confeddebates@gmail.com) so that the project can track the use of this lesson plan.

EXIT CARD

1. Students will fill out the “Exit Card” (see appendices) and hand it in to the teacher for evaluation.
2. An exit card is an exercise designed to engage students with the material learned in class at the end of a lesson. All students will answer questions before leaving class. Exit cards allow teachers to assess the class’s understanding of the day’s material in preparation for the next lesson.
3. Students will answer the questions and will hand in the exit card to the teacher at the end of the lesson.
4. The exit card questions found in the appendices satisfy the requirements for three historical thinking concepts: historical significance, cause and consequence and historical perspective.
5. The teacher has discretion on whether to mark the exit cards to ensure understanding.

Culminating Activity: The Debate

Culminating Activity: This culminating activity will introduce students to the basics of debate within a historical context and give them an opportunity to compare different historical positions on key issues from the 1860s to the 1940s.

Concepts Used: Critical thinking, primary sources, debate, using appropriate vocabulary, historical inquiry process, historical thinking concepts

Time Needed: 2 x 40-minute classes

Students/teacher will choose which figure they want to represent, which may be the same as or different than the historical figure they researched.

MATERIALS (ENCLOSED)

- Mock ballots for optional voting activity, to be printed or photocopied in advance of the lesson (See appendices; the ballot's text is loosely based on the motion that all of the Province of Canada's representatives debated in 1865.)
- Script for teachers to use as "Speaker of the House" (See "Culminating Activity Script" below.)

OPTIONAL MATERIALS (NOT ENCLOSED)

- Voting booth (optional, set up before the debate begins)
- Voting box or bucket
- Costumes (optional: ex. the teacher may borrow a graduation robe to wear while acting as "Speaker of the House," or find a white wig)

DEBATE PREPARATION

1. After completing their research and websites, the students should reorganize themselves into two groups: pro- and anti-Confederation. Students representing historical figures who adopted an ambiguous position can select either group.
2. The teacher should then instruct each group to sub-divide into groups of 4 or 5 students.
3. The teacher will then ask each student to prepare answers to the following general questions. Each of these questions will form the basis of the next class's detailed historical mock debate.
 - a. Will each province have sufficient influence within Confederation?
 - b. Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada's founders. Will the division of powers between federal and provincial governments protect local autonomy?
 - c. Many of Canada's founders were worried about protecting minority religious rights within their province. Did your historical figures believe that Confederation would protect these interests?
 - d. Will your province's economy benefit from Confederation?
 - e. Many of Canada's founders were worried about the United States annexing their colony. Did your historical figures believe that Confederation would keep their colony safe from annexation to the United States?

4. Students should practice their speech in front of the other members of their group to remain within a two-minute time constraint.

THE DEBATE

1. At the beginning of the next class, rearrange the classroom desks to resemble parliament (i.e., the pro-Confederation and anti-Confederation groups will sit across from each other, with teacher standing in between at the front of the room).
2. The Speaker of the House (the teacher) will stand at the front of the classroom (between the pro- and anti-Confederation sides of the room if the classroom desks have been moved to either side of the classroom). The Speaker of the House will then read from the script enclosed below to bring the debate to order, and will pose important questions.
3. Students will be given the opportunity, after everyone has shared, to offer a direct rebuttal to another student's statement. The Speaker of the House may allow students to rebut a particular point.
4. Once each theme has been addressed and all students have had the opportunity to make their case, the Speaker of the House will motion for adjournment.
5. After the debate is finished, teachers may hold the optional voting activity (below).

VOTING ACTIVITY

1. Students should fill out the "Post-Debate Self-Evaluation" handout (see appendices) and submit it to the teacher during the voting activity.
2. While the students are filling out their "Post-Debate Self-Evaluation" handouts, the teacher will invite each student to the front of the classroom to vote.
3. Each student will go to the voting booth, make their mark indicating whether their home-province should, or should not, have joined Confederation based on what they just learned about the rest of Canada. Each student should deposit their ballot into the ballot box or bucket.
4. Once every student has voted, the teacher will collect the ballots and announce whether the classes believe that their province should have joined Confederation.

REFLECTION ACTIVITY

1. Debrief session on how the Confederation debates are important today. Guiding questions for students can include:
 - a. Why was their historical figure important in the Confederation debates?
 - b. Canada's founders made a lot of guesses about how Confederation would impact their province. Do you think their promises or warnings came true?
 - c. Did you learn anything new about other regions or provinces? Did this insight impact how you think your own province is benefitting or suffering within Canada?
 - d. Was the language in the materials hard to understand? Imagine if, as was the case for the Indigenous Peoples of Canada, English was not your first language.

Culminating Activity Script

1. To bring the House to order, the Speaker will say, "This meeting will come to order."
2. The Speaker of the House will then conduct roll call for the six historical representatives. As each representative is named, students from that historical figure's group will say, "Present."
3. The Speaker will remind the House of the following: "the historical figures gathered here today did not live at the same time. Yet their arguments for, and against, joining Canada were very similar. We have therefore gathered them all together here today to discuss the merits of political union."
4. The Speaker will then recite the House rules:
 - a. The Speaker of the House has ultimate power while Parliament is in session.
 - b. All representatives must stand to make their statements but will not leave their desk.
 - c. The Speaker will ask individual students to rise and sit as if they were debating in Parliament.
 - d. No name-calling or insults will be tolerated.
 - e. Representatives may ask to interrupt the current speaker with a question or counter point by raising their hand. The Speaker of the House will decide whether to ask the current speaker to pause.
 - f. Arguments must remain relevant to the subject of the debate. The Speaker of the House has the right to move to another speaker if anyone goes off-topic.
 - g. Students should write down any personal questions or comments for the debrief after the debate.
 - h. Optional: The Speaker may limit the amount of time Representatives are allowed to speak (ex. two minutes)
5. The Speaker will then introduce the first main question: "Will each province have sufficient influence within Confederation?" Prompting questions for students may include:
 - a. Did your historical figure believe that it was fair for some provinces to have more representatives than other provinces? Why?
 - b. Did your historical figure believe that the Senate would protect the influence of Canada's less populated province? Why?
 - c. Could more populated provinces like Ontario and Quebec use their larger number of seats in parliament to control federal policies on subjects like tariffs or interprovincial transportation? How might this potential influence impact your province?
6. Before introducing the next main question, the Speaker of the House will say, "Is everyone ready for the next question?" Additional discussion/debate may ensue.
7. The Speaker of the House will then introduce the second main question: "Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada's founders. Will the division of powers between federal and provincial governments protect local autonomy?" Prompting questions for students may include:
 - a. What powers does the Constitution give to the federal government?
 - b. What powers does the Constitution give to provincial governments?
 - c. Did your historical figure worry that the federal government would interfere in provincial affairs?
 - d. How did other historical figures try to minimize and alleviate these concerns about provincial autonomy?
8. Before introducing the next main question, the Speaker of the House will say, "Is everyone ready for the next question?" Additional discussion/debate may ensue.

9. The Speaker of the House will then introduce the third main question: “Many of Canada’s founders were worried about protecting minority religious rights within their province. Did your historical figures believe that Confederation would protect these interests?” Prompting questions for students may include:
- What minorities existed in your province when its politicians and populace debated on whether or not to join Confederation?
 - Did your historical figure believe that your province’s interest would be protected by the constitution? Why or why not?
 - What about Indigenous rights? Did any founders discuss these rights?
10. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
11. The Speaker of the House will then introduce the fourth main question: “Will your province’s economy benefit from Confederation?” Prompting questions for students may include:
- What economic benefits did your historical figures believe their province would gain from joining Confederation?
 - Did your historical figure believe that their province’s trade would increase or decrease if they joined Canada?
 - Did your historical figure believe that their province would be more prosperous if it focused on trading with the United States or with Britain instead of with Canada?
 - Did your historical figure believe that their taxes go up or down if their colony joined Canada?
12. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
13. The Speaker of the House will then introduce the fifth main question: “Many of Canada’s founders were worried about the United States annexing their colony. Did your historical figures believe that Confederation would keep their colony safe from annexation to the United States?” Prompting questions for students may include:
- Did your historical figure believe that Confederation would improve their colony’s military defences?
 - Did your historical figure believe that a large union could be defended?
 - Did your historical figure believe that the United States posed a real threat to their colony’s security?
14. When everyone has had the opportunity to state their case, the Speaker will say, “I move for the adjournment of this session of Parliament.”

SECTION 2 | CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS

Prerequisite Skillset

- Word processing
- Interpretation of primary sources
- Cooperative sharing

Background Knowledge

Based on the background information provided (see appendices), teachers should familiarize themselves with the following ideas and consider how they will be discussed with students. These ideas will help the students think about treaties and the treaty relationship as important parts of Confederation and as founding documents of Canada's constitutional order. Understanding the treaties as important parts of Canada's constitutional architecture demonstrates the role Indigenous Peoples played in shaping the country. Important learning outcomes include:

- Nation-to-Nation relationship
- The Royal Proclamation, 1763 and the Treaty relationship
- The British North America Act, 1867
- The Indian Act, and how it was used to exercise jurisdiction over Indigenous Peoples
- Historical background on the signing of the Treaties and their main clauses

“I Left a Trace”: Lesson 1

Lesson: Introduce oral tradition, negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding

Concepts Used: Brainstorming, historical significance, written response log

Materials Enclosed: Handouts (see appendices)

Time Needed: 1 x 40-minute class

THINK, PAIR, SHARE

To introduce students to the idea that history is constructed from traces of the past (see list of examples below), we suggest this introductory activity. The two activities and the follow-up response log engage students by having them analyze their personal experience.

1. After describing what a trace is, ask students to take 10 minutes to record everything that they have done in the last 24 hours (and that would be appropriate for classroom discussion) on a blank sheet of paper. They must draw their reflections. Examples of traces include:
 - a. Telling your parent you loved her/him
 - b. Telling someone you know a story about your past
 - c. Bringing mud into the house
 - d. Things you created with your hands
 - e. Actions that influenced others
 - f. Digital traces
2. Ask the class to identify:
 - a. Which traces were purposeful and which were accidental by marking them with a “P” and an “A.”
 - b. How would someone who is not from Canada interpret your traces? Would they be the same or different?
 - c. Would an historian working 100 years from now be able to interpret your traces the same way you would today? Students should also mark traces that they believe historians would correctly interpret with an “H.”
3. Ask the students to find a partner.
4. The partners will then, without saying a word, exchange their drawings.
5. Tell the students that they are now historians, and instruct them take 5 minutes to examine each drawing and write down observations like:
 - a. What do they believe the drawing describes?
 - b. What is the drawing used for?
 - c. Why do they think the individual thought the drawing was important?
 - d. What does each trace mean?
6. Ask the students to pass the drawings back to their author.
7. Have the class discuss how many items their partners correctly identified. Did they correctly interpret the significance of the “H” items?
8. How many of the “P” items were interpreted correctly? Is the class surprised that their purposeful traces were not always the ones that were interpreted correctly?

RESPONSE LOG

1. Hand out the “Response Log Handout.” (See appendices.) Students should answer one of the five questions to reflect on the topic. Recommended reflection time is half an hour.
2. If the students do not have time to finish their response, the teacher can assign it as homework.

VIDEO DEBRIEF

Debrief the class with one or both of these Indigenous “Trace” videos.

- “Wab Kinew — Heroes” (song about Indigenous heroes). <https://youtu.be/3Ul4KmHlzMc>.
- “The Ballad of Crowfoot,” which examines the situation of Aboriginal people in North America through the figure of Crowfoot, the legendary nineteenth-century Blackfoot leader of the Plains Cree. <https://youtu.be/l-32jc58bgI>.

Museum Curation Activity: Lesson 2

Lesson: Introduce negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding, nation-to-nation relationships and museum curation techniques

Concepts Used: Historical significance, flow charts

Materials Enclosed: Handouts (see appendices)

Time Needed: 2 x 40-minute classes

Note: Teachers may wish to invite an Indigenous leader into the classroom to tour the exhibit that the students will produce, comment on their interpretations of the “artifacts,” and share their own experiences with the Canadian state and/or reconciliation.

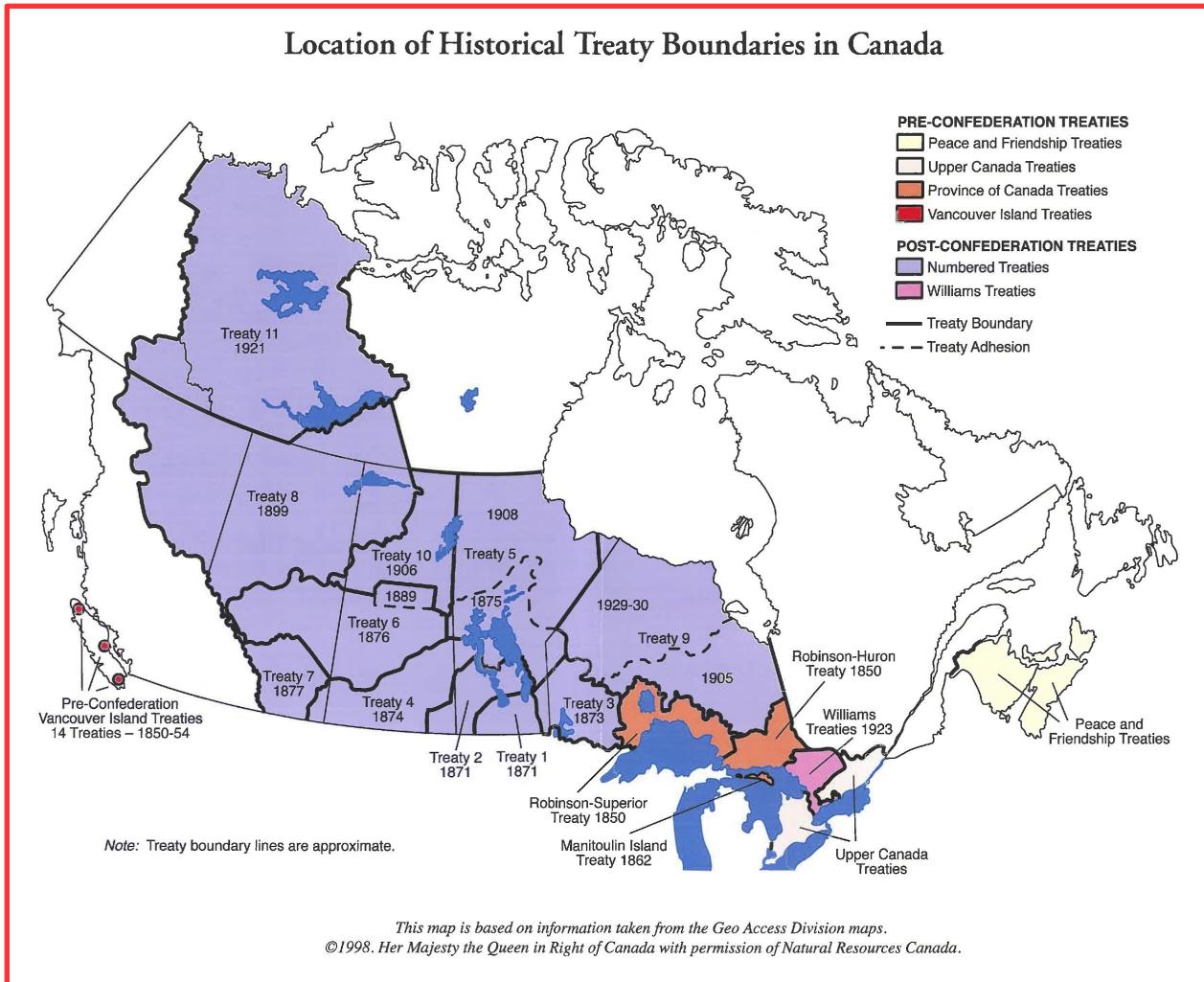
INTRO/BACKGROUND INFORMATION FOR TEACHER TO PREPARE FOR THE MUSEUM CURATION ACTIVITY

Introducing the Treaty Relationship:

There are two very distinct stories we can tell about Confederation and Canada’s Indigenous Peoples. In one story, Indigenous Peoples are largely invisible. Here, their only presence is found in s.91(24) of the British North America Act, 1867, where “Indians, and lands reserved for the Indians” were deemed to be federal, as opposed to provincial, jurisdiction. This has subsequently been interpreted as providing the federal government with a power over Indigenous Peoples and their lands. The Indian Act of 1876, which is largely still with us today, was passed on this basis. This created what political philosopher James Tully has called an “administrative dictatorship” which governs many aspects of Indigenous life in Canada. Many of the most profoundly upsetting consequences of colonialism are traceable in large part to the imposition of colonial authority through s.91(24) and the Indian Act of 1876.

But there is another story as well. Canada did not become a country in single moment. Though the British North America Act, 1867, created much of the framework for the government of Canada, Canada’s full independence was not gained until nearly a century later. Similarly, the century preceding 1867 saw significant political developments that would shape the future country. Canada’s Constitution is both written and unwritten. Its written elements include over 60 Acts and amendments, several of which were written prior to 1867. The Royal Proclamation, 1763, for example, is a foundational constitutional document, the importance of which is reflected by its inclusion in s.25 of the Canadian Charter of Rights and Freedoms. The Royal Proclamation, 1763, established a basis for the relationship between the British Crown and Indigenous Peoples in North America. By establishing a procedure for the purchase and sale of Indigenous lands, the proclamation recognized the land rights of Indigenous Peoples and their political autonomy.

Both the pre-Confederation and post-Confederation treaties form an important part of this history and what legal scholar Brian Slattery calls Canada’s “constitutional foundation.” It is through Treaties such as these that the government opened lands for resource development and westward expansion. It is also through the treaty relationship that Indigenous Peoples became partners in Confederation and helped construct Canada’s constitutional foundations.



For a detailed discussion/background information, and a detailed version of what you will present to the class, consider watching “Legal Fictions of the Indian Act”: <https://youtu.be/PBXnjBX7j3c>.

If you want to present a video to the class on this, consider “Nation to Nation: Honouring the Royal Proclamation of 1763”: https://youtu.be/eFyuI7gzy_0.

This helpful article outlines the Crown-Indigenous relationship and the importance of the Treaties: “Why It’s Time to Clearly Define the Crown’s Role with First Nations,” <http://www.macleans.ca/society/why-its-time-to-define-the-crowns-role-with-first-nations/>.

INTRODUCING THE DOUGLAS TREATIES: TEACHER BRIEFING

British Columbia was designated as a Crown colony in 1849. That year, the Imperial government granted the whole of Vancouver Island to the Hudson's Bay Company on the agreement that the company would facilitate settlement of the colony. As legal historian Hamar Foster noted, “[w]hen the British Crown granted the fee in Vancouver Island to the Hudson's Bay Company in 1849, the Colonial Office had made it clear that the new ‘owners’ were expected to perfect their title by treating with the Indians” (Foster 1989). James Douglas was not the Governor of the new colony, but the Chief Factor of the Hudson's Bay Company. Given the important role of the company, however, and the limited civil government, Douglas was responsible for planning and executing much of the early settlement on Vancouver Island. The area which saw the most early development, around present day Victoria, was the traditional territory of several coast Salish peoples, including the Songhees (Lekwungen), Esquimalt, and Saanich (WSÁNEĆ). From 1850 to 1854, Douglas entered into 14 agreements with First Nations in the region. Eleven of the agreements were signed in Victoria, two at Fort Rupert, and one at Nanaimo.

The Douglas Treaties cover the land around Victoria, Saanich, Sooke, Nanaimo, and Port Hardy—about 930 square kilometers in total. In exchange for these lands, the Indigenous Peoples received clothing, blankets, and cash payments. The treaties recognized ongoing Indigenous rights to occupy “villages and enclosed fields” and to hunt and fish as they had done previously, including on the surrendered lands. Surveys to determine the precise boundaries between Indigenous and non-Indigenous lands were promised but never carried out. The Douglas Treaties show that the British recognized Indigenous ownership of the land. The British believed that they needed to acquire the land before it could be settled. Clearly the British would not have felt compelled to purchase the land unless they believed it already had an owner. These agreements were designed, from Douglas’s perspective, as land purchases which would open the land for settlement while setting aside lands for the use and occupation of Indigenous Peoples. There is good reason to believe that the indigenous signatories had a different conception of the treaties. As Dr. Foster writes:

These treaties, however, were unexceptional insofar as equality of bargaining power is concerned; Douglas secured the approximately fifty square miles of the Saanich peninsula for a little over £100, which he paid to the Indians in Hudson's Bay Company blankets at the 300% Company mark-up for non-employees. As the trial judge acknowledged, the Indians “could not have thought of [such a transaction] as a purchase,” and would not have regarded the woollen goods they received as payment for land. What seems much more likely is that they believed that they were agreeing to peaceful relations, to share the right to harvest certain resources, and to allow a limited number of colonists to occupy some of the lands they were not themselves occupying. (Foster 1989).

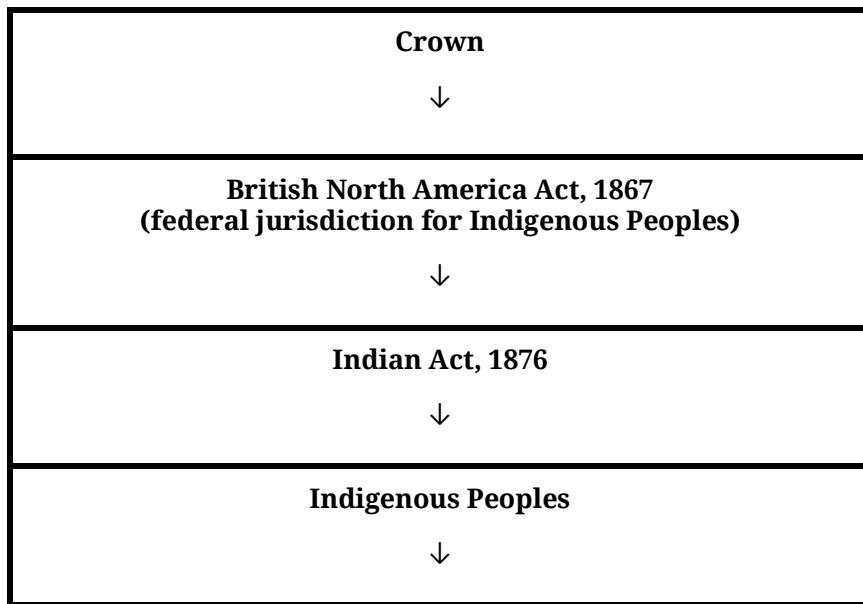
Douglas stopped entering into treaties as settlement in the colony was slow and he lacked funds to continue. Aside from Treaty 8, which covers a small part of Northeastern British Columbia, the Douglas Treaties were the only treaties in BC until the Nisga'a Treaty in 2000. After Confederation, many dominion officials were upset when they learned that Aboriginal title in BC had not been extinguished by treaty. This left the “land question” open in British Columbia, an issue which is still largely unresolved.

The Douglas Treaties continue to be of considerable importance in the contemporary relationship between Indigenous and non-Indigenous peoples on Vancouver Island. The land on which the provincial legislature sits was originally set aside for the Songhees and Esquimalt First Nations in 1854. As a result, the provincial government compensated the First Nations with \$31.5 million in 2007, a recognition that the lands were improperly taken. Fishing and hunting rights under the treaties have been recognized by the courts, and Indigenous Peoples continue to see the treaties as a recognition of important rights and as a basis for their relationship with the Crown.

INTRODUCING THE DOUGLAS TREATIES: HOW TO PRESENT THIS INFORMATION TO THE CLASS

To present these messages in an accessible way to the class:

1. The teacher will write all of the keywords on the board before the students enter the classroom:
 - a. Royal Proclamation, 1763
 - b. British North America Act, 1867 (remind students that they have a handout on this from the parliamentary activities)
 - c. The Douglas Treaties
 - d. Indian Act, 1876
 - e. Treaty Relationship
 - f. The Crown
1. The teacher will discuss the keywords by mapping out the relationship on their own flow chart at the front of the class visually linking these points as the federal government has traditionally seen it. (i.e., Indigenous Peoples are a jurisdiction of the Crown, wards of the state who needed to be assimilated into dominant Canadian society.) The drawing will be hierarchical:



1. The teacher will then ask the class to draw a second flow chart, and follow the teacher as they describe and link these ideas again according to a nation-to-nation relationship. (i.e., the Crown and Indigenous Peoples have a long pre-Confederation history as co-equal, non-hierarchical partners that was continued after Confederation.) The flow chart will emphasize equality:



MUSEUM CURATION EXERCISE

1. Divide the class into six groups and assign each group one of the following:
 - a. Douglas Treaty: Treaty Examples
 - b. Sir James Douglas
 - c. David Latass
 - d. Joseph Trutch
 - e. Reef Nets
 - f. Records of Negotiation/Implementation
2. Each group will research their artifact using the resources provided in the appendices.
3. Teachers have the discretion to allow the groups to present what they learned in creative ways (ex. diorama, YouTube video), but we recommend that each produce an historical plaque (roughly 200 words).
4. Each group will pair their plaque (or other visual displays) with the historical artifact.
5. The class (teacher, students, and Indigenous guest — if applicable) will then re-congregate, and tour their collective exhibit.
6. Suggested talking points for each artifact:
 - a. *Treaty Examples*
 - i. What rights and responsibilities are recognized in the treaty?
 - ii. The treaty uses complex and technical legal language. Did you find it easy to understand?
 - iii. Would it have been difficult for people who did not grow up with English to understand the language used?
 - iv. Which of the parties to the treaty might have benefitted most from having it written this way?
 - v. How might current understandings of the treaty be shaped by the fact that the only copy is written in English and articulated in dense legal language?
 - vi. Thinking about our museum exercise, what does the language of the treaty tell us about who gets to write history and how power is exercised by creating certain historical accounts?
 - vii. What might be missing from the treaty as it is presented here?
 - b. *Biography of James Douglas*
 - i. What was Douglas's main concern when he began construction of Fort Victoria?
 - ii. What was his position at the time?
 - iii. What was Douglas's approach to Treaty making?
 - iv. What were his goals in the colony?
 - v. What did Douglas think of Responsible Government?
 - c. *Biography of David Latass*
 - i. How did Latass come to have a leadership role in his nation?
 - ii. Thinking back to our museum curation exercise, why might there be such uncertainty around the details of Latass's life?
 - iii. What did Latass believe about the treaties?
 - iv. What did he prioritize late in life?
 - v. Why might he have changed his priorities?
 - d. *Biography of Joseph Trutch*

- i. Why was it controversial for Trutch to be named chief commissioner of lands and works?
 - ii. Why might Trutch's land holdings and relationships with the social elite have been a problem for First Nations?
 - iii. What was Trutch's approach to Indigenous land policy?
 - iv. How did he justify the change in policy?
 - v. What is the legacy of his approach?
- e. *Reef Net Fishery*
 - i. What is the reef net fishery?
 - ii. In what ways is the fishery important to WSÁNEĆ people?
 - iii. How does the fishery impact WSÁNEĆ governance and law?
 - iv. Given this, why is it important that the treaty recognizes the right to fish "as before"?
 - f. *Record of Treaty Implementation*
 - i. What instructions did Archibald Barclay give James Douglas about entering into treaties?
 - ii. What did James Douglas think was important to include in the treaties?
 - iii. How did Gabe Bartleman describe the purpose of the treaties?
 - iv. How did Latass and Foster describe the Indigenous perception of the treaties?
 - v. What does Claxton say about the Indigenous understanding?

APPENDICES

SECTION 1: COMMON HANDOUTS



Handout: Introduction to Parliament

THE QUESTION PERIOD

What were the main topics discussed in the video?

/5

List the political parties of the different politicians who spoke in the video (ex. “Conservative”).

/5

Do the politicians address each other directly? Explain.

/5

How do members of the Parliament behave during Question Period?

/5

Total: /20



Biography Activity Handout

Your Name: _____

Name of Historical Figure: _____

Birth and Death Dates: _____

Family Members:

Where were they born? _____

Where did they live? _____

Pro- or anti-Confederation? _____

Reason(s) for pro-Confederation or anti-Confederation position:

Research and Web Design Assignment Handout



APPROVED WEBSITES FOR RESEARCH

- *Dictionary of Canadian Biography*, <http://www.biographi.ca/en/index.php>.
- *Canadian Encyclopedia*, <http://www.thecanadianencyclopedia.ca/en/>.
- *Canadian Confederation*, <https://www.collectionscanada.gc.ca/confederation/023001-3000-e.html>.
- The Confederation Debates, <http://hcmc.uvic.ca/confederation/>.

WRITING REQUIREMENTS

1. Properly cite your sources by creating linked endnotes. Ask your teacher for preferences on citation styles.
2. Do not use Wikipedia
3. Use proper sentence structure (do not use bullet points)
4. Do not plagiarize

RESEARCH STAGE

Write a detailed description of your historical figure by finding and summarizing the following information:

1. Dates/place of birth and death
2. Family members
3. Place(s) they lived
4. Education background
5. The development of their political career/views (political offices held, influential ideas, role models)
6. Interesting facts and/or quotes
7. Was your historical figure for or against Confederation? What led them to that conclusion, and what were their main concerns when discussing union in Parliament?
 - a.
 - b.
 - c.
 - d.
 - e.

CREATE A WEBSITE

Create a website to represent your historical figure's province by following the instructions below:

1. Required pages
 - a. An introductory (*landing*) page for your province listing the province and its historical figures (and the students responsible for each individual).
 - b. A page for each historical figure from the province consisting of a biography and accompanying illustrations such as photos, maps, and political cartoons etc. See <http://www.constitutionfacts.com/us-founding-fathers/about-the-founding-fathers/> for a similar example from an American project. Note that your website will have separate pages for each historical figure. Students will be responsible for writing the pages for their own historical figures.

- c. A *collaboratively written page describing your historical figures' province at the time, and the main issues relating to Confederation (with the same format as the biographies)*. This page should compare and contrast the positions and rationales of your historical figures. See <http://teachingamericanhistory.org/ratification/stagefive/#virginia> for a similar example from an American project.
2. Ensure your website is
 - a. Easy to navigate
 - b. Easy to read
 - c. Has a unified style and colour scheme
 3. Website format
 - a) Each page should be 1 to 2 page(s) when printed
 - b) Text should be single-spaced
 - c) Text must be in a 12 pt. font
 - d) Content should be arranged in paragraph form with headers where appropriate

Exit Card

Your Name: _____ Date: _____

Historical significance: Name the three historical figures from your assigned province who you think had the biggest impact on Confederation. Write a sentence about each explain why they were significant. (You should have at least one figure from pro- and one from anti-Confederation.)



Cause and consequence: Name one way that Canada would be different if we didn't have Confederation.

Historical perspective: Name one person and one reason they were against Confederation.

If you were to select a new national capital, what city would you choose? Why did you choose this location? Do you think your choice would be different if you lived in a different province?

Ballots**BALLOT**

Province: _____

Given what you now know about the rest of Canada, do you think that your province should have joined Confederation?

 Yes No**BALLOT**

Province: _____

Given what you now know about the rest of Canada, do you think that your province should have joined Confederation?

 Yes No**BALLOT**

Province: _____

Given what you now know about the rest of Canada, do you think that your province should have joined Confederation?

 Yes No

Teacher's Rubric for Evaluation of Confederation Debates

	4	3	2	1	Points
Factual Information	Significant contribution to the debate. Student was able to provide historical information relating to their character.	Reasonable contribution to the debate. Student missed a few crucial elements of historical information about their character.	Minimal contribution to the debate. Student missed a significant number of crucial elements during the debate.	Unsatisfactory contribution to the debate. Student did not provide enough crucial pieces of historical information about their character.	
Comprehension	Student fully understands the historical content and significance of the debate. Speech is well prepared and all questions are answered during the debate.	Student somewhat understands the historical content and significance of the debate. Speech is prepared and major concepts are understood.	Student vaguely understands the historical content and significance of the debate. Speech is somewhat prepared but major concepts are missed or misunderstood.	Student does not understand the historical content and significance of the debate. Speech is not well prepared and student has not contributed significantly to the debate.	
Delivery	Student clearly articulates during the jigsaw and debate. All questions are answered and delivered articulately.	Student reasonably articulates during the jigsaw and debate and questions are reasonably answered.	Student sometimes articulates during the jigsaw and debate but there are a few misunderstandings.	Student does not articulate during the jigsaw and debate and does not deliver the speech well and there are many misunderstandings.	
Rebuttal	Student can effectively rebut during the debate.	Student can adequately rebut during the debate.	Student has limited rebuttal during the debate.	Student is not able to rebut during the debate.	
Historical Thinking	Student shows significant understanding of historical thinking concepts and uses them throughout the debate (e.g., speaking as their historical figure would as opposed to giving their own views).	Student shows a general understanding of historical thinking concepts and uses some throughout the debate (e.g., can somewhat speak as their historical figure would).	Student shows some understanding of historical thinking concepts and uses a few throughout the debate (perhaps with some misunderstanding or citing their own views).	Student shows little understanding of historical thinking concepts (e.g., not speaking as their historical figure would or giving irrelevant arguments).	
Total					



Post-Debate Self-Evaluation

Name: _____

Your self-grade: _____

Describe your contribution to the group:

What would you do to improve your group work next time?

What would you do to improve your debating skills next time?

How could your team improve next time?

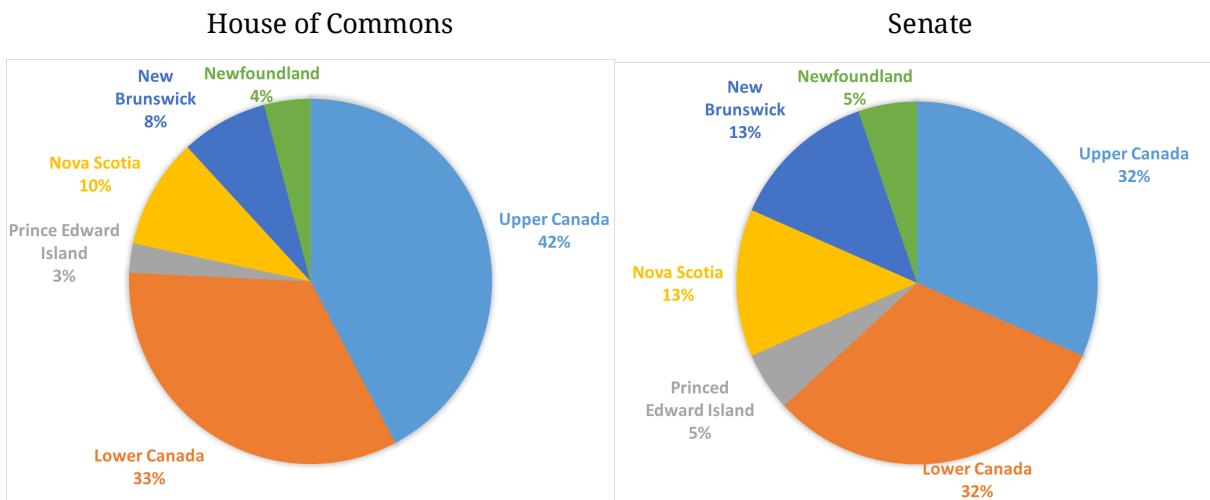
Teacher comments:

Teacher grade:

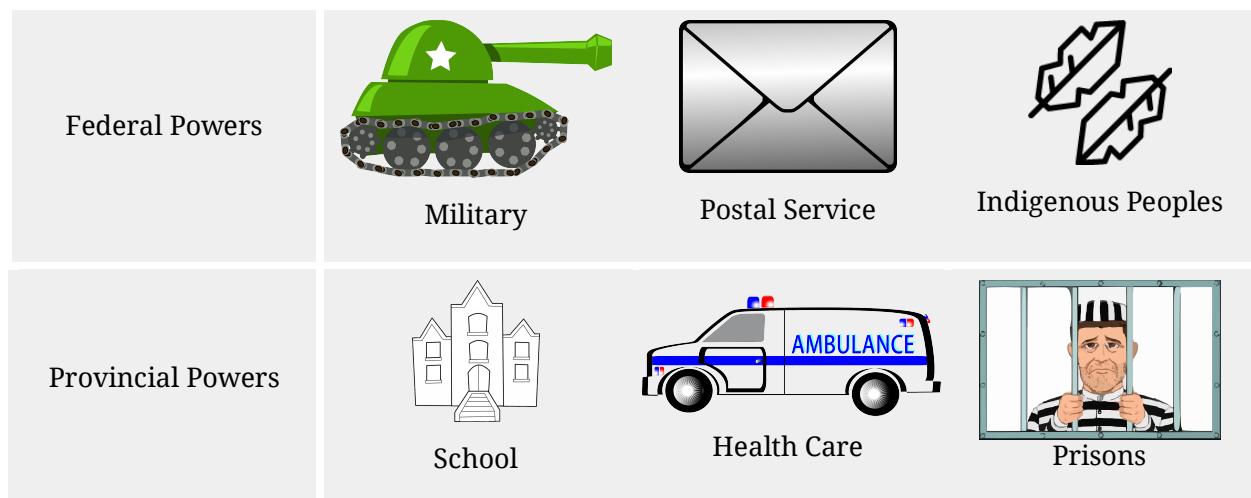


72 Resolutions Handout

PARLIAMENTARY REPRESENTATION



DIVISION OF POWERS



Additional Resources

GENERAL RESOURCES

- “The Confederation Debates.” <http://hcmc.uvic.ca/confederation/>.
- “Confederation.” *Dictionary of Canadian Biography*.
http://biographi.ca/en/theme_confederation.html.
- “The Charlottetown and Quebec Conferences of 1864.” *Dictionary of Canadian Biography*.
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VIDEO LINK

Question Period. <http://www.cpac.ca/en/programs/question-period>.

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NOVA SCOTIA**ANNAND, WILLIAM**

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ADDITIONAL RECOMMENDED RESOURCES AND LESSON PLANS ON INDIGENOUS-CROWN RELATIONS

In addition to the activities in this mini unit, *The Confederation Debates* recommends the following lesson plans to teachers who want to instruct on more recent developments in Indigenous-Crown relationships:

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"Indian Residential Schools and Reconciliation Resources." *First Nations Education Steering Committee*. <http://www.fnesc.ca/irsr/>.

Minister of Aboriginal Affairs and Northern Development. "The Learning Circle: Five Voices of Aboriginal Youth in Canada - A Learning Resource for Ages 14 to 16." *Indigenous and Northern Affairs Canada*. <https://www.aadnc-aandc.gc.ca/eng/1329333584407/1329333802557>.

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SECTION 1: BRITISH COLUMBIA



Amor de Cosmos in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Amor de Cosmos was born under the name William Alexander Smith in Windsor, Nova Scotia, in 1825 to a family of Loyalists. In 1852, he moved to California to work as a photographer. In 1854, a bill from the California Senate approved his name change to Amor de Cosmos. Four years later, he joined his brother at Vancouver Island after hearing that gold has been found on the Fraser River. He founded the *British Colonist* newspaper in 1858, where he began his lifelong advocacy for the city of Victoria. His paper also fought for responsible government, the unification of the colonies, and the development of a “nation” in BC that employed Chinese workers without giving them full rights within the community. He also espoused a strong belief in progress, growing populations and an economic future for BC based on farming, fisheries, and forestry. He held a seat in the Vancouver Island Legislative Assembly from 1863 until 1866. After the union of the provinces of Vancouver Island and British Columbia, he sat in the British Columbia Legislative Council for four years.

De Cosmos supported Confederation because he believed it would prevent American expansionism into British Columbia. He hoped that, with time, a larger British political union would mature to the point that it would occupy a seat in an imperial legislature in London, England. His intense advocacy for Victoria also led him to push for that city to become the chief Canadian Pacific transportation hub. To accomplish these lofty goals, he founded the Confederation League with other British Columbian politicians in 1868. At the League’s convention in Yale that year, the League passed motions to join Confederation, and sparked considerable support for the colony to join Canada. He and his supporters continued to pursue responsible government and Confederation for several years against those who opposed uniting with Canada. This latter movement was led by de Cosmos’s chief rival: John Sebastian Helmcken.

From 1871 to 1874, de Cosmos was elected to the British Columbia Legislative Assembly, where the lack of sufficient progress on the Canadian Pacific Railway limited his effectiveness. De Cosmos served as British Columbia’s second premier from 1872 to 1874. He is known as British Columbia’s “Father of Confederation” because of his important role in founding the Confederation League, uniting the colonies of Vancouver Island and British Columbia, and for fervently advocating bringing the province into Confederation.



Image held by Library and Archives Canada.



Primary Source: Amor de Cosmos's Views on Confederation

When British Columbia's Legislative Council debated Confederation, Amor de Cosmos said the following points:

UNION IN GENERAL

"We are here, Sir, laying the corner stone of a great Nation on the Pacific Coast. When we look at past history, we find some nations that date their origin in the age of fable; some have been produced by violence, and extended their empire by conquest. But we are engaged in building up a great Nation in the noon-day light of the nineteenth century, not by violence, not by wrong, but I hope, Sir, by the exercise of that common sense which the Honourable gentleman who preceded me called statesmanship."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 10 March 1870, pg. 31.

"With respect to the main principle, I am in favour of Confederation, provided the financial terms are right in amount, and if the other terms will contribute to the advancement and protection of our industry. If we cannot get favourable terms, which I believe we can, it will then be for the people of this country to say whether we shall remain in isolation or seek some other more favourable union."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 10 March 1870, pg. 38.

"Next he says that the Dominion is only an experiment, and that it may break up. How often have I heard people predict that the United States, as a nation, must break up, as it was only an experiment. Why, Sir, they forget that the States had existed as separate Governments for one hundred and fifty years before their union. So with the Provinces of the Dominion of Canada; they existed as separate Governments for the last hundred to two hundred years, and Confederation is but the application of long-tried principles to a larger territory. Why did not the Honourable Member for Victoria City [Helmcken], when he said there were defects in the Confederation machine, tell us what the great defects in the machine were? He has merely raised up a scarecrow."¹

British Columbia, Legislative Council: Debates on the Subject of Confederation, 10 March 1870, pg. 35.

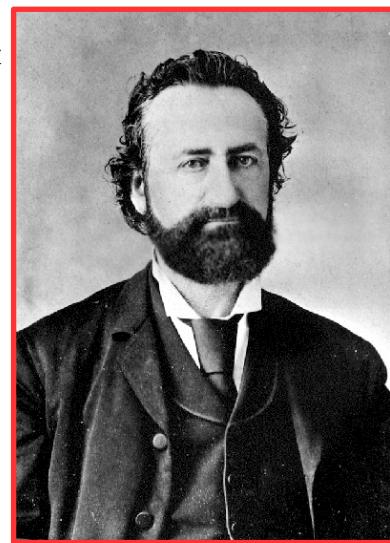


Image held by Library and Archives Canada.

¹ Scarecrow = unconvincing warning

“Confederation is diversity in unity: really and essentially a general unity, and an application of law to diverse interests.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 36.

RESPONSIBLE GOVERNMENT

“A great deal has been said about the form of Government—about Responsible Government—but I say this: that every Government, whether responsible or irresponsible—must have money. It is impossible for the most perfect political system to move without it. Ways and Means must be provided. Now, I have always said, and I still maintain, in view of Confederation, that the amount that ought to be placed at the disposal of our Local Government when we enter Union ought to be an annual surplus of \$200,000, or nearly so, after having provided for the annual current expenditure of our Local Government; that is, for all the offices and services that must be kept up at the expense of the Colony, in order to keep it moving as a Province of the Dominion.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 14 March 1870, pg. 57.

“The people want Responsible Government and representative institutions under any circumstances. I think the people would be traitors to themselves if they accepted any form of Government which had not the element of responsibility. I would rebel if there were enough like me in the Colony, and arrest every member of the Government that I thought was robbing me of my rights. I would go to a further extreme.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 18 March 1870, pg. 37.

REPRESENTATION BY POPULATION

“Mr. Chairman, during the previous debate an Hon. Member referred to 120,000 as the basis of representation, as well as the basis of population. We find this echoed by others, last, but not least, by the Hon. Attorney-General himself. I am surprised to find the Hon. and learned gentleman setting this up as a basis. For the basis of representation under the Organic Act² was the basis of representation allowed to Quebec, that is, one member for every 20,000. It is proposed that we shall have eight members; then the population ought to be 160,000; but it is only set up as 120,000, which number would only entitle us to six members. Now, Sir, I have no objection to getting eight members for the House of Commons, and four for the Senate; but I do object to Hon. Members and newspapers spreading abroad statements which have no foundation in fact. I think our population has been over estimated. It is going abroad that 120,000 is the proper foundation for representation; I say it is not so. The honest straightforward and manly course is for our Government to say to the Dominion Government, that it is necessary for us to have a larger representation on territorial grounds. The whole thing resolves itself into expediency;³ beyond expediency I say that no one can find a fulcrum⁴ for the assertion. I would cheerfully support twelve and six so far as it goes. But I do denounce that want of principle and want of truth that surrounds this basis.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 17 March 1870, pg. 94.

² Organic Act = the terms of union

³ Expediency = convenience

⁴ Fulcrum = tipping point

“Representation is one of the most important elements in free Governments; and as it has been urged by the Hon. Mr. Wood and others, that British Columbia would not be heard in the Canadian Senate or Commons, and that our small delegation would be crushed and out-voted, I will briefly examine the subject. Now, Sir, the whole of the Pacific States of the United States have only twelve Representatives in Congress—six in the Senate and six in the House of Representatives. California has two Senators and three Representatives; Oregon, two Senators and one Representative; Washington Territory, one Delegate; and Nevada, two Senators and one Representative. Now, it is proposed in the Resolutions to grant to British Columbia twelve Members—four in the Senate and eight in the Commons—a number equal to the whole representation of the Pacific States, with 1,000,000 people, in the United States Congress. Again, there are only five States that have more than twelve Members in Congress. They are New York, Pennsylvania, Illinois, Indiana, and Ohio. Take another glance at the representation of the States most remote from Washington. Texas has five Members; Florida, three; Maine, seven; and California, five. Remoteness and small numbers have never caused any of those States to be treated unfairly. Under the popular system of government there, the small States do not go to the wall. Has little Delaware gone to the wall?⁵ Has Rhode Island gone to the wall? No; neither would British Columbia go to the wall in the Parliament of Canada. The Government of Canada is based on the popular will; and that is the highest of guarantee that we shall be treated fairly by the Dominion.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 37.

ANNEXATION

“When sitting in the Vancouver Island House of Assembly, in the place now occupied by the Hon. Chief Commissioner, I defined British Colonists to be politically, nothing but subordinate⁶ Englishmen; and I contend, Sir, that Confederation will give us equal political rights with the people of Great Britain. In labouring for this cause, Sir, my idea has been and is to assist in creating a nationality—a sovereign and independent nationality.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 33

TRADE

“It would be most unwise to join Canada without protection. We must have a control over certain imports in the terms, for a protective tariff is the only inducement⁷ to farmers to remain upon the soil. We depend upon them to build up a permanent interest in the country, that will last for ever.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 35.

⁵ Gone to the wall = failed

⁶ Subordinate = lower than

⁷ Inducement = persuasion

"I do not see, with the Honourable Member for Victoria City, that we can get all we want without Confederation by a judicious arrangement of our own tariff. I can show that what we want most in this Colony population, and that population employed in a remunerative⁸ manner. Isolation will not secure population. Confederation on proper terms will give us population; will give us means to employ labour remuneratively; will enlarge our commerce, and build up our industry."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 36.

"The Hon. Attorney-General asks why we are not prosperous? In my opinion, Sir, the causes of our want of prosperity are various. They first arose under the administration of Sir James Douglas in 1858, and have been perpetuated down to the present day. The people were then almost driven away, and down to the present time the Government have done nothing comparatively to induce population to settle in the Colony. Another reason is, that the country is somewhat rugged, and not so attractive for settlement as some others. The Hon. Member for Victoria City says that it is our proximity to the United States. I most respectfully deny it. Population would have come if greater efforts had been made to get it. The Attorney-General is consistent in one thing. He said in 1867, and he says in his speech now, that British Columbia is of vital importance to Canada. I cannot see it. I cannot see why the Canadian Railway, if this was a foreign country and our boundary coterminous⁹ with that of Canada, might not have run through to connect with our railway system, as the French railways connect with those of Belgium."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 33.

RAILWAY

"Then he says it is absurd to ally ourselves to people who were 3,000 miles away; but nothing in his argument showed me that the absurdity was proven. I remember, Sir, when the communication between California and Washington was by Panama and Nicaragua. Was California then less to the United States than now? We now can hold communication with Ottawa by San Francisco and the Pacific Railroad, and will be as near to our Central Government as Washington Territory. The Honourable Member speaks of people 3,000 miles away being unable to do as well for us as we could do for ourselves. I believe they could do just as well, so far as some general principles are concerned, if we only settled the conditions properly. With regard to the States of the neighbouring Republic getting on better than the Provinces or ourselves, I would ask, where is the progress of Washington Territory, as compared with our own country?"

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 10 March 1870, pg. 34.

"I have, however, year after year, looked upon Railway communication as the only means to settle up the interior of British Columbia. I never could see how British Columbia could be settled up without a Railway to connect Fraser River with Kamloops. I think, Sir, that a different course ought to be pursued by the Government with the Dominion than that proposed. Assuming that the Coach Road may be open in three years,—for I am ready to admit that proposition,—when people settle the country from Thompson River to Osoyoos Lake the farmers must have the means of transport for their various productions. How are they to get them out? I maintain that the true course for the development of the resources of the country is to make a line of Railway from some navigable spot on the Fraser to Lake Kamloops, I claim for this that it might be regarded as a part of the transcontinental line, and in my opinion it would do more to build up the country than anything else that could be conceived, and I believe it to be thoroughly practicable. I, therefore, move a recommendation to His Excellency that the construction of a Railway from steamboat

⁸ Remunerative = financially rewarding

⁹ Coterminous = having the same boundaries or similarities

navigation on the Fraser River to Kamloops Lake be inserted in the terms, instead of commanding from the initial sections on the seaboard of British Columbia.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 16 March 1870, pgs. 78–79.

“I remark, Mr. Chairman, that there is a considerable contrast between the views of two Hon. Members of the Executive Council. I mean the Hon. Chief Commissioner (Mr. Trutch) and the Hon. Member for Victoria City (Dr. Helmcken). The former says that it is not proposed to construct a railway with reference to local interests. He says to advocate our own local interests is simply inapposite. I think differently. I think that we should deal with it locally as well as nationally. I presume it is put in the terms because it is expected that it will benefit the Colony. We don’t care so much for its benefiting the people of Montreal as for benefiting ourselves; we look at it from a British Columbian point of view. I say with the Hon. Member for Victoria City (Dr. Helmcken), that we should deal with it with reference to British Columbian interests. After the discussion of yesterday, I confess my surprise. I thought from the tenor¹⁰ of the Resolutions that the Canadian Government would construct the line. Now, we are informed by the Hon. Chief Commissioner that it will be undertaken by a private company. Then, he says if we cannot get a Railway we must have an equivalent. If this clause is not a fixed principle in the terms, then, I ask, what do the Government propose as an equivalent? With regard to Railway communication through British Columbia, we ought, in my opinion, to connect Kamloops and the adjacent country with the seaboard. That is, commencing at navigable water on Fraser River and ending at Savona’s Ferry, Kamloops Lake. This line, at the utmost, is only 150 miles long. The expense of its construction, at \$50,000 per mile, would be \$7,500,000. We might safely approach the Canadian Government upon this, irrespective of the terms of Union, under the constitutional provision authorizing the Dominion Government to construct public works of this character.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 17 March 1870, pg 90.

INDIGENOUS RIGHTS

In response to Henry Holbrook’s (another member of the Legislative Council) motion requesting “protection” for the Indigenous Peoples of BC, Amour de Cosmos replied as follows:

“Don’t report it.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 25 March 1870, pg.152.

¹⁰ Tenor = tone



John Sebastian Helmcken in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

John Sebastian Helmcken was born 5 June 1824 in London, England. He pursued a career in medicine, first apprenticing as a chemist and druggist, and then entering Guy's Hospital in 1844 to study to become a doctor. By 1847, he was a surgeon on the Hudson's Bay Company vessel Prince Rupert. After successfully writing his examinations, Helmcken spent time on a passenger ship that sailed to India and China and was subsequently posted to Fort Rupert in 1850. While stationed there, Governor Richard Blanchard appointed him magistrate to deal with disturbances among the miners. In 1852, he married Cecilia Douglas, the youngest daughter of the colony's new governor, James Douglas. In 1856, he was elected to the Vancouver Island's assembly and remained in politics until BC entered Confederation in 1871, serving as Speaker of the House the entire time. Throughout his time in politics, Helmcken continued working for the HBC and, in 1870, he was appointed to the Executive Council.

Helmcken believed that the union with Canada had to be one that was beneficial to the colony; he remained an outspoken skeptic of the union during the debates because of BC's geographic isolation from the rest of the dominion. Therefore, when he was selected to be one of BC's delegates to negotiate terms of union, he pursued the possibility of a transcontinental railway and demanded that Canadian tariffs not be imposed on the colony until the railway was completed. Canada's willingness to promise to begin constructing a transcontinental railway within two years, and to complete it within ten years, turned Helmcken into a Confederation supporter.

After Confederation, Helmcken declined invitations become a senator, provincial premier, and even lieutenant governor, and instead retired from public life to focus on his medical practice. The only additional major responsibility he accepted was a directorship with the Canada Pacific Railway Company, where he staunchly supported Sir John A. Macdonald throughout the Pacific Scandal. In addition to his roles in government and with the Hudson's Bay Company, he was a founding president of the British Columbia Medical Association, established the Medical Council of British Columbia, and was the president of the board of directors of the Royal Hospital in Victoria (1890–1920).

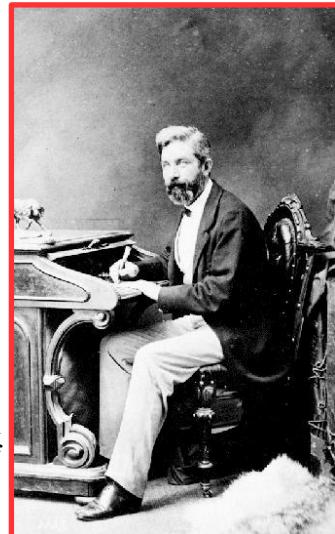


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Primary Source: John Sebastian Helmcken's Views on Confederation

When British Columbia's Legislative Council debated Confederation, John Helmcken said the following points:

UNION IN GENERAL

"I have opposed the Government on Confederation. I think it probable that when the terms come back from Canada they will bear but little resemblance¹ to themselves; so until the country is satisfied I will oppose Confederation. It is sufficient that the ultimate issue now rests with the people themselves; and I hope they will band themselves together to demand these or better terms..."

"I intend now to offer no factious opposition to the conditions, but it will be my duty to point out what I consider faults,² and though I will support the terms as they are, or nearly so, others must go in. I will not attempt to introduce anything which Canada cannot concede;³ so that on the one hand, Canada may have no excuse to refuse to accept the terms, and on the other, if Confederation does come it may come accompanied with conditions that will be beneficial to the material interests of the Colony. I now bide my time;⁴ when the terms as agreed to by Canada return, the people may find them changed, and not so attractive and enticing as they now appear."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 11 March 1870, pg. 52.



Image held by Library and Archives Canada.

RESPONSIBLE GOVERNMENT

"A new election ought to have been called before this question was brought on; but there is one satisfaction left us, it is that Her Majesty's Government have left the terms to the Colony."

"It is for the people to use that power rightly, wisely, and well, to see that Confederation means the welfare and progress of the Colony."

"Now, Sir, in the first place, it is necessary for the people to see that Confederation must be for the general good of the Colony."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 9 March 1870, pg. 9.

¹ Resemblance = similarity

² Faults = mistakes

³ Concede = admit

⁴ Bide my time = wait for an opportunity

“Great heavens! what terrible things are said and done in the name of the people. To hear Hon. Members talk one would think that they were the people. But the people are quiet while Hon. Members are very loud. I intend to support the Government. I do not mean to say much for or against. I take the position that the people can have Responsible Government when they want it; and their representatives ought to be satisfied to take it when the people really and seriously ask for it. Responsible Government has been one of the watchwords⁵ of a certain set of politicians who wanted to bring on Confederation.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 21 March 1870, pg. 113.

“...I am not pledged to Responsible Government, but I am pledged to representative institutions. The latter have been granted; my mission thus far is fulfilled. I have always asserted that we must take our steps to Responsible Government gradually. Having representative institutions, we can go on to the other. No one ever stated that the people were unfit to govern themselves; all acknowledge that they have talent enough. But this I do assert, that thus far the people have shown an unwillingness to govern themselves—have taken but little interest in the matter. It is not that they are unfit, but unwilling. They prefer looking after their own business; it pays them better. I need not refer to the difficulty of getting members; and doubtless some of us sit here from that cause; and it is no doubt true, as has been said, that better could have been found ouside [sic]. If you have Responsible Government it will fall into the hands of those who wish to make a living by it. No one has said that it would be economical—it would not be so.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 21 March 1870, pgs. 114–115.

“If the people really desire Responsible Government, why is there any necessity for all this agitation? I admit that many of the people of Victoria desire it, and think that it can be carried out. Ask the scattered districts in the country, and they will tell you that they do not know or care about it. Political opinion does not run high in the Colony. I intend to support the Government upon this clause, but I leave myself perfectly free to vote for Responsible Government if I think proper. I want to secure the material interests of the Colony. Let the people say whether those material interests will be benefited by Confederation, but not mix up the question of Responsible Government with it. I am perfectly willing to abide by the decision of the people on Responsible Government, and on Confederation on Terms, separately. My sole desire is to see this country materially benefited. If the people want responsibility I will not say nay, but we must have good terms. At the polls Responsible Government might carry Confederation with very indifferent terms. I am perfectly certain that the Government have acted wisely in not allowing the terms to be clogged with Responsible Government. I say, don't let Responsible Government take the place of material benefits.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 21 March 1870, pg. 115.

“If I wished to oppose Confederation, I believe that I could not do a better thing towards effecting my object than to vote for Responsible Government; but I want to see the more material wants advanced by Confederation. I know that material interests were not the pivot, but that is was place, patronage, and office that was wanted.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 21 March 1870, pg. 114.

⁵ Watchwords = a group's beliefs.

TRADE

“No union between this Colony and Canada can permanently exist, unless it be to the material and pecuniary⁶ advantage of this Colony to remain in the union. The sum of the interests of the inhabitants is the interest of the Colony. The people of this Colony have, generally speaking, no love for Canada; they care, as a rule, little or nothing about the creation of another Empire, Kingdom, or Republic; they have but little sentimentality, and care little about the distinctions between the form of Government of Canada and the United States.

“Therefore no union on account of love need be looked for. The only bond of union outside of force—and force the Dominion has not—will be the material advantage of the country and pecuniary benefit of the inhabitants. Love for Canada has to be acquired by the prosperity of the country, and from our children.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 9 1870, pg. 13.

“I am opposed to Confederation, because it will not serve to promote the industrial interests of this Colony, but, on the contrary, it will serve to ruin many, and thus be detrimental⁸ to the interest and progress of the country. I say that Confederation will be injurious to the farmers, because protection is necessary to enable them to compete with farmers of the United States. The Tariff and Excise Laws do not supply that. They will be inimical⁹ to brewers.

“Inimical to the Spar Trade;

“Inimical to Fisheries;

“Inimical to Whaling Pursuits;

“Inimical to Spar and Lumber Business.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 12.

“Our true course, Sir, judging from the statistics, is not to look to Canada, but to seek to extend our markets for our natural productions, and to obtain an agricultural productive population. I say, Sir, that there is no necessity for us to join Canada; we can get on very well by ourselves at present.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 11.

“We shall find it difficult, Sir, to get a Tariff¹⁰ from Canada that will suit us, and I think that I shall be able to show you, Sir, that Confederation will not produce population Anything that deprives this Colony of the power of protecting the local industries and interests of the Colony, and of regulating and fostering¹¹ its commerce and trade, cannot be otherwise than dangerous and injurious to the country.

“I feel perfectly sure, Sir, that if Confederation should come, bringing with it the Tariff of Canada, not only will the farmers be ruined, but our independence will be taken away. It will deprive our local industries of the protection now afforded them, and will inflict other burdens¹² upon them.

⁶ Pecuniary = relating to or consisting of money

⁸ Detrimental = harmful

⁹ Inimical = harmful

¹⁰ Tariff = tax on imports and exports

¹¹ Fostering = encourage something

¹² Inflict other burdens = cause trouble

It will not free trade and commerce from the shackles which now bind¹³ them, and will deprive the Government of the power of regulating and encouraging those interests upon which the prosperity of the Colony depends."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 9.

REPRESENTATION BY POPULATION

"Mr. Chairman, I find the average of representation in the Dominion Parliament is one member to 15,000. That, on the basis of 120,000, gives eight members. Nova Scotia has 19 members for 39,000, New Brunswick has 12, Newfoundland has 8 members. All we have to do is to take care that we are not included in the census of 1871. Our number cannot be diminished, so we may put it at 1881 safely. As for fictitious numbers, it is useless to talk about it."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 17 March 1870, pg. 94.

BRITISH COLUMBIA INFLUENCE WITHIN CONFEDERATION

"It would be absurd for us to sacrifice our interests in order that laws may be made for us by a people who know little of our condition and wants, and who in fact must necessarily legislate for the greater number—the people of the Atlantic Provinces. It is dangerous to place ourselves at the disposal¹⁴ of superior numbers.

"I believe, Sir, that we are quite capable of making laws for ourselves.

"If we are united, or rather absorbed, everything will centralize in Canada, and the whole country will be tributary¹⁵ to Canada. The number of Representatives sent to Ottawa from other places would overwhelm the number sent from British Columbia. Even in the matter of appropriations,¹⁶ where the scramble always is, this Colony would be overborne; we should be laughed at by the victors for our pretensions. It is the case in all other Colonies, and would be here."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pgs. 12–13.

"If we are Confederated with Canada we become its tributary, and in all that concerns us chiefly Canada has to act for us. In all our chief concerns, commerce, shipping, and mercantile laws, agriculture, trade, navigation, fisheries, currency, banking—Canada rules. She may tax us to any extent, and in any manner she pleases, so that it is quite possible we may have export duties on gold and coal.

"All such things as require money for their performance are left for the Colony to provide; those that require intellect are supplied by Canada."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 13.

¹³ Shackles which now bind them = preventing

¹⁴ Disposal = the needs of

¹⁵ Tributary = a state that pays tribute to another state

¹⁶ Appropriations = A sum of money

"It is absurd to suppose that the same laws, whether civil, commercial, or industrial will be found equally advantageous to all parts of this great Continent. It manifestly cannot be so; the conditions are different. We know what is best for ourselves, and are able to legislate to effect that. We have no wish to pay Canada to do our legislation."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 13.

DEFENCE

"The United States hem us in on every side;¹⁷ it is the Nation by which we exist; it is the Nation which has made this Colony what it is; but, nevertheless, it is one of our greatest drawbacks. We do not enjoy her advantages, nor do we profit much by them; we do not share her prosperity, and we are far too small to be her rival. The effect of a large body and a small body being brought into contact, is, that the larger will attract the smaller, and ultimately absorb it. ['Yes, yes,' and 'No, no.]'

"[Hon. Member for Kootenay—How about Switzerland?]

"I say more, Sir. I say that the United States will probably ultimately absorb both this Colony and the Dominion of Canada. ['No, no, no,' from Mr. Trutch, Mr. Crease, and others.] Canada will in all probability find it quite as much to her advantage to join her ultimately, as we do now to join the Dominion."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 10.

"Confederation would make the Dominion territorially greater, but would, in case of war, be a source of weakness. It is people, not territory, that makes a country strong and powerful. To be strong, the union must be of people, and in my opinion that condition is wanting. I feel certain that Her Majesty's Government has no wish to be put to the expense of defending the country; no wish to be involved in quarrels with the United States; no wish to keep Canada depending upon her support, but rather a wish to force her into independence—to get rid of her altogether."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 11.

RAILWAY

"And I will ask that the promises made by the Dominion Government will be strictly performed. ['Hear, hear,' from Mr. DeCosmos and Mr. Wood.] This Colony would be just as much isolated as ever after a paper union, without a Railway as one of the conditions. I acknowledge that we might have such union as exists with England now, with a Railway.... The distance is so great between this Colony and Ottawa without any Railway and without any Telegraphic communication, that laws might be passed there, which would ruin British Columbia, without our having any notice of them. I do not consider that Canada expects or intends to attempt to make this Railway a paying institution of itself. There are a great many institutions in this Colony which are not paying institutions. Canada takes the view that the Railway is necessary to complete the British line of communication between England and her Asiatic possessions, in order that the English people may share in the carrying trade to China and the East Indies with our American neighbours. Canada expects to influence Great Britain to guarantee the loan for the formation of the Railway. Great Britain may guarantee the loan for the purpose of having a check on the American line of Railway, but, she would never guarantee it for Canadian purposes only. The people of England would not tolerate it. I consider this an essential condition. Without it Confederation must not

¹⁷ Hem us in = block

take place. This is one of those things which will be a vast benefit to this Colony and to Canada, and therefore I regard it as a necessary condition. Why should this Colony join Canada except for the benefit of both? We should be better off without Canada if we have no Railway. I say that this Colony had better stand alone than risk everything, without a Railway. What benefit can Canada expect from Confederation with British Columbia without a Railway? Is she afraid of, British Columbia being handed over to America? If Canada thinks she can hold British Columbia for her own purposes, and use it when she pleases, and takes her own time to do what she likes with it, she is mistaken. The Railway has been made a lever for Confederation, by Canada, I ask that Canada he now made to promise faithfully that a Railway shall be made. With regard to the expenditure of \$1,000,000, there should be a forfeit of ten per cent. payable to this Colony if it is not spent; I am not so much afraid about the Canadian Government not carrying out the terms as I am of our own people. I believe that there is more danger from our own people than from the Canadian Government. British Columbia may cheat herself, and it is our duty, man for man, to take care that we don't cheat this Colony; that we don't in fact cheat ourselves. I think that the Coach Road may be useful; it will take some time to build a Railroad, and it will be necessary to have communication. The road might be used for Immigration purposes, and for driving cattle, but will be of no use commercially; such an idea would have suited people who lived some years ago. Speaking of commerce in which the Dominion is to take part, I do not myself believe that the Asiatic traffic will come this way; but still we must not lose sight of the idea that it may eventually be partially diverted to this route."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 16 March 1870, pg. 81.

INDIGENOUS RIGHTS

"The Honourable Member for Cariboo seems to find it difficult to understand my position. I think it right to endeavour¹⁸ to get the best terms we can, and to point out difficulties. It is the duty of every man to do so. I am perfectly willing to sit here and make the best terms possible. When they come back from Canada it will be time enough for me to decide whether or not I shall support Confederation. I am now anti-Confederate, but I may become Confederate if the terms are good. I say if the Indians¹⁹ are to be stuck on Reservations there will be a disturbance. I think, Sir, that it will be well that there should be some opposition."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 25 March 1870, pg. 152.

¹⁸ Endeavour = try hard

¹⁹ Indians = an archaic term for First Nations Peoples



Henry Pering Pellew Crease in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Henry Pering Pellew Crease was born near Plymouth, England, in 1823 to a wealthy family whose fortune had begun to fail. Educated in Britain, and a graduate of Clare College, Cambridge, Crease later studied law and passed the bar in 1849. Crease and parents, trying to bolster their weakening financial position, ventured to Upper Canada to speculate in canal construction. When this initiative failed, they returned to Great Britain, where Henry Crease briefly took up the law before turning to other occupations, including managing a mining company, which ultimately ended with his resignation due to corruption allegations.

In 1858, he, and later his family, immigrated to Vancouver Island, where he set up a legal practice. He quickly engaged in the island's heated politics, labelling himself a “liberal and independent Reformer.” He won a Victoria District seat in the Island’s House of Assembly in 1860, and the Governor James Douglas named him attorney general of the mainland colony the following year. When British Columbia and Vancouver Island were merged in 1866, Crease maintained this office. While serving as attorney general, he was responsible for contributing to and defending much of the colonies’ early legislation.

When British Columbia’s legislature debated Confederation, Crease’s closeness with the old Colonial elites led him to support Confederation in general, but to oppose responsible government. Appointed as a judge to the Supreme Court of British Columbia in 1870, he continued in this role until 1896, when he was also knighted. Crease died in Victoria in 1905.



Image held by Royal BC Museum



Primary Source: Henry Pering Pellew Crease's Views on Confederation

When British Columbia's Legislative Council debated Confederation, Henry Crease said the following points:

SUMMARY STATEMENT

"The circumstances, political, geographical, and social, under which we are at present placed, compel us to political movement in one direction or another, and the question is now—In what direction shall we go?

"We are sandwiched between United States Territory to the north and south—indeed on all sides but one, and that one opening towards Canada. Our only option is between remaining; a petty, isolated community 15,000 miles from home, ekeing out¹ a miserable existence on the crumbs of prosperity our powerful and active Republican neighbours choose to allow us, or, by taking our place among the comity² of nations, become the prosperous western outlet on the North Pacific of a young and vigorous people, the eastern boundary of whose possessions is washed by the Atlantic.

"This is the only option left to faithful subjects of the British Crown.

"Now look at our condition as a Colony, with a climate far finer than any other in the world, with magnificent harbours, rivers, seas, and waters for inland navigation, with unrivalled resources of almost every description you can name—coal, lumber, spars, fish, and furs—mines of gold, silver, copper, lead, cinnabar, tin, and almost every other mineral throughout the land; with a soil and climate admirably adapted to pastoral and agricultural pursuits—with almost every natural advantage which the lavish³ hand of Nature can bestow upon a country—the undoubted fact remains :—

"We are not prosperous.

"Population does not increase.

"Trade and commerce languish;⁴ coal mining does not advance; agriculture, though progressive, does not go forward as it might.

"The settlement of the country, though increasing, yet falls short of just expectations.

"No public works for opening the country are on hand, and a general lack of progress (that is, proportioned to the extraordinary resources of the Colony) is everywhere apparent.



Image held by Royal BC Museum

¹ Ekeing out = to make something last longer

² Comity = Associating for mutual benefit

³ Lavish = luxurious

⁴ Languish = grow weak

“And why is this?

“It is not, as some allege, because of the particular form of Government we at present enjoy (if it were, Confederation in that would effect a change).

“It has among other things a Public Debt altogether disproportioned⁵ to our means.

“Our close proximity to an active and powerful neighbour whose interests are foreign to our own. [‘Hear, hear,’ from Dr. Helmcken.] But the chief⁶ reason of all is that policy of isolation which has kept us aloof⁷ from the assistance and sympathy of a kindred⁸ race, and left us in the infant state of one of England’s youngest Colonies, to support the burdens and responsibilities of a thickly peopled and long settled land.

“Do Honourable Members ask what would Confederation do for us?

“It would at once relieve us from the most if not all the present ills from which we suffer, if properly arranged.

“For Confederation in some sense means terms. It would assume our Public Debt.

“Greatly increase our Public Credit, and thereby aid in the utilization of our varied resources.

“It would leave us a good balance in our Exchequer to carry on all local works and open out the country.

“It would give us a Railroad across the Continent, and a quick and easy access to Ottawa, New York, and London.

“It would cement and strengthen, instead of weaken, our connection with the Mother-land, and ensure the protection of her Fleet and Army.

“It would attract population, over tending in a continuous wave towards the West.

“It would promote the settlement of our Public Lands, and the development of Agriculture.

“Under it Trade and Commerce would take a fresh start. It would enlarge, not contract, our political horizon, and it would infuse new hope and life blood into the whole system of the Colony, and not leave us a more detached Municipality, as some suppose, any more than Scotland is separate from the rest of Great Britain, or the County of Kent from England.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 7.

RESPONSIBLE GOVERNMENT

“I maintain, Sir, that liberal Representative Institutions for this Colony are not dependent on the success of the scheme of Confederation; they are in no way connected with it. Confederation is, however, the easiest and quietest way of getting Responsible Government, should that be found after deliberation to be really desired so ardently⁹ by the whole community as some Hon. Members aver. To those who conscientiously believe in Responsible Government, and that the real desire of the country is for it, or as the Hon. Member for Victoria District says is a ‘unit’ for it, I say fling in your voice with us; these Resolutions will most speedily assure the result you desire. If the people, after careful deliberation and full information on the subject, whether we be

⁵ Disproportioned = too big or too small

⁶ Chief - main

⁷ Aloof = not informed

⁸ Kindred = similar in kind

⁹ Ardently = Enthusiastically

confederated with Canada or not, really desire Responsible Government, they will have it. Their voice will be heard on this particular question, as on all others connected with Confederation. But it is the hollowest pretence¹⁰ to assert that Confederation should be stopped till the Governor can send down a scheme for Responsible Government. If we do not get Confederation we shall still have our own Representative Institutions, and once possessed of Representative Institutions under the Imperial Statute of Victoria, the Colony will, if it be such a unit as described, be able at once to get Responsible or Party Government. Now, I earnestly deprecate,¹¹ on the part of the Government, the unfair allegation which one Hon. Member has so improperly insinuated¹² that the Government or Government Officials considered the *people* of British Columbia unfit for self-government. Why, Sir, neither the Governor nor any member of the Government, or any other official, ever said or thought that the people of this Colony were individually or collectively unfit for Responsible Government. The utmost that has ever been said on this side of the House has been that, under the present *circumstances of the Colony*, it would be unwise, excessively costly—nay impracticable. As I have said before, and again repeat, the Governor has no power of himself to alter the Constitution. He can only refer it where it has already gone, to the decision of the Queen in Council, which we ought in common justice to await before bringing forward any Resolution for Responsible Government. Now, how would the country, if a unit on this point, get Responsible Government after Confederation? After Confederation the people can have Responsible Government, if they desire it, under clause 92 of the ‘British North America Act, 1867,’ by which power is given for the Provinces to change their own Constitution.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 11 March 1879, pgs. 52–53.

“As to the special merits of Responsible Government itself, it is hardly necessary to argue it here at such an inopportune¹³ time. I shall, therefore, merely say that I think it totally inapplicable at present to the circumstances of British Columbia, where population is so sparse, and lies at the circumference of a circle which contains an area of 300,000 square miles, and where representation is so difficult that the form suggested would be the most expensive that could be adopted, and instead of preventing agitation, will be likely to increase it. Much of the population is alien, and, in any case, this Council is not the proper body to pass upon it. If, however, the country is of a different opinion, they can say so at the polls, and there is no power can prevent their getting Responsible Government. But, I would ask, what makes the system so particularly attractive to Honourable Members who advocate it? We are told that it is solely because it will be good for the Colony, but there is no attempt to prove the proposition that has been set up. Another thing strikes me as coming with a very bad grace from those who support this recommendation. It presupposes a distrust of Canada, and assumes that men of the large experience of Canadian statesmen, and so reliable as they are, are not to be trusted to yield to a general cry from the country for enlarged representative institutions. I don’t think that this is the time to go into the question. I say, then, that whenever Responsible Government is wanted it can be had.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 21 March 1870, pgs. 106–107.

¹⁰ Hollowest pretence = weakest claim

¹¹ Deprecate = express disapproval of

¹² Insinuated = implied

¹³ Inopportune = inconvenient

RAILWAY

“I readily confess that there are drawbacks to material union, such as distance, lack of communication, and, to some extent, want of identity of interest, which can only—but yet which can—be removed, either wholly or in a very great degree, by suitable conditions of Union.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 14 March 1870, pgs. 5–6.

“The Hon. ATTORNEY-GENERAL proposed the adoption of Clause 8:—

“8. Inasmuch¹⁴ as no real Union can subsist between this Colony and Canada without the speedy establishment of communication across the Rocky Mountains by Coach Road and Railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such Coach Road, from some point on the line of the Main Trunk Road of this Colony to Fort Garry, of similar character to the said Main Trunk Road; and shall further engage to use all means in her power to complete such Railway communication at the earliest practicable date, and that surveys to determine the proper line for such Railway shall be at once commenced;¹⁵ and that a sum of not less than One Million Dollars shall be expended in every year, from and after three years from the date of Union, in actually constructing the initial sections of such Railway from the seaboard of British Columbia, to connect with the Railway system of Canada.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 16 March 1870, pg. 78.

ANTI-ANNEXATIONISM

“If we watch the progress of events, they all point to the same end, to the growth of a new universal sentiment of nationality in British America.

“It is clear that events all gravitate in that direction.

“[Mr. DeCosmos—‘In the direction of Confederation or Nationality?’]

“I say, Sir, that the current of events points to Confederation and ultimately to Nationality.

“Confederation is evidently our ultimate destiny—Our own interests—Canadian aspirations—and Imperial policy, as enunciated¹⁶ in the Secretary of State’s Despatch,¹⁷ all point the same way.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 8.

TRADE

“Upon this question of tariff we must especially avoid attempting to commit the Dominion Government to any fixed principle. The tariff cannot be part of the terms, but it is, undoubtedly, a matter of consideration to be urged on the Canadian Government. Though we have assented to the Organic Act, we have not shut ourselves out from going to the Dominion Parliament to ask for remedies which they can give to us, and to ask them to find a remedy which will make Confederation acceptable to this Colony. Therefore, I think, with the Honourable Chief Commissioner, that one general Resolution upon this subject, after dealing with the three separate Resolutions or abstract principles, may, with advantage, be passed by this House. I think also,

¹⁴ Inasmuch = considering

¹⁵ Commenced = began

¹⁶ Enunciated = said

¹⁷ Despatch = dispatch

with that honourable gentleman, Mr. Chairman, that Canadian statesmen who will have to deal with this matter, will do so with wisdom. They, in considering the terms when other Provinces have entered the Confederation, must have experienced some of these difficulties which now come to us for the first time. No doubt many honourable members of this House have given great consideration to this question, yet I think that Canadian experience will help us.... Another difficulty in dealing with this matter that we have to encounter is, that we have information that a reconstruction of the Canadian tariff is at present going on, and there is some chance of a reciprocity treaty being arranged, therefore we cannot put forward any fixed principles. The main objections of the Dominion to a separate tariff, it strikes me, will be found to be: first, that they are afraid of infringing principle; and, second, the formation of a precedent for a special tariff, which might cause Newfoundland, New Brunswick, Nova Scotia, and other Provinces to ask for special tariffs to suit their particular circumstances, and to avoid the inconvenience of possible hostile tariffs. There are certainly many plausible reasons to be found in favour of a special tariff for British Columbia. Such as the difficulty of communication. The want of either road or railway, and the security against smuggling into Canada. But the probability is, that protection to commerce would be secured by the reconstruction of the Canadian tariff, and I regard the framing of a tariff now which would apply satisfactorily to our altered circumstances, under such a thorough change as Confederation would bring, a matter of impossibility.... But I see no reason why, when we are going into a partnership, we should not arrange the best terms we can; and I think that the differences could be altered in favour of this Colony, and in favour of Confederation generally. We have no power ourselves; that is the reason this question is not brought up in the terms. We must see what effect Union will have on this Colony first; we must see how the thing works before we decide finally. At the same time, we must take care that we protect such important interests as agriculture and commerce from haste or injurious¹⁹ delay. I will, therefore, as soon as the terms are settled, propose a resolution which will meet this difficulty and give time to see what change, if any, the country may require. In sending our resolutions to the Canadian Government, we must not suppose that we have exhausted the subject. Many points must arise when the Canadian Commissioners come here, or ours go there—if the matter take that turn; but we should be careful not to overload the terms, lest we should endanger the cause of Confederation altogether. We must have some faith in the Dominion Government—in Canada and Canadian statesmen. We must not forget that their own interests would be ours.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 24 March 1870, pg. 147.

“If I thought the interests of the Colony would suffer, I would consent to bring the subject before the Canadian Government, but I think we have nothing to fear.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 24 March 1870, pg. 149.

¹⁹ Injurious = cause damage or harm

INDIGENOUS RIGHTS

In response to Henry Holbrook's (another member of the Legislative Council) motion requesting "protection" for the Indigenous Peoples of BC, Attorney General Henry Crease replied as follows:

"I ask the Hon. gentleman to be cautious, for Indians²⁰ do get information of what is going on."

Crease continues:

"These are the words that do harm. I would ask the Hon. Magisterial Member for New Westminster to consider..."

"If the Indians had no better protectors than the Hon. Magistrate from New Westminster, I should not envy them their protection. The Hon. gentleman must have forgotten the directions of the Imperial Government to His Excellency the Governor, in Lord Granville's dispatch....

"My esteemed colleague the Hon. Registrar-General says we have no Indian policy. I say our policy has been, let the Indians alone....

"As these words may go forth, I wish to state on behalf of the Government that the care of the Indians will be the first care of the Imperial Government and of the Local Government."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 25 March 1870, pgs. 151–152.

²⁰ Indians = an archaic term for First Nations Peoples

John Robson in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



John Robson was born on 14 March 1824 in Perth, Upper Canada. After attending common and grammar schools, he pursued careers as a journalist and politician. Robson was a Presbyterian, which shaped his subsequent beliefs and actions. As the editor for *The British Columbian*, as well as after becoming the elected representative for the city and district of New Westminster in the colony's Legislative Council, Robson pushed for responsible government. He also favoured the establishment of a British North American federation, claiming that it would free British Columbia from the Colonial Office's “yoke of oppression” and improve overland communication.

In the fall of 1868, he was one of the representatives from New Westminster at the Yale Convention, which passed resolutions favouring confederation and responsible government. When the new council decided that “under existing circumstances the Confederation of this Colony with the Dominion of Canada would be undesirable, even if practicable,” Robson formally protested that the council “did not fairly reflect public opinion.”

Robson continued to exhort British Columbians to support Confederation. Following his move early in 1869 to Victoria, where there was considerable apathy or opposition to it, he emphasized its possible economic advantages for Vancouver Island such as lower tariffs, the restoration of Victoria's free port status, improved communications, an efficient mail service, increased population, reduced administrative costs, the transfer of Britain's main Pacific naval base to Esquimalt, a thorough geological survey, and even a low-interest loan to pay for improvements to Victoria's drainage, sewage, and water systems.

By 1870, the political mood in British Columbia had shifted dramatically. Governor Frederick Seymour had died and his replacement, Anthony Musgrave, was a friend of Sir. John A. Macdonald and supported Confederation. Although this pleased Robson, he protested against the Colonial Secretary's suggestion that British Columbia was not yet ready for responsible government.

Governor Musgrave apparently invited Robson to join the British Columbia delegation sent to Ottawa in May 1870 to negotiate the terms of union but Robson ultimately stepped down in favour of John Sebastian Helmcken. After Confederation, Robson was elected to the first provincial Legislative Assembly to represent Nanaimo and remained in this position till 1875. He also represented New Westminster (1882–1890) and Cariboo (1890–1892). As a member of parliament, Robson, despite having once said that “respectable women don't want the vote,” pushed forward private bills to extend suffrage to women. In February 1883, he was also elected as the provincial secretary, which included the education portfolio, ministry of finance and agriculture, and ministry of mines. With the change in government, Robson remained as the provincial secretary and minister of mines; however, when Alexandre Edmund Batson Davis, the premier, became sick and eventually died, Robson became British Columbia's Premier from 1889 to 1892. After a minor accident on the 20 June 1892, he died of blood poisoning nine days later.

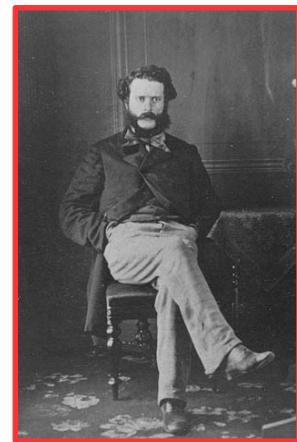


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Canada.



Primary Source: John Robson's Views on Confederation

When British Columbia's Legislative Council debated Confederation, John Robson said the following points:

UNION IN GENERAL

"The Hon. Mr. Wood has said that there are Hon. Members in this House who would go in for Confederation on any terms. I, for one, have never done so; nothing is more foreign to my desires. ['Hear, hear,' from the Attorney-General.] Though I am a Canadian, and am proud of my country, I am also a British Columbian; and upon this question my first and last thought has been, is, and will be, for British Columbia. ['Hear, hear,' from the Attorney-General.]"

British Columbia, Legislative Council: Debates on the Subject of Confederation, 17 March 1870, pg. 89.

"The Honourable gentleman tells us that Confederation is unnecessary, that this Colony is one of the richest spots on the face of the earth, with a climate inferior to no part of the world,—why should it not go on alone? And he tells us that this view of the question is taken by the majority of the people of the Colony. Why, Sir, the Colony has had all this opportunity for fifteen years; and what is the fact? Ten years ago the Colony had a very much larger population than now, and very much larger commerce. Are we, then, under these circumstances, to ask the people to wait and work out their own salvation? But, Sir, in addition, we are told in a State paper that we are not to be allowed to hang on the skirts of Great Britain, like a mendicant's child. I can hardly reconcile¹ the position of manly independence with the position of hanging on to unwilling Imperial skirts. Rather than that, I would ask for union with the Sandwich Islands, or with Hindostan. British Columbia has tried long enough to get on by herself. After fifteen years hard struggle, she finds herself worse off than she was at the beginning. Her progress has been like that of the crab—backward."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 9 March 1870, pg. 16.

RESPONSIBLE GOVERNMENT

"What is Responsible Government? I have been led to believe that considerable confusion of ideas exists upon this point... Without it no Government can, in the true sense, be called a people's Government. All true Governments derive² their power from the people. All true Governments must be responsible to the people. Responsible Government is, then, a principle which may be adapted to, and successfully worked out in, this community. If this proposition is

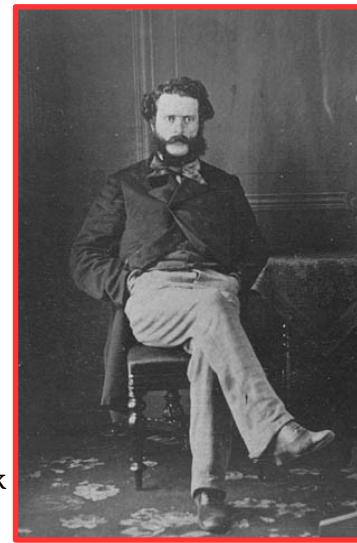


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¹ Reconcile = to make agree

² Derive = get

incontrovertible,³ which I maintain it is, who can say that British Columbia is not large enough for Responsible Government? There are men here of ability to form a Cabinet. The Cabinet of the day is, under the responsible system, the Government, just so long as it has the confidence of a majority of the representatives of the people in the House. In the event of that confidence being lost, one of two courses is open: The Ministers place their resignation in the hands of the Governor who commonly calls upon a prominent member of the opposition to form a Ministry; or, if they believe that the House does not truly represent the people upon the question at issue, they advise a dissolution and an appeal to the country. What would Responsible Government have to do here? In dealing with this question I, of course, assume British Columbia to be a Province of the Dominion; and, I confess, that were it otherwise, were it proposed to remain a separate Colony, the case would be different. I do not say that even then I would not advocate the introduction of Responsible Government, but that advocacy might be less hearty and less firm. Regarding British Columbia as a Province of the Dominion, the chief objections are removed by the removal to Ottawa of all those larger and more complex questions of legislation which might threaten to crack the brain of our embryo statesmen.⁴ The Local Government would alone have to deal with local questions, and thus it would have very simple duties to discharge—scarcely more difficult, in fact, than those falling within the functions of a large municipality in Canada. Are the people in British Columbia fit for it? And here I would express my sincere regret that the representative of Her Majesty in this Colony has felt it to be his duty to pronounce an adverse⁵ opinion. I will yield to no one, either in this House or out of it, in entertaining a high respect for His Excellency, for his talent, experience, and honesty of purpose; but I do say,—and I say it with respect, more in sorrow than in anger—that I cannot think his knowledge of the people of this Colony was such as to justify him in so early pronouncing upon their fitness for self-government.”

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 18 March 1870, pg. 100.

“I boldly assert that the people of British Columbia are fit for Responsible Government. Do they want it? Doubtless there are those in this House, possibly even in the unofficial ranks, who will deny that the people of British Columbia really desire to have Responsible Government under Confederation. It is sometimes difficult to account for divergence of opinion; but I venture to think that I have the weight of both argument and evidence on my side when I assert, as I do, that the great body of the people—certainly an overwhelming majority—do earnestly⁶ and intelligently desire that form of government. It is difficult to believe that any man who has given due thought to the subject can possibly hesitate. Look at the position this Colony would occupy under Confederation, without the full control of its own affairs—a condition alone attainable by means of Responsible Government. While the other Provinces only surrender Federal questions to the Central Government, we would surrender all. While the other Provinces with which it is proposed to confederate upon equal and equitable terms retain the fullest power to manage all Provincial matters, British Columbia would surrender that power. Her local as well as her national affairs would virtually be managed at Ottawa. Could a union so unequal be a happy and enduring one? The compact we are about to form is for life. Shall we take into it the germ of discord and disruption? The people desire change; but they have no desire to exchange the Imperial heel for the Canadian heel. They desire political manumission....⁷

“Has the Anglo-Saxon race become so utterly degenerate here that it is prepared to barter away for mere money subsidies⁸ those rights which were purchased with so much blood elsewhere? I

³ Incontrovertible = undeniable

⁴ Embryo statesmen = young men

⁵ Adverse = opposing

⁶ Earnestly = seriously

⁷ Manumission = freedom

⁸ Subsidies = giving money to help

utterly refuse to think so meanly of this people. We have seen that even the half-breeds⁹ at Red River have too much of the old blood in their veins to permit a fancied political wrong. I am not going to predict a rebellion here. Heaven grant there may be none. But I do feel it my duty to warn the Government against unnecessarily provoking such a possible contingency.¹⁰ Why should there be such an unaccountable antipathy¹¹ to investing the people of British Columbia with those political powers enjoyed under the British Constitution? Why is the present form of Government so unpopular with the people? I will tell you why. It is just because it is not a people's Government. They had no hand in making it. They had none in working it. They can have none in unmaking it. Only let the people have a hand in forming the Government, in selecting men of their own choice to rule over them, and we would find a popular Government, a strong Government, strong in the heart and confidence of the people. The very same gentlemen who are unpopular now, because ruling without the consent of the people, would be popular then, because ruling by the act and with the consent of the people. The people of British Columbia are naturally a conservative people. Restore to them their political rights, and no Government would need to fear an undue desire for change. The people know best how to manage their own local affairs. Depend upon it, Sir, the people are seldom wrong in their opinions; in their sentiments they are never mistaken."

British Columbia, Legislative Council: Debates on the Subject of Confederation, 18 March 1870, pgs. 101–102.

"The great proposition I desire to impress upon honourable members is this: The Colony is about to become a Province of the Dominion of Canada. No union can be equitable and just which does not give this Colony equal political power—equal control over their own local affairs with that possessed by the people at the Provinces with which it is proposed to unite. I care not how good the other conditions may be: if the people of British Columbia are placed in a false political position they will not be content, and the inauguration of such a union will only prove the beginning of new political discontent and agitation. Mistakes will doubtless result from the first workings of Responsible Government, but these mistakes were better made now than years hence, when the consequences might be more serious. The period of lisping, stammering infancy must, be passed. Surely it is better to pass it now, while the political questions are few and simple, and the interests comparatively small, than to wait for great development. Almost every speaker on the Government side has accused me of want of confidence in the Dominion Government. I have no want of confidence in that Government. I know the men who compose it too well for that. I know them as honourable, liberal, large-minded statesmen. But it is our Local Government under the new Constitution, proposed in terms so vague in His Excellency's opening message, that I doubt. The Canadian Government will possess no constitutional power to grant us political relief until asked to do so by our Local Government; and it is the hesitation, the disinclination of the Local Government to move in that direction which I dread. I would again warn the Government against endangering the whole scheme by having it submitted to the people unaccompanied by 'Responsible Government.'"

British Columbia, Legislative Council: Debates on the Subject of Confederation, 22 March, 1870, pgs. 127–128.

"Hon. Members seem to assume that we are going to enter Confederation without Responsible Government. This I repudiate.¹² I say we shall enter with privileges equal to other Provinces I decline to assume anything else. With regard to the appointment of Senators by the Legislative Council, I would ask by what Council? By this or by the new House? It would not satisfy the people that a Council nominated by the Governor should appoint; and it is yet to be seen that the new

⁹ Half-breeds = an archaic term for Métis

¹⁰ Contingency = alternative

¹¹ Antipathy = negativity

¹² Repudiate = refuse to accept

House, as shadowed forth by the Governor, would be less objectionable than this one. We are entirely in the dark."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 18 March 1870, pg. 97.

"The Hon. gentleman tells us that it is impossible to work Responsible Government with a population so scattered; and in the same breath he tells us that we have Responsible Government now,—that the officials are responsible to the Governor, and he to the Queen. Well, certainly, this is a sort of responsibility; but it is not precisely the kind we want. The responsibility now existing takes the wrong direction. It is not responsibility to the people, but to the supreme power. In this sense the most despotic form of government in the world may be termed Responsible Government. The members of the Government of the Czar of Russia are responsible to him, and he is responsible to the Great Ruler of all; ergo, Russia has Responsible Government! The Hon. gentleman must see the absurdity of his startling proposition."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 22 March 1870, pg. 125.

PROVINCIAL AUTONOMY

"Hon. Members say we cannot get out, and that Canada may repudiate. I say, nothing of the kind. Canada would never be allowed by the Imperial Government to coerce this Colony to remain in Confederation for the fulfilment of one side of a contract of partnership, the terms of which Canada herself has trodden under foot. To entertain such a supposition is, if I may be allowed the expression, an outrage on common sense too absurd to be for a moment seriously entertained. Would the Imperial Government stand by and let Canada send a force of soldiers to compel British Columbia to remain in Confederation under such circumstances? The Canadian Government never broke faith yet, and the Imperial Government never broke faith yet, and both are pledged to the fulfilment of this condition. Canada has hitherto¹³ gone in advance of her word."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 17 March 1870, pgs. 85–86.

TRADE

"It is, in my opinion, futile to imagine that we shall obtain power, under Confederation, to frame and regulate our own tariff. The Customs tariff is essentially a Federal measure, and the Dominion Government cannot very well permit a Province to make its own tariff. To do so would, in my opinion, be to admit a principle which would ultimately break up the whole Confederation. If such a concession were made to British Columbia every other Province in the Dominion would forthwith clamour for it. The Dominion tariff is of necessity a Federal matter, to be dealt with by the Federal Parliament, and it is unreasonable to expect that such an exception will be made in our favour. The Customs tariff is the main source of Federal revenue; and if any Province were permitted to tinker with it, the Federal revenue would, indeed, be precarious. History does not encourage us to hope for such a power."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 23 March 1870, pg. 135.

"Let us remember that protection is not an unmixed good, and that it sometimes costs more than it is really worth. It should also be remembered that the importance of protection is somewhat localized in its application. Nature has given ample protection to the interior of the Colony; and it

¹³ Hitherto = until now

is, in reality, only on this Island and the Lower Fraser that artificial protection can be desirable. I venture to think that there is a great future before Vancouver Island, but I do not believe that it will ever owe its greatness to agricultural development. I believe that its commercial, maritime, mineral, and manufacturing industries will far outweigh its farming interests, and I do not think, therefore, that we would be justified in refusing Confederation upon fair and equitable terms, simply because we could not have power to regulate the Customs tariff. I regret that I am unable to agree with any one of the recommendations now before the Committee. The wisest course, in my opinion, will be to ask the Dominion Government to withhold the application of the Federal tariff of Customs to British Columbia for a fixed period, say, until railway communication shall have been established through the Dominion to the Pacific. Until that takes place British Columbia must continue to occupy a position so isolated, and so exceptional, as to render the general tariff, however well adapted to the Provinces to the eastward of the Rocky Mountains, scarcely suited to us. But with the opening of continuous railway communication these exceptional conditions will, for the most part, disappear."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 23 March 1870, pgs. 135–136.

"Upon the opening of the Canadian Pacific Railway British Columbia will practically be set down alongside of the Atlantic Provinces. We get over all constitutional difficulties by approaching the subject in this way. I do not say that the Dominion Government will assent to the proposition to postpone the application of their tariff to this Colony until railway communication shall have been established; but we will approach them with a much greater show of reason and success in this way than in the other. I shall, therefore, propose an amendment, or a recommendation, asking that the Customs tariff of the Dominion be not extended over the Colony of British Columbia until railway communication therewith shall have been established. Should this be agreed to on the part of the Canadian Government, it would then become our duty, upon entering the Dominion, to remodel our tariff with a view to protecting local industries on the one hand, and building up our commercial and maritime interests on the other. Canada might, possibly, sacrifice a little revenue in the first instance, but it would come back to her a hundred fold in the greatly enlarged prosperity certain to follow. In this way, also, would be presented a living recognition of the necessity for railway communication, it not an incentive for the speedy consummation¹⁴ of that great desideratum.¹⁵ The course which I propose will more fully meet the local necessities of the country, while it will be more acceptable to the people, and, I feel assured, more likely to meet with the concurrence of the authorities at Ottawa. It possesses the advantage of accomplishing more good than can possibly be attained in the way proposed either by the Hon. Member for Victoria District, or that proposed by another Hon. Member, and, at the same time, of steering clear of constitutional difficulties."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 23 March 1870, pg. 136.

RAILWAY

"It is true that a sort of union might exist without a Railway, such as the union between British Columbia and Great Britain. But we propose to establish a union that will endure and that will render an Overland Railway just as necessary as the arteries in the human body are necessary to circulate the blood and to keep up life..."

"I have some doubts about the clause requiring the Dominion Government to make a Coach Road. The age for Coach Roads has almost passed away. Such a road would not meet the requirements of the present day. I would prefer removing this condition, and require the work to be commenced within two years, or seek compensation in some other way as an equivalent for the

¹⁴ Consummation = complete

¹⁵ Desideratum = Needed or wanted

supposed advantage of the road. The sooner we do our little part towards convincing the Dominion Government that this is necessary, the better. Not only is the Railway a national necessity for the Dominion, but for every fractional part of British North America."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 16 March 1870, pgs. 180–181.

ANNEXATION

"Certain persons are fond of talking about the advantages of Annexation; all arguments in its favour can be brought with redoubled force in favour of Confederation. British Columbia as a member of the Union would have a Pacific frontage, but only in common with other countries of the Union. As a part of the Dominion she would have more, for she would be the only outlet of the British Confederacy on the Pacific Coast."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 9 March 1870, pg. 17.

INDIGENOUS RIGHTS

"The Hon. Mr. Holbrook has told you that he speaks in behalf of 40,000 Indians.¹⁶ I speak in the name of 65,000. I am inclined to think we should not pass this matter over entirely; we ought to point out our desire that the Indians should be cared for. Now, the Canadian Indian policy has been characterized as good, even by American statesmen. Our own policy is not worth the name. I consider it to be a blot on the Government. I will, therefore, propose as an amendment the following:—

That the Indian policy of Canada shall be extended to this Colony immediately upon its admission into the Dominion, and that the necessary agencies and appliances for an efficient administration of Indian affairs may be at once established.

"The Canadian Government occupies the position of guardians to Indians. They are treated as minors. There is a perfect network of Indian Agents in Canada, and through them the Indians are made presents of agricultural implements, seeds, and stock. Now, if we let it go forth to the Indians that their interests are being considered, and that this will be greatly to their advantage, I say, by making the Indians feel all this, there will be less danger of exciting any unpleasant feeling among them. We should set the Indian mind at rest and let them feel that Confederation will be a greater boon to them than to the white population."

British Columbia, *Legislative Council: Debates on the Subject of Confederation*, 25 March 1870, pg. 151.

¹⁶ Indians = an archaic term for First Nations Peoples



George-Étienne Cartier in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir George-Étienne Cartier was born on 6 September 1814 at Saint-Antoine-sur-Richelieu, Lower Canada to a wealthy merchant and political family. At the age of twenty-three, he participated in the rebellions in Lower Canada in 1837 and afterward was forced to flee to the United States for roughly six months. Indeed, newspaper reports claimed that he was killed in the ensuing confrontations. When Cartier returned from the United States in October of that year, he resumed his law practice. In 1848, Cartier began his political career by winning the seat for Verchères in the Legislative Assembly of United Canada. In 1852, Cartier introduced the bill that created the Grand Trunk Railway Company, and he was subsequently appointed one of its legal advisors the following year. He soon became the leader of the Parti Bleu. The party drew much of its support from the Roman Catholic Church and was thus strongly committed to preserving the power of the Catholic Church and French culture in what is now Quebec. Many Bleus also had strong ties to big business. Cartier, for example, was intimately involved with the Grand Trunk Railway. In 1857, Cartier and John A. Macdonald supported each other as co-Premiers, and the two men continued to work closely as leaders of their respective French and English coalitions until Cartier’s death in 1873.

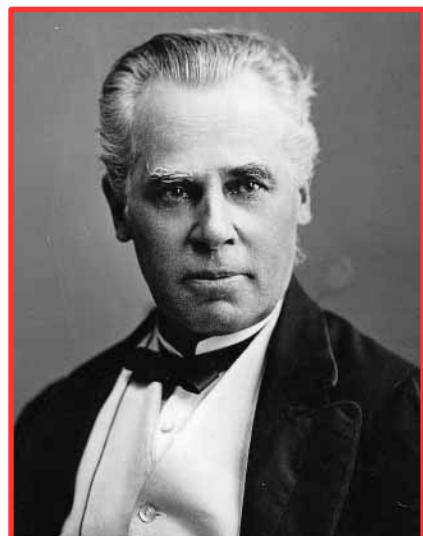


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As a leader in the Great Coalition, Cartier was one of the leading advocates of Confederation and took a leading role at the Charlottetown and Quebec conferences, and strongly defended the proposal in the Legislative Assembly. The Bleu leader believed that it was the only alternative to annexation to the United States. In 1865 he declared, “We must either have a Confederation of British North America or else be absorbed by the American Confederation.” Cartier also desired the expansion of the Province of Canada’s financial and political influence across British North America. Because John A. Macdonald was ill, Cartier led the Canadian effort to bring British Columbia into Confederation. He was also instrumental in arranging for a railway, rather than a wagon road, to be built from northern Ontario to the Pacific coast.



Primary Source: George-Étienne Cartier's Views on Confederation

When British Columbia's Legislative Council debated Confederation, George-Étienne Cartier said the following points:

RESPONSIBLE GOVERNMENT

"This was an opportune time to admit the colony into the union, for it was desirable to extend the Confederation to the Pacific as soon as possible, and on economical grounds it was advisable to admit the colony into the Dominion before the increase of population could increase the subsidy⁶⁶ to a very large rate. Then with respect to the clause providing for provisions it must be remembered that British Columbia was a Crown colony. Under it several officers were appointed for life, and they should be provided for. The colony had laterally adopted responsible Government which was to commence from the date of the union, so that no future charges of this kind need be expended⁶⁷ in the future. There were very few such pensions to be provided for; the majority of them would be employed under the Federal Government. Then, with respect to the tariff,⁶⁸ it was provided that they should retain their own tariff, which was higher than ours, till the completion of the Pacific Railway. No inconvenience need be anticipated from it, and under the peculiar circumstances of the case it was necessary to allow them to retain it."

House of Commons, 28 March 1871, pg. 278.

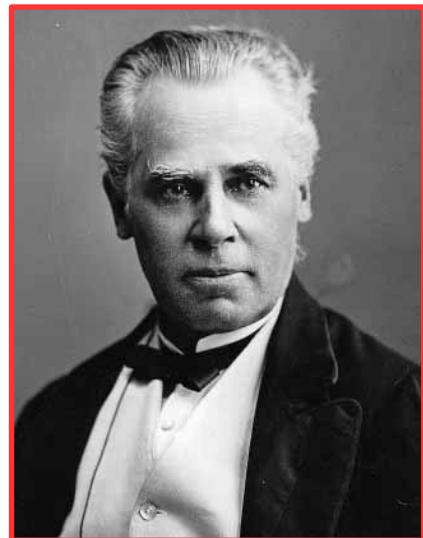


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ANNEXATIONISM

"Hon. Sir GEORGE-É. CARTIER: We have more in proportion than they have. You may defend the American system; we are opposed to it."

House of Commons, 30 March 1871, pg. 301.

RAILWAY

"Item eleven, relating to the construction of the Pacific Railway, would no doubt provoke discussion. There were various unfounded rumours with respect to this. It was not the intention of the Government to construct the road, but it would be undertaken by companies to be assisted mainly by land grants. It was not the intention of the Government to burden the exchequer⁶⁹

⁶⁶ Subsidy = help with costs

⁶⁷ Expended = used

⁶⁸ Tariff = a tax on imports or exports

⁶⁹ Exchequer = a government office responsible for grants and collecting revenue

much to obtain this railway. While this clause was under discussion between the delegates and the Government it was proposed by the Dominion that the colony should hand over a forty mile strip of land towards the construction of the railway. That would be 24,000 square miles of land, or 50,360,000 acres of land, not merely agricultural land, but mineral land. Placing that land at \$1 per acre, it would be equal to a grant of \$50,360,000 towards the construction of the railway. It was proposed to give the colony \$100,000 per annum, which, placing the interest at 5 per cent, would be the annual interest on the value of 2,000,000 acres of land, leaving the remainder to be used by this Government. The railway, starting from Nipissing, would be about 2,500 miles, 700 of which would pass through Ontario. They did not expect to get entirely the 20 mile grant on each side of the road, but they expect to get from the Ontario Government every alternate lot on each side of the line for that 700 miles. That would give 9,000,000 acres of land from the Ontario Government.

"Starting from Lake Nipissing it would connect with the Ontario system of railway and with the Quebec system of railway through the Ottawa Valley. They were prepared to give it to any company which would undertake the construction of the line, with a capital of twenty-five millions of dollars, which with interest at 5 per cent, would represent \$1,500,000 per annum. The hon. member for Sherbrooke had recently remarked that the certain increase of receipts from customs and excise was at the rate of 5 per cent per year. At that rate, taking the customs at \$10,000,000, the increase would be \$500,000, and on excise, taking the receipts at \$5,000,000, \$250,000. That would give a total from these two sources alone to meet \$1,500,000 per annum, a sum of \$750,000. He knew it would be argued that this railway would cost between one and two hundred millions of dollars, if not more....

"Hon. Sir GEORGE-É. CARTIER would compare it with the American Pacific Railway, which from Omaha to the Pacific was 1,775 miles in length. That railway was aided by land and money grants, and cost \$50,000,000. The Canadian Pacific Railway would be about 700 miles longer. Yet he would place the cost at double the rate of the American Pacific Railway, and the utmost cost that could be incurred would be \$100,000,000. But whatever it would cost, he would assure the House that there would be no taxation on the country more than existed at present. (Cheers)⁷⁰ A certain portion of the public lands had been reserved for the Indians,⁷¹ and the only guarantee that was necessary for the future good treatment of the Aborigines was the manner in which they had been treated in the past. Now, having glanced at the provisions of the Bill he would call the attention of the House to the fact that while our neighbours had taken sixty years to extend their borders to the Pacific, the young Dominion would have accomplished it inside of ten years. And look at the importance of the extension. We need a seaboard on the Pacific if ever this Dominion was to be a powerful nation in the future, and what more convenient time could there be for this union than at the present time? He concluded by an allusion⁷² to the splendid position which England had attained by the development of her marine power, and that even Prussia, notwithstanding the triumphs she had lately won, must be content to take a second place beside the great maritime power of England. The hon. Baronet⁷³ resumed his seat amid loud cheers."

House of Commons, 28 March 1871, pg. 278.

⁷⁰ Cheers = applause from fellow politicians.

⁷¹ Indians = an archaic term for First Nations Peoples

⁷² Allusion = reference

⁷³ Hon. Baronet = George Cartier

“Hon. Sir GEORGE-É. CARTIER said that he had hoped after the discussion of the last three days all the arguments against this measure would have been exhausted, and that he would not be called upon to speak again. But after the remarks just made by the hon. member for Lambton, he felt called upon to make some reply. He was willing to give credit to the hon. members who opposed this measure, for sincerity. He (Hon. Sir George-E. Cartier) was much surprised, at the line of argument which they had followed. He was surprised that the member for Lambton should try to meet such a great question on the mere ground of cost. He admitted that the Union was a necessity and that the railway also was a necessity, but the honorable gentleman objected to be tied down to a specified time. He objected to being bound to build a line of 2,500 miles in ten years—but in past years even when the country was new and with comparatively few resources she had built 2,000 miles in eight years....

“Let the member for Lambton and his friends read their speeches on the North West question. Then no expense was too great, no haste too much, no trouble too great, if only the North West could be acquired, but now they said don't go so fast. He wanted to get hold of the Red River country at any cost, and now from the very same mouth that had spoken of the fertility of the North West, they heard the very opposite. He had then been willing to send any number of men to obtain possession of the country.”

House of Commons, 31 March 1871, pg. 310.

“The matter had already been discussed sufficiently, and the time was now come for settlement, and he would say that without the prospect of British Columbia, they would never have persuaded a majority of the House to consent to acquire one inch of the North West. For the sake of the member for Lambton himself he trusted his speech would not be well reported, and especially that part in which he had spoken of the character of the land in most disadvantageous terms, and yet he said he was in favour of building a railway as soon as possible. If the land was as described by the hon. member, why should a railway be built at all? He reiterated 10 years was too long, and as to the mode of building the railway that would all be submitted to Parliament, and within the next few days the Government would ask for an appropriation for the preliminary survey. He maintained that Canada was better able to-day to undertake the Pacific railway than she had been years ago to advance fifteen millions to the Grand Trunk. The whole affair of the hundred millions was a bugbear.⁷⁴ There was no such thing as incurring that debt⁷⁵ in a few years—it was an absurdity to make such a statement...

“It had been objected that the estimate for the Canadian Pacific might not be correct. He admitted that, but the argument worked both ways. The cost might prove very much below the estimate, and an immense amount of land was reserved to cover it. He quoted a statement showing the average cost of railway communication in the United States, showing 2,600 miles of line in operation, the average cost being, in the different States, from \$25,000 to \$33,000 per mile. It was admitted that there was a large extent of prairie land to be crossed, and the smaller expenditure necessary there would leave means to overcome difficulties in other portions. The hon. members opposite had been sufficiently unpatriotic to represent the country as that it would never attract immigration, and he quoted from the proceedings of the House of Representatives of the State of Minnesota speaking of the Canadian line as practicable, and the territories of the North West and British Columbia, as fertile, and the most valuable of the Continent, and yet men in this country, the leaders of their party, did their utmost to decry⁷⁶ their country.”

House of Commons, 31 March 1871, pgs. 310–311.

“Hon. Sir GEORGE-É. CARTIER said this amendment was equally objectionable with the others that had been moved to prevent to passing of the address, and he would announce to the House,

⁷⁴ Bugbear = a cause of obsessive fear, irritation, or loathing

⁷⁵ Incurring that debt = getting a lot of debt

⁷⁶ Decry = publicly denounce

and to the hon. member for Sherbrooke, that the Government intended and determined that this great railway should be carried out by companies and not by the Government, and through the means principally of land grant and small money subsidies, and further that early in the ensuing week, the Government would place before the House a resolution by which to take the sense of the House with regard to the manner in which that Railway should be built, and he might announce beforehand that the determination of the Government was that, when the sense of the House had been so taken, they would carry it out more prudently with regard to the Exchequer of the country than was proposed in the amendment of the hon. member for Sherbrooke."

House of Commons, 1 April 1871, pg. 318.



Alexander Mackenzie in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Alexander Mackenzie was born on the 28 January 1822 in Scotland as the third of ten sons to a family that was not well off and which consequently moved frequently. At the age of 13, with his father's health failing, Mackenzie began working full-time as an apprentice stonemason and subsequently emigrated to Canada with the rest of his family in 1842 with only 16 shillings to his name. Mackenzie served as a contractor and foreman on major canal and building sites in southern Ontario and settled in Port Sarnia in Upper Canada in 1846 with his family. Mackenzie was also a Protestant who advocated for the separation of the Church and State in order to encourage personal freedoms, and he showed little interest in activities unrelated to self-improvement. He was also thrifty and, even after he became Prime Minister of Canada, complained about spending \$128 on a political banquet in 1876.

Mackenzie started his political career in 1851 as a campaigner for George Brown's Reformer Party. During the 1861 election, Mackenzie won the seat for Lambton in the province's Legislative Assembly and quickly rose to become one of Brown's lieutenants, supporting representation by population, government retrenchment and fiscal responsibility, and the supremacy of the Parliament over financial interests. He was a strong speaker and a good parliamentary tactician, but often lacked the flair to inspire those around him.



Image held by Library and Archives Canada.

Mackenzie supported Confederation because it guaranteed key Reform goals like representation by population, but he disliked the “Great Coalition” because it required Reformers to ignore differences with their Conservative rivals. After George Brown failed to win a seat in the 1867 election, other leaders like Mackenzie, Edward Blake, Luther Hamilton Holton, and Antoine-Aimé Dorion initially shared the leadership role, though Mackenzie led the party in parliament. During this period, he frequently spoke for Ontario Reformers, complaining against Louis Riel's continued freedom or the sheer cost of the railway promised to British Columbia in order to bring the colony into Confederation.

It was not until March 1873 that the Liberal Party formally selected Mackenzie to lead the party. Within a month of Mackenzie's election, the Pacific Scandal severely weakened the Conservatives. The following January, the Liberals won the subsequent election and Alexander Mackenzie, with his reputation for honesty, became Prime Minister of Canada. His cabinet, however, struggled to coalesce, and disunity plagued the government. Nevertheless, his government, achieved several important reforms, including the establishment of Canada's Supreme Court.

In 1878, Mackenzie called for an election which his government subsequently lost to the Conservative Party. Although he returned to his seat in Lambton, he soon resigned as party leader. During the next decade, he became increasingly isolated and, with his voice failing, rarely spoke in Parliament after 1882. He died on 17 April 1892, after several months of being bedridden from a fall near his home.



Primary Source: Alexander Mackenzie's Views on Confederation

When the House of Commons in Ottawa debated accepting British Columbia into Confederation, Alexander Mackenzie said the following points:

UNION IN GENERAL

"In 1865 the Parliaments of Canada, Nova Scotia, and New Brunswick were told the same story with reference to the resolutions which formed the basis of Confederation, but those resolutions were afterwards altered by the delegation¹ at London, and he was not prepared to accept these resolutions in the nature of a treaty which this House could not alter. He believed on the other hand that it was essential for the future prosperity of the Dominion, that this colony should be admitted into the Union and that there should be the best possible understanding as to the terms of admission to prevent future complications, and he should not be prepared to acquiesce² quietly in the resolutions which had been prepared by the hon. gentlemen opposite. By these resolutions, the basis of our political system would be violated as was done in the case of Manitoba last session, and after the struggle which had to be gone through to secure that basis, he should certainly oppose any further attempt to alter it, that is representation by population as regards the House of Commons. Some deviation he acknowledged might be made in the Senate. The Hon. Minister of Customs tells us that the population of Whites, Chinese, and Indians³ is 60,000 in that country, but we have never given representation under our system to Indians. If such were allowed we could claim several more members for Ontario. He would consent to a considerable grant of money to carry on the Government of a new colony, and particularly of such a difficult country as Columbia, and he would not show himself less liberal than any other member of this House in considering what ought to be done in the present case. In the discussion in reference to Newfoundland, he preferred allowing a sum to carry on the Government rather than make over the public hands, as while the revenue was \$3,000 per annum, the cost of management was \$6,000, and he took the same view with regard to the land grant for the construction of the railway to the Pacific."

House of Commons, 28 March 1871, pg. 282.



Image held by Library and Archives Canada.

¹ Delegation = political representatives

² Acquiesce = to accept but not without being upset

³ Indians = an archaic term for First Nations Peoples

RAILWAY VS. ROAD

“Resolved that this House, while willing to give its best consideration to any reasonable terms of union with British Columbia, is of opinion that the terms embodied in the said address are so unreasonable, and so unjust to Canada, that this House should not agree thereto.”⁴

House of Commons, 1 April 1871, pg. 315.

“From all he knew of the country after descending from the Rocky Mountains the country was valueless for agricultural purposes. The gold mines have certainly proved very remunerative,⁵ but they are carried on by large companies, and the large importations of breadstuffs into the colony corroborated the barrenness⁶ of the land. He thought the Government should be prepared to give every information as to the mode they propose of constructing the Railway, and whether any propositions⁷ had been received for its construction. He denounced⁸ the Government for desiring to undertake the completion of the work in ten years, and should certainly record his protest against such an arrangement, and he considered that to give such an immense grant as was proposed to any Company would be to retard the settlement of the country, as was found to be the case in the western States. He doubted very much if the Province of Ontario would grant the land as anticipated by the Minister of Customs, and if they did the greater part of it was valueless for cultivation, and certainly would not realize \$1 per acre as estimated. The Northern Pacific road was largely built by English capital before the land and money grant of the United States was obtained, and the difficulties were not to be compared to those which would be met on the Canadian Railway.

“The Canadian Pacific Railway would cost from six to seven times as much as the Intercolonial, and he was not prepared to involve the country so deeply. He then moved an amendment that all the words after ‘that’ be expunged⁹, and the following substituted, ‘the proposed terms of union with British Columbia pledge the Dominion to commence within two years and complete within ten years the Pacific Railway, the route for which has not been surveyed nor its expense calculated. The said terms also pledge the Government of Canada to a yearly payment to British Columbia, of the sum of \$100,000 in perpetuity¹⁰, equal to a capital sum of \$2,000,000 for the cession¹¹ of a tract of Wasteland on the route of the Pacific Railway to aid in its construction, which British Columbia ought to cede¹² without charge, in like manner as the lands of Canada are proposed to be ceded for the same purpose. This House is of opinion that Canada should not be pledged to do more than proceed at once with the necessary surveys and after the route is determined, to prosecute the work at as early a period as the state of the finances will justify.’”

House of Commons, 28 March 1871, pg. 282.

“Mr. MACKENZIE stated that what he had said was that after descending the slopes of the Rocky Mountains, the country was the roughest on the continent.”

House of Commons, 30 March 1871, pg. 299.

⁴ Should not agree thereto = should not agree to them

⁵ Remunerative = providing money

⁶ Corroborated the barrenness = did not have much food

⁷ Propositions = plans

⁸ Denounced = said to be wrong

⁹ Expunged = deleted

¹⁰ In perpetuity = forever

¹¹ Cession = the formal giving up of territory

¹² Cede = give up

"He was in favour of opening up communication immediately through the country lying between the head of Lake Superior and Red River. From that point to the Rocky Mountains the way was comparatively easy and quite clear enough for the use of emigrants passing into the North West country. On the Pacific slope, there was no doubt that it would be necessary to expend large sums of money from time to time as the Financial condition of the Dominion permitted in opening up a good route to this side of the Rocky Mountains.

"But this country should not be bound to construct, within so short a time, such a gigantic work. The Grand Trunk had never yet paid one per cent on the capital expended on it, though passing through a well peopled country and having no scarcity of traffic, yet the hon. gentlemen opposite wished to lead the House to believe that this Pacific Railway which was to run for 2,500 miles through an uninhabited wilderness, would be a paying enterprise.¹³ We had unfortunately 200 mile lying between the head of Lake Superior and Winnipeg, which was an uninhabitable desert. Now, he would recommend a cheap narrow gauge¹⁴ railway with steamers on the smaller lakes, as the proper means of communication with the open prairie extending west of Fort Garry and through which it would be unnecessary to construct a road for years to come. He considered this attempt as one of the most foolish things that could be imagined—and what was it for? In order to get some 10,000 people into the Union, they were actually agreeing to pay \$10,000 a head on their account.

"Such terms argued either insane recklessness on the part of the Government and their supporters, or a painful want of patriotism, which would damage the country and the character of the hon. Minister of Militia. For thirty years to come it would be unnecessary to construct the greater portion of this line. The only part of the road which would need to be constructed immediately was in British Columbia itself. He would be prepared to consider that as soon as estimates of the cost, &c., should be submitted to this House. Holding these views, he moved that all the words after 'that' be omitted, and the following inserted: 'having regard to the vast importance of the questions involved in the said Resolutions, (including the obligation to construct within ten years the Pacific Railway, the cost of which is estimated to exceed one hundred millions of dollars), time should be afforded to the people and their representatives for consultation before coming to a final decision; and that the consideration of the said Resolutions should, therefore, be postponed to the next Session.'"

House of Commons, 31 March 1871, pgs. 309–310.

¹³ Enterprise = business

¹⁴ Narrow gauge = width of the railroad track

SECTION 1: ALBERTA AND SASKATCHEWAN



Frederick W. A. G. Haultain in Brief

This summary borrows from the Canadian Encyclopedia entry listed in the “Additional Resources” section of this mini-unit.

Frederick William Alpin Gordon Haultain was born on November 25, 1857 in Woolwich, England. In 1860, his family moved to what is now Peterborough, Ontario. After completing three years of school at the University of Toronto, Haultain became a lawyer in 1882 and was called to the North-West Territories Bar in 1884. He was first elected to the Legislative Assembly of the Northwest Territories in 1888, and went on to win the next five elections, becoming the territory's first premier in 1897. Haultain's administrations were non-partisan, attracting support of Liberals and Conservatives alike. As premier, Haultain led the territory's pursuit of provincial status, contending that the federal government was not properly attending to the region's needs and insisting that his government would gain the additional funds to remedy these problems and encourage further “settlement.” He also contended that the Prairie territories should admitted as a single province named Buffalo, instead of as two provinces, because he believed that a single province could better resist the influences of larger provinces like Ontario and Quebec.

Sir Wilfrid Laurier's Liberal government disagreed, and instead created Alberta and Saskatchewan. Frustrations with this decision pushed Haultain towards the Conservatives and, after leaving his position in the Northwest Territories, Haultain led the opposition Provincial Rights Party from 1905 to 1912 in Saskatchewan. He subsequently became the chancellor of the University of Saskatchewan and Chief Justice of the Saskatchewan Court of Appeal. Haultain retired in 1938, and he died in 1942.

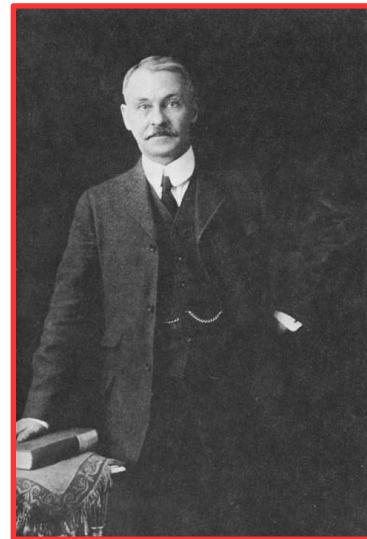


Image held by the
Saskatchewan Archives



Primary Source: Frederick W. A. G Haultain's Views on Confederation

When the Northwest's Legislative Assembly debated provincial status, Frederick Haultain said the following points:

SUMMARY STATEMENT

"We have a clear and definite policy and we are united on it. We believe in one province with all rights of other provinces: we believe in the full control of the lands, the mines, the minerals and all the royalties of this country: we believe in adequate compensation for all the public lands that have been used for Federal purposes: we believe in getting a fair adjustment of any outstanding¹ debt there may be against the Territories; we believe in the subsidy² being given, not on a population of 400,000 people, but that it should be as large as that received by any other province; in fact, we believe in being treated the same as the other provinces, and that is the proposition we made to the Federal Government, with the provision that we be made into one province and not into a number of small ones. I believe that in this we are backed up by a loyal following in this House and knowing the justness of our claim we rest assured of the outcome. (Cheers.)"³

The Leader, 3 April 1902.

REASONS FOR BECOMING A PROVINCE

"As practical men they must conclude that the present institutions would not do if joined with the financial embarrassment. Outside of the method of direct taxation⁴ the only method open was to negotiate for entrance to Confederation. There was no question that when we went in we would receive more money than we receive now. Whether we would receive all that the Territories were entitled to was a different question, depending on the Government and the Legislature of the day, depending on the men entrusted with the negotiations. The settlement would not be consummated to-day, nor possibly next year, but the question was one which it seemed to him the new Legislature would have to take up, and he thought it was the most important question that the new Legislature would have to deal with. He made this statement for the Government as showing that the future attitude of this Government would have the end of provincial establishment in view."

The Leader, 13 September 1898.

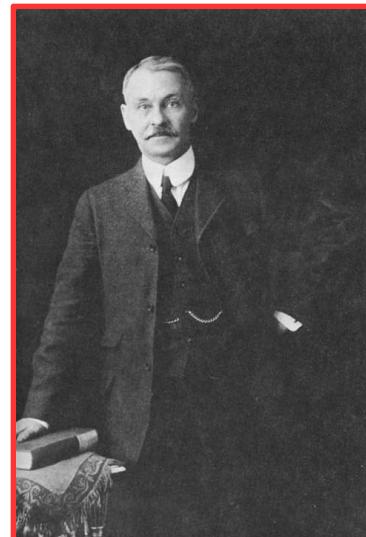


Image held by the
Saskatchewan Archives

¹ Outstanding = unpaid

² Subsidy = money given by an entity

³ Cheers = applause from fellow politicians.

⁴ Direct taxation = direct taxes are paid directly by the people to their government

"Mr. Haultain rose and was received with cheers. He moved the following resolution:⁵

1. "Whereas⁶ by the British North America Act 1866 it was, among other things, enacted that it should be lawful for... the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them into the Union on such terms and conditions in each case... as the Queen should think fit to approve..."
8. "And whereas under the several authorities so given the Parliament of Canada has created political institutions in these Territories bearing⁷ a close analogy to those which exist in the several Provinces of the dominion;
11. "And whereas repeated representations have been made in various ways to the Government of Canada with a view to obtaining just and equitable financial assistance towards providing for the proper and effective administration of local affairs in the Territories and for the public necessities of their rapidly increasing population;
12. "And whereas such representations have been met by intermittent⁸ and insufficient additions to the annual grant the provision so made by the Parliament of Canada, never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institutions created by itself;
13. "And whereas it is desirable that a basis should be established upon which the claims of the Territories to suitable financial recognition may be settled and agreed upon;
14. "Therefore be it resolved that an humble address to His Excellency the Governor General be adopted by this House praying him that he will be pleased to cause the fullest enquiry⁹ to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as will provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of government and legislation assumed, with respect of these Territories, by the Parliament of Canada;
15. "And be it further resolved that, whereas by the British North America Act 1871 it was (amongst other things) enacted that the Parliament of Canada may from time to time establish new Provinces in any Territories forming for the time being part of the Dominion of Canada but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of such Province, His Excellency be also prayed to order, enquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories, or any part thereof shall be established as a Province, and that before any such Province is established opportunity should be given to the people of the Territories through their accredited¹⁰ representatives of considering, and discussing such terms and conditions."

The Leader, 30 April 1900.

"... The Territories were simply the creature of the dominion parliament, and without reference to the Territories, were it so inclined, it [Parliament] could make a province or provinces. But they [the territorial government] did claim as a moral right to be treated in analogy to the other provinces; they claimed the right to discuss and negotiate; and if they had not the power to dictate terms, or to be one party to an agreement, they claimed to be treated in the same way as citizens in other parts of the Dominion were treated. The resolution had left out anything that could be called the controversial¹¹ side of the question. The question whether there should be one, two,

⁵ Note: Haultain's resolution is much longer than the text reprinted here. This handout only reproduces certain key sections.

⁶ Whereas = in view of the fact that; common term used in resolutions

⁷ Bearing = having as a characteristic

⁸ Intermittent = something that is not continuous, that comes and goes

⁹ Enquiry = investigation

¹⁰ Accredited = officially recognized

¹¹ Controversial = something that causes discussions and on which people disagree

three or a dozen provinces was not for them to discuss. It was one of the most difficult things in drawing that resolution to so do it as to avoid controversy."

The Leader, 30 April 1900.

PROVINCIAL AUTONOMY

"We have a clear and definite policy and we are united on it. We believe in one province with all rights of other provinces: we believe in the full control of the lands, the mines, the minerals and all the royalties of this country: we believe in adequate¹² compensation¹³ for all the public lands that have been used for Federal purposes: we believe in getting a fair adjustment of any outstanding debt there may be against the Territories; we believe in the subsidy¹⁴ being given, not on a population of 400,000 people, but that it should be as large as that received by any other province; in fact, we believe in being treated the same as the other provinces, and that is the proposition we made to the Federal Government, with the provision that we be made into one province and not into a number of small ones. I believe that in this we are backed up by a loyal following in this House and knowing the justness of our claim we rest assured of the outcome.¹⁵ (Cheers.)"

The Leader, 24 March 1902.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

"He indicated that this Government would demand the cession¹⁶ to the Territories of all lands, minerals, etc., as have the original provinces—entering Confederation, and would base the claim upon a legal and constitutional right,—a right which he inferred¹⁷ might be prosecuted¹⁸ before the highest tribunal in the realm if necessary."

The Leader, 13 September 1898.

"Every one of the older provinces had their lands, and Manitoba had a payment in lieu of¹⁹ them. One of the reasons the C.P.R.²⁰ was constructed was because of a pledge²¹ given to British Columbia. There was not a line within that province, and it agreed to give a certain amount of its land for the construction of the C.P.R. For that reason and on that account the Dominion paid British Columbia \$100,000 a year, which the people of the North-West Territories helped to pay: for that rocky belt along which the line ran. In the case of the Territories the whole land grant was simply made, and the claim was that the federal authorities own this country, and dealt with it for Dominion purposes. The question arose²² why should not the Territories be granted a portion of these lines? Why should any distinction be made between the Territories and the provinces?"

The Leader, 30 April 1900.

¹² Adequate = sufficient

¹³ Compensation = remuneration

¹⁴ Subsidy = money given by an entity

¹⁵ Outcome = result

¹⁶ Cession = act of giving something, in this case lands, to someone else

¹⁷ Inferred = concluded

¹⁸ Prosecuted = brought to trial

¹⁹ In lieu of: =in place of

²⁰ C.P.R. = Canadian Pacific Railway

²¹ Pledge = promise

²² Arose = came into existence

BENEFITS OF ONE PROVINCE

"How much does the Territories contribute to the interest of provincial debts and how much will the Dominion wish to charge back as an offset²³ to the amounts spent for opening up this country? How much is to be claimed on account of lands? These were the questions which could not be settled in a day. There were, however, only the two alternatives—go on and obtain larger financial recognition as we are,—and if we can not get it, take the only step open and become a province—one province of the whole Territories as they stand to-day, not cut off in any portion, either in the north (Yukon) or in the East to the benefit of Manitoba—one strong province, with all the resources of its gold mines in the Yukon, and the golden wheat fields of Eastern Assiniboia, which if they do not yield nuggets,²⁴ yet do yield 40 bus.²⁵ to the acre."

The Leader, 6 December 1897.

"As a member from Alberta he was not prepared to advocate any scheme which meant the division of Alberta from the rest of the Territories and making it into a province.... The diversity of interests which existed between various parts of the Territories had been spoken of as giving a good strong ground for dividing the Territories up. What sort of a province did the hon. Gentleman wish it to be? Did they want to have one sheep farm, or one wheat field, or one sort of a field devoted²⁶ to some other sort of industry which their own insignificance would allow them to describe? If they wished to have a good strong province, strong in its own resources, they should have a diversity of resources (hear, hear.)²⁷ Much better than having a comparatively small amount of land devoted to one or two interests would it be if they could have very large area such as the organized Territories were to-day with their diversity of interests, but not conflict of interests. They should look forward to having a very much stronger and better province than there would be if they had to be divided up. Was there as much diversity of interest or conflict of interest, if they liked to use the expression, between the most remote²⁸ portions of the Territories as there was between any sections of the older provinces? There was no conflict. He did not think any member of the House could state that at any time in the history of the House there was any conflict of interest between those portions of the Territories known as Alberta, Assiniboia and Saskatchewan...."

The Leader, 8 October 1896.

"If they were going to confine themselves at once to the particular rights or the particular claims of smaller portions of this country they might take the position proposed by the hon. members from Banff and Lethbridge, and cut the whole country into small plots so that every man might be a province unto himself with three acres and a cow."

The Leader, 8 October 1896.

SEPARATE SCHOOLS

"There was a policy connected with the Normal school²⁹ item—connected with their School policy, to give to every child a good, plain, practical education—, to give it to all children associated together without regard to race, religion or position. He thought their school policy had been attended with remarkable success, in that the animosities³⁰ arising from certain difficult and

²³ Offset = compensation

²⁴ Nuggets = a solid lump (of gold in this case)

²⁵ Bus. = bushels

²⁶ Devoted = dedicated

²⁷ Hear, hear = fellow MPs agreeing with Haultain.

²⁸ Remote = distant, far away

²⁹ Normal school = public school in charge of teacher training

³⁰ Animosities = strong dislikes

delicate questions in other portions of Canada had been avoided here without any less practical or satisfactory results. To-day the Territorial school system was, if not in name, in reality a National school system. They had a policy for the training of teachers, which had already resulted so well that the Territories are practically independent as regarded the supply of teachers, with the supply of higher grade teachers exceeding the demand."

The Leader, 13 September 1898.

Wilfrid Laurier in Brief



This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Wilfrid Laurier was born in the parish of Saint-Lin (Laurentides), Lower Canada on 20 November 1841. His father, Carolus, was a bilingual, literate farmer and surveyor who was eager to improve his family's modest economic prospects and went on to become the municipality's first mayor. He also closely followed and sympathized with the *Parti Patriote*, whose rebellion transpired just before Wilfrid's birth.

Early in his childhood, Carolus moved Wilfrid to a school in New Glasgow, a few miles from the family's home, where English language and customs prevailed, and these experiences gave him a fondness for and familiarity with both of Canada's European cultures. He subsequently attended Collège de L'Assomption, where he excelled, though he left the conservative and ultramontane institution with a strong passion for liberalism. He subsequently studied law at McGill College and met Zoé Lafontaine, who he would later marry. After passing his law examinations, Laurier initially practiced law in Montreal before moving to Arthabaskaville (Arthabaska).

Laurier, along with other *Rouges*, initially opposed Confederation, arguing that it would lead to the assimilation of French Canada into an English-Protestant country. Like the *Rouge* leader, Antoine-Aimé Dorion, he decided to work accept his new country. After a brief time in the provincial legislature, Laurier won the federal seat for Drummond—Arthabaska in 1874 and quickly established himself as a moderate liberal intent on winning Quebec over to his party. Prime Minister Alexander Mackenzie recognized Laurier's talent and appointed him Minister of Inland Revenue, bringing him into the inner circle of Canadian politics. During the Liberals' long time in opposition, Laurier continued to emphasize French-Canadian perspectives by contesting, for example, Louis Riel's execution in 1885, while also emphasizing the compatibility of French and English Canada.

When Edward Blake decided to resign as Liberal leader, he surprised many by selecting the French-Canadian Laurier. Indeed, Laurier initially refused, but Blake persisted and Laurier eventually accepted, though he continued to worry that English-Canadians would not accept his leadership. Canadian politics made this especially challenging. Debates concerning the use of French language in the Northwest and Manitoba constantly threatened to divide Canadians. On these occasions, Laurier generally pursued compromise and slowly won the favour of Canadian voters. The tactics paid off during 1896 election when, with the Conservatives in disarray following Macdonald's death, the Liberals won the election.

When it came time to create Alberta and Saskatchewan in 1905, Prime Minister Laurier again tried to find compromise when divisions arose around the question of French language and separate schools in the Northwest. The government's initial bill defied Haultain and protected separate schools by reintroducing measures that Haultain's governments had previously overturned. When Clifford Sifton resigned from the cabinet over provincial control of education and others threatened to follow, however, Laurier bowed to political reality and removed these protections. He nevertheless insisted on the establishment of two (rather than one) province, as well as federal control of Crown lands and natural resources. Laurier continued as prime minister until 1911, and he remained as leader of the Liberal Party and a protector of French Canadian interests until his death in 1919.



Image held by Library and Archives Canada.



Primary Source: Wilfrid Laurier's Views on Confederation

When the House of Commons debated creating Alberta and Saskatchewan, Wilfrid Laurier said the following points:

SUMMARY STATEMENT

"There is only one great measure which it is proposed to introduce and that is a Bill granting autonomy to the western territories. We think the time has come when the western territories should have full partnership in confederation, when we should admit them as members of the Canadian family as full provinces."

House of Commons, 16 January 1905, pg. 39.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

When we came to consider the problem before us it became very soon apparent to me, at all events, that there were four subjects which dominated all the others; that the others were of comparatively minor importance, but that there were four which I was sure the parliament of Canada and the Canadian people at large might be expected to take a deep interest in. The first was: How many provinces should be admitted into the confederation coming from the Northwest Territories—one, or two or more? The next question was: in whom should be vested¹ the ownership of the public lands? The third question was: What should be the financial terms to be granted² to these new provinces? And the fourth and not the least important by any means was the question of the school system which would be introduced—not introduced because it was introduced long ago, but should be continued in the Territories."

House of Commons, 21 February 1905, pg. 1426

"In whom should the ownership of the lands be vested? Should they belong to the provinces or to the Dominion? A strong plea³ was presented to us on behalf provinces. It was represented that as a matter of law and of equity, the public lands in these two provinces should belong to their governments. This plea was no doubt suggested by the fact that at the time of confederation, all the parties to the original contract, that is to say, the provinces of Nova Scotia, New Brunswick, Ontario and Quebec, each retained⁴ her own lands; and when at a later day the province of British Columbia was admitted to the Dominion, she also retained her lands. But, Sir,



Image held by Library and Archives Canada.

¹ Vested = given power over something

² Granted = given

³ Plea = petition

⁴ Retained = kept

the cases are not at all parallel. When the provinces which I have named came into confederation, they were already sovereignties. I use that term, because barring⁵ their dependence as colonies they were sovereignties in the sense of having the management of their own affairs. Each had a department of government called the Crown Lands Department, which was entrusted⁶ with the power of dealing with those lands, either for revenue or for settlement. But the case of these new provinces is not at all similar. They never had the ownership of the lands. Those lands were bought by the Dominion government, and they have remained ever since the property of the Dominion government, and have been administered by the Dominion government. Therefore I say the two cases are not in any way parallel; they are indeed absolutely different. When the provinces which I have named came into confederation they retained the ownership of their lands; but when the two new provinces come into the Dominion, it cannot be said that they can retain the ownership of their lands, as they never had the ownership.

"Therefore, the proposition that in equity and justice these lands belong to the provinces is not tenable.⁷ But for my part I would not care, in a question of this importance, to rest the case on a mere abstract proposition. We must view it from the grounds of policy; and from the highest grounds of policy, I think it is advisable that the ownership of these lands should continue to be vested⁸ in the Dominion government. We have precedents⁹ for this. This is a case in which we can go to the United States for precedents. They are situated very much as we are regarding the ownership of lands and the establishment of new states. Whenever a new state has been created in the American Union, the Federal government has always retained the ownership and management of the public lands. And when we take the records of our own country, we know that when Manitoba was brought into the Dominion, that province was not given the ownership of her lands, but it remained in the Dominion government..."

"The current of immigration is now flowing, into these Territories in an unprecedented volume, and we are therefore compelled¹⁰ to say to the new provinces that we must continue the policy of retaining the ownership and control of the lands in our own hands. It is conceivable that if these lands were given to the new provinces, the policy of either one of them might differ from ours and clash with our efforts to increase immigration. It might possibly render these efforts nugatory.¹¹ For instance, if either of the new provinces, under the strain¹² of financial difficulty, were to abolish the free homesteads, which have proved so beneficial and so great an inducement¹³ to immigration, one can readily understand what a great blow that would be to our immigration policy. Or if the price of government lands for sale were to be increased over the present very moderate rate, that would also be another blow to that policy. But I frankly admit, and we must all recognize, that the provinces in the west, in being deprived of the public lands, are deprived of a valuable source of income. And in that way they complain that they are put on a footing of inequality as compared with the older provinces of the Dominion. Realizing that fact, it is the duty of parliament to make ample, even generous, provision which will compensate the provinces for the retention of¹⁴ the lands by the Federal government, and I believe that in making this provision we shall have the full support of hon. members whether on one side or on the other."

House of Commons, 21 February 1905, pgs. 1432–1433.

⁵ Barring = aside from

⁶ Entrusted = given with confidence

⁷ Tenable = defendable

⁸ Vested = given power over something

⁹ Precedents = past examples

¹⁰ Compelled = caused

¹¹ Nugatory = of no value or importance

¹² Strain = excessive tension

¹³ Inducement = incentive or motivation

¹⁴ Retention of = continued control over

BENEFITS OF TWO PROVINCES

"How many provinces should be admitted into the confederation? There is considerable variety, as everybody knows, in the area of the different provinces of the confederation. Prince Edward Island has an area of 2,184 miles.... British Columbia 372,630.... Now, the Territories which are today under the control and jurisdiction of the local legislature have exactly the same area as that of the seven provinces of the Dominion... I believe that when provinces are not the result of historic tradition, when they have not come to us formed and when we have the control of events, it is preferable that the provinces should be as near as possible about the same size. Therefore, it is impossible to suppose that this immense territory of 1,112,527 miles should be formed into one single province."

House of Commons, 21 February 1905, pg. 1427.

"Mr. Haultain refers to the fact that we proposed to establish two provinces instead of one. We differed from Mr. Haultain on this point also. We thought it would be preferable to have two provinces in that vast domain; Mr. Haultain thought it would be better to have only one province. But I appeal to the judgment of my hon. friend who has taken us to task¹⁵ because we have not adopted the ways and means of Mr. Haultain, and I ask him if he is prepared to say that there shall be one province in that immense territory instead of two—that we should create there one province which would have almost twice the area of the largest province of the Dominion."

House of Commons, 15 March 1905, pgs. 2505–2506.

PRAIRIE INFLUENCE WITHIN CONFEDERATION

"Let us not dispute¹⁶ in advance with what we have nothing to do at present. The question is how many senators shall we take for these two new provinces? We provide for giving them each six as the maximum. Manitoba has four senators. British Columbia has three; we cannot increase the number for Manitoba nor can we increase the number for British Columbia. Under such circumstances when, on the one side of the new provinces there are three senators and on the other side four, it seems to me that in giving to each of the new provinces six as a maximum, we go as far as we ought to go at present. But this is only a temporary arrangement. In my estimation¹⁷ we will have to have a new group of senators not now, but in the future; and when we form this new group we must remember that in order to keep within the spirit of the constitution we cannot base that group upon representation by population, the idea of population must be eliminated."

House of Commons, 9 May 1905, pg. 5680.

SEPARATE SCHOOLS

"Sir, we [the Liberal party] have taken the ground on more than one occasion, we again take this ground and it is the ground upon which we stand in dealing with the present case, that wherever a system of separate schools exists that system comes into force and is constitutionally entitled to the guarantees which are embodied¹⁸ in section 93 of the British North America Act. Be that system much, be it little, whatever it is, it is entitled to those guarantees."

House of Commons, 22 March 1905, pg. 2925.

¹⁵ Has taken us to task = has denounced or reproached us for something

¹⁶ Dispute = argue about something

¹⁷ Estimation = rough calculation

¹⁸ Embodied = incorporated

"The privilege is given to the minority, to a certain minority, that is to say to the Protestant or Catholic minority. There must be some reason for the difference. In the discussion which is going on to-day in certain parts of the country you often hear: But if you give that privilege to the minority, Why not give it to the Jews, the Mormons and the Greek Church? I am not concerned with these; that is a matter for the local legislature? But so far as this parliament is concerned, we have only to deal with the law as we find it, that is to say the privileges given to the Protestant or to the Catholic minority, not to any other. When this law was first established in the province of Quebec and the province of Ontario, and subsequently in the province of Manitoba, the great body of the Canadian population was divided between Catholics and Protestants. There were very few people of other denominations.¹⁹ There are more now, but at that time there were no denominations to be reckoned with²⁰ except the great body of Protestants and the great body of Roman Catholics and the law was made for them. Now if you give the privilege to the minority whether it be Protestant or whether it be Catholic to secede²¹ from a school which has been established by the majority since the privilege is given to the Protestants or to the Catholics, it is because there must be in the school something offensive to the con-science of the Protestant or of the Catholic. You cannot conceive any reason for distinction and separation except for that."

House of Commons, 8 June 1905, pg. 7146.

"I say that this parliament should, according to that constitution, give to the minority in the new provinces the same rights and privileges that are given to the minorities in the new provinces of Quebec and Ontario. Sir, what seems to me this very proper legislation is opposed throughout the length and breadth of our country—no, I will not say that,—but in certain portions of our country—and in the name, I might almost say the sacred name, of provincial rights. But it is remarkable that the men who at this day, are insisting the most upon what they call provincial rights have taken no heed²² of the fact that, in the very letter of the constitution on which they rely there is an abbreviation of provincial rights wherever there exists in any province a system of separate schools. Provincial rights are the basis of our constitution. All parties now admit these rights and recognize them, whatever may have been their position in the past. But, Sir, it is an old saying that there is no rule without its exception; and, in the very letter of the constitution, an exception has been made concerning provincial rights wherever there is a system of separate schools in any province. Now here is the law upon this point."

House of Commons, 22 March 1905, pg. 2917.

"The government has been warned, threatened from both sides of this question, from those who believe in separate schools and from those who oppose separate schools. These violent appeals²³ are not a surprise to me, at all events, nor do I believe they are a surprise to anybody. We have known by the experience of the past, Within the short life of this confederation, that public opinion is always inflammable whenever questions arise²⁴ which ever so remotely²⁵ touch upon the religious convictions of the people. It behooves²⁶ us therefore all the more at this solemn moment to approach this subject with care, with calmness and deliberation and with the firm purpose of dealing with it not only in accordance with the inherent²⁷ principles of abstract justice, but in accordance with the spirit—the Canadian spirit of tolerance and charity, this Canadian

¹⁹ Denominations = parts of Christianity, for example, Catholic, Methodist, Mennonite

²⁰ Reckoned with = could not be ignored

²¹ Secede = formally separate

²² Heed = notice or attention

²³ Appeals = asks with a sense of urgency

²⁴ Arise = come into existence

²⁵ Remotely = in a distant way

²⁶ Behooves = benefits

²⁷ Inherent = natural attribute or characteristic

spirit of tolerance and charity of which confederation is the essence and of which in practice it ought to be the expression and embodiment.”²⁸

House of Commons, 21 February 1905, pg.1442.

“I reminded the House a moment ago that it was not the intention of the fathers of confederation, it was not the intention of Sir John Macdonald or Mr. Brown²⁹ to limit confederation to the narrow bounds it had in 1867. They had made provision in the very instrument of confederation, to extend it over the northern part of the continent; they had made provision to take in British Columbia, Newfoundland and Prince Edward Island; they had made provision to take in also the Northwest Territories, which were then uninhabited, but which now have a teeming³⁰ population and are at our doors asking admission. Is it reasonable to suppose, if the Confederation Act recognizes that other provinces were to come into confederation similarly situated to Ontario and Quebec, that the same privileges should not be given to the minority as were given to the minority in Ontario and Quebec? What would have been the value of the invitation to enter confederation, if the provinces invited to enter, had been told that the security to the minority given to Ontario and Quebec was a privilege which they need not expect from us?”

House of Commons, 21 February 1905, pg. 1451.

“I am not here to advocate separate schools as an abstract proposition but we have introduced into this Bill the two propositions, that the minority shall have the power to establish their own schools and that they shall have the right to share in the public moneys. It is the law to-day. It is in accord with the constitution, with the British North America Act, and I commend it even to the biased³¹ judgement of my hon. friend: If we were in the year 1867 and not in the year 1905, and, if we had to introduce into this dominion the provinces of Alberta and Saskatchewan, would my hon. friend tell me that these provinces would not have the same rights and privileges in regard to separate schools as were granted to Ontario and Quebec? Would he tell me that when you say to Ontario and Quebec: You shall have your separate schools, Alberta and Saskatchewan should be denied that privilege? The thing is preposterous.³² Let us rise above such considerations. In everything that I have said I have refrained³³ from saying a single word upon the abstract principle of separate schools. I approach the question upon another and a broader ground, I approach the question not from the view of separate schools, but I approach it on the higher ground of Canadian duty and Canadian patriotism. Having obtained the consent of the minority to this form of government, having obtained their consent to the giving up of their valued privileges, and their position of strength are we to tell them, now that confederation is established, that the principle upon which they consented to this arrangement is to be laid aside and that we are to ride roughshod³⁴ over them? I do nothing that is a proposition which will be maintained in this House, nor do I believe it is the intention of the House. I offer at this moment no opinion at all upon separate schools as an abstract proposition, but I have no hesitation in saying that if I were to speak my mind upon separate schools, I would say that I never could understand what objection there could be to a system of schools wherein, after secular matters have been attended to, the tenets³⁵ of the religion of Christ, even with the divisions which exist among His followers, are allowed to be taught. We live in a country wherein the seven provinces that constitute our nation, either by the will or by the tolerance of the people, in every school,

²⁸ Embodiment = visible and/or tangible representation

²⁹ George Brown = the leader of Upper Canadian Reformers (present-day Ontario Liberals)

³⁰ Teeming = abundant

³¹ Biased = partial

³² Preposterous = absurd

³³ Refrained = resisted the temptation

³⁴ Ride roughshod = ignore the rights of others

³⁵ Tenets = principles

Christian morals and Christian dogmas³⁶ are taught to the youth of the country. We live by the side of a nation, a great nation, a nation for which I have the greatest admiration, but whose example I would not take in everything, in whose schools for fear that Christian dogmas in which all do not believe might be taught, Christian morals are not taught."

House of Commons, 21 February 1905, pgs. 1457–1458.

³⁶ Dogmas = points of view or beliefs held by a group and recognized as true by an authority such as a church

Henri Bourassa in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Henri Bourassa was born on 1 September 1868 in Montreal. His family was active in politics, with different members supporting the Conservatives and *Patriotes*. Bourassa began his formal education in 1876 and studied under a variety of private instructors and institutions. He generally left the latter before completing their programs, however, and was largely self-taught, with a thirst for reading on a wide range of topics.

During the 1880s and early 1890s, Bourassa began to take charge of the Petite-Nation seigneurie. In so doing, he learned about farming, colonization and local institutions. He established a model farm that he continued to work until 1898, and would subsequently use the knowledge he gained to launch himself into politics.

The Riel affair of 1885 as well as Wilfrid Laurier’s rise as Liberal leader—whom Bourassa had known since childhood, led Bourassa to enter politics. First elected as mayor of Montebello, he became known as a skilled orator. He agreed to stand for the riding of Leballe in the 1896 election as Liberal, though he refused to accept party funds and insisted that he would vote according to his convictions rather than party lines. Laurier tolerated this unusually strong independence from the new candidate.



Image held by Library and Archives Canada.

In addition to successfully running for the Leballe seat, Bourassa took up journalism, co-owning a series of publications that emphasized obedience to the Catholic Church (ultramontanism) and the defence of French Canadian rights. His early decision to emphasize ultramontanism over moderate liberalism and compromise, however, frequently put him at odds with Laurier, and he soon resigned his seat in 1899, only to be re-elected as an Independent in January 1900 and then rejoin the Liberal Party later that same year. From that point forward, Bourassa communicate his vision of English-Protestant and French-Catholic relations to Canadians.

He clearly communicated this vision during the 1905 debates concerning the creation of Alberta and Saskatchewan. Laurier, who initially wanted to protect Catholic education rights on the Prairies, consulted Bourassa when drafting the initial legislation. The move, however, precipitated a crisis. Clifford Sifton resigned from the cabinet in protest, and other ministers threatened to join him. Despite pressure from Bourassa to stay the course, Laurier ultimately compromised and allowed Sifton to redraft key portions of the legislation in favour of a public school system. Bourassa openly rebelled against his party, proposed multiple failed amendments and led a mass meeting in Montreal against the Prime Minister’s decision. These moves damaged Laurier’s image, but ultimately did little for the Prairie minority.

After 1905, Bourassa’s attention increasingly shifted to provincial politics and to journalism. He launched a daily newspaper, *Le Devoir*, in 1910, and used this platform to publicize his Catholic and nationalist viewpoints during the ensuing decades. He remained an active political figure, and returned to the House of Commons as an Independent MP for a decade beginning in 1925. He died in 1952.



Primary Source: Henri Bourassa's Views on Confederation

When the House of Commons debated creating Alberta and Saskatchewan, Henri Bourassa said the following points:

SEPARATE SCHOOLS

"I am in favour of the principle of the Bill; that is, I am in favour of giving the North-west Territories their autonomy, but the Bill does not contain what in my opinion is a sufficient guarantee of the rights of the minorities that we are bound to¹ protect, and therefore I cannot vote with those who are opposed to any kind of guarantee to the minorities, nor can I vote for a Bill which in my opinion does not give a sufficient measure of guarantee."

House of Commons, 5 July 1905, pgs. 8865–8866.

"All asked, and all I still ask, is that what is given to Catholics where they are a minority in a district should be given to them in a district where they are a majority. Of course I know they are entitled to more; I know that we give more to the Protestants in Quebec, and that if we were to reduce the Protestant schools in Quebec to the condition of the Catholic schools in the Northwest Territories there would be such an agitation for disallowance² as no government here could resist. As I have stated, to my mind, the least that could be given for the protection of the minority in the Northwest would be the right to form separate schools of the character defined in the ordinance³ of 1901 in every district, whether they be a majority or a minority. That is the position I have taken. While I am sure the hon. member for Saskatchewan (Mr. Lamont), spoke in all good faith, at the same time I do not want to have him misrepresent me. In Quebec we have no such thing as church schools; but we have given and do give to the Protestant minority the full right to have schools conducted according to their wishes at which their children can receive such religious instructions as they see fit without interference from the government, and I think we should have the same thing in the west."

House of Commons, 29 June 1905, pg. 8522.

"Was it enacted that separate schools should exist in the Northwest Territories only for the time that they should be under our care and supervision? Was it only a provisional⁴ disposition? No. Mr. Blake stated that we should avoid introducing into that new country the religious disputes that had existed in the other provinces, because the parliament of Canada wanted to invite Roman



Image held by Library and Archives Canada.

¹ Bound to = likely and somewhat obligated to

² Disallowance = refusing to allow

³ Ordinance = law or regulation

⁴ Provisional = temporary

Catholics to settle in the Northwest Territories as freely as all other class of people. Was it hinted that the Roman Catholic who went there to settle would have the liberty of education, as long as the provisional government existed, but that the moment this parliament, which had given its pledge of honour that that liberty should exist for all time to come, formed a provincial government, that government would be free to wipe out this privilege? After a man had tilled⁵ the soil for twenty five or thirty years in the hope that his children would reap⁶ the benefit of his labour and have the same liberty that he had enjoyed, was it intended that the federal parliament should then say to him: 'You shall have your liberty no longer' and leave him at the mercy of the majority which has given evidence that it would not permit him to have that freedom?"

House of Commons, 28 March 1905, pg. 3260.

"I would ask any hon. member on either side of the House, why should the people of the Northwest Territories be in a different, position from those of Ontario and Quebec? Are we in Ontario and Quebec interfered with,⁷ is our liberty curtailed,⁸ because there is in our constitution some restriction as to our power of encroaching⁹ upon the rights of the minority? And, if it was found best to prevent the majority in Ontario and in Quebec from dealing improperly with the minority, why should not the majority in the Northwest Territories be checked in the same way, should they feel inclined to deal less fairly with the minority than the minorities in Ontario and Quebec are dealt with?"

House of Commons, 28 June 1905, pg. 8304.

"When you speak of the liberty granted to the Roman Catholic to go into a non-sectarian¹⁰ school there is no such thing as liberty. He may abide by¹¹ the law if he be forced to send his child to such a school, but his religious liberty is interfered with. When, by any measure in this House or in any provincial parliament you force a Roman Catholic to send his children to a non-sectarian school, you are committing an act of injustice just as direct, just as much against the conscience of the Roman Catholic, as if you would force the Protestant minority in the province of Quebec to contribute to Roman Catholic denominational schools."¹²

House of Commons, 28 March 1905, pg. 3268.

"I believe, the whole clause¹³ means that either the majority or the minority must be considered not in the light of whether they belong to this place or to that place, but whether they belong to the Protestant or Catholic religion. What is guaranteed is the right to the majority to choose what kind of schools they would have with respect to the division that has been adopted throughout the Dominion of Canada, so far as the separation of schools is concerned. If the Catholics are in the majority they can organize Catholic schools under the guidance of the state under the same limitation that is provided in the former portion of the section; and if the majority is Protestant the majority may organize either a Protestant school or a non-sectarian school, because it is well known that on this question Protestants are not a unit and that sometimes they prefer sectarian and sometimes non-sectarian¹⁴ schools."

House of Commons, 8 June 1905, pg. 7142.

⁵ Tilled = cultivated

⁶ Reap = harvest

⁷ Interfered with = stopped or slowed down

⁸ Curtailed = limited

⁹ Encroaching = going beyond a set limit

¹⁰ Non-sectarian = non-denominational

¹¹ Abide by = fully accept

¹² Denominational school = a school that observes a specific religious group's value and beliefs

¹³ Clause = portion of text in a legal document that is specific to a case or issue

¹⁴ Non-sectarian = not related to a sect/religious group

"I entirely agree with my right hon. friend the Prime Minister in the words he uttered¹⁵ this afternoon when he said that if we want to build up a nation we can only do it on the principle of conciliation¹⁶ and fair-play to everybody. But if we are to put such a principle into practice there must be one law for all—one law for Protestants and Catholics alike, one law for French, English, Scotch and Irish. What has been done by the territorial government would be qualified as an infamous act of tyranny had it been done by a Catholic government at the expense of a Protestant minority... If that had been the only attempt of the majority in the Northwest to deprive the minority of their rights, I would not be raising my voice in protest to-day. But the Protestant majority went further. They withdrew¹⁷ from the minority the right to choose their own text-books...¹⁸ They also deprived the minority of their right to choose their own inspectors to inspect their schools,¹⁹ and of the right to give normal school²⁰ training to their own teachers. They went so far as to compel²¹ the nuns to go out of the convents and take off their religious garbs if they desired to receive diplomas entitling them to teach; and this order was passed by the paternal government of Mr. Haultain. Those religious teachers who were qualified in France and England and in the province of Quebec, who had been teaching, some of them, for thirty-five years, were put on the same footing as young girls who had not diplomas, unless they chose to submit to Mr. Haultain's Russian²² ruling."

House of Commons, 28 June 1905, pg. 8320.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

"However, I may say in passing that I thoroughly agree with the position that was taken by the government on the land question. Starting from the same point of view I have just stated, namely, that we must put the stamp of Canadian nationality on these Territories, I think it was the duty of the federal government to retain²³ within their powers the right to legislate over the granting of the lands upon which one half of the population of Canada will be called upon at no distant period to live and to prosper. Although I have the greatest confidence in the public spirit and patriotism of the men who are now at the head of public affairs in the Northwest Territories, I say that before long the time may come when they will not be powerful enough to resist the pressure of the newcomers into that country, men that have perhaps no interest in the unity of Canada, who are not attached to the soil of Canada, who have had no part in the past history of Canada, and who, therefore, by numerical strength, may try to force some obnoxious²⁴ legislation on the government of these Territories. I say, therefore, that for the protection of the Northwest, for the protection of the present representatives of the Northwest, for the protection of the statesmanship²⁵ of the men who are now at the head of affairs there, it was good policy on the part of the government to retain the control and administration of the public lands in the Northwest."

House of Commons, 28 March 1905, pg. 3253.

¹⁵ Uttered = expressed

¹⁶ Conciliation = settling differences

¹⁷ Withdraw = took away

¹⁸ Note: Choosing textbooks is key to deciding what will be taught in classrooms.

¹⁹ Note: Here Bourassa is afraid that inspectors might not evaluate separate school teachers fairly, or by rules that were acceptable to Catholics.

²⁰ Normal school = public school in charge of teacher training

²¹ Compel = force

²² Russian = slang, in this case, for primitive

²³ Retain: = keep

²⁴ Obnoxious = unpleasant and potentially harmful

²⁵ Statesmanship = skillset to manage public affairs

Frank Oliver in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Frank Oliver was born September 1853 in Peel County, Upper Canada, to English and Irish parents who farmed in Chinguacousy Township. After a falling out with his father, Oliver moved to Toronto and found employment with the *Globe*, where he embraced the newspaper's Clear Grit liberalism and enthusiasm for “settling” the Prairies. In 1873 Oliver moved to Winnipeg and secured a position with the *Manitoba Free Press*. Anticipating the projected transcontinental railway, Frank set up a store close to Fort Edmonton and soon after launched the *Edmonton Bulletin*. In 1881, he married Harriet Dunlop, whose brother had worked at the *Free Press* and who subsequently had become a partner at the *Bulletin*. When the railway was rerouted further south, however, Oliver's store failed and his newspaper struggled.

These losses caused him to resent Sir John A. MacDonald's Conservatives. Oliver subsequently became the second elected member of the Council of the Northwest Territories in 1883 and he fought for public-works funding for the Edmonton district, incorporation of the town, the establishment of schools, and settlement of Métis claims for scrip. He also demanded that the Council have control over local affairs (responsible government), free from federal interference. When Oliver was defeated during the 1885 election, he continued to berate Ottawa through his newspaper. In 1888, he won a seat in the newly established Legislative Assembly. He favored abolishing the official status of the French language in the territories and advocated restricting denominational schooling while expanding the territorial government's controls. He continued to attack Conservative policies and was impressed by Wilfred Laurier.

After winning a federal seat in 1896 election, the populist Prairie MP fought for the establishment a revenue (as opposed to protective) tariff, for an end to the CPR's monopoly, and for better terms for the northwest. He soon became a well-known Liberal MP, though his focus on Alberta—and particularly his riding in Edmonton—rarely allowed him to be a unifier within the party. When Clifford Sifton unexpectedly resigned in 1905 over the government's initial bill to establish Alberta and Saskatchewan, Laurier asked Oliver to become the new Minister of the Interior and Superintendent General of Indian Affairs. This promotion reflected Oliver's popularity as well as his well-known acceptance of separate school protections and constrained provincial rights. Upon entering the cabinet, Oliver continued to defend Ottawa's revised school policy and its decision to retain control of the new provinces' crown lands and natural resources. In subsequent years, he limited immigration policies and expanded deportation powers. Despite claiming that the government spent too much on Indigenous Peoples, that educating them was a waste of resources, and that forcing Indigenous children to leave their homes to study at residential schools was a poor policy, his department ultimately increased spending on Indigenous Peoples, and the number of residential schools increased. He also amended the Indian Act to facilitate the sale, or even expropriation, of Indigenous lands. He remained the Minister of the Interior until 1911, and an MP until 1917. The Mackenzie King government subsequently appointed him to the Board of Railway Commissioners, where he worked until the age of 75. He fell ill suddenly while visiting Ottawa and died on 31 March 1933.

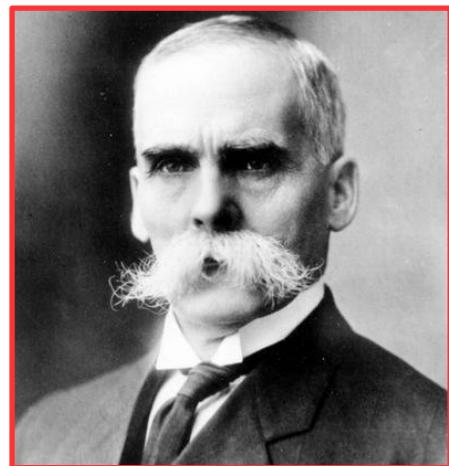


Image held by the City of Edmonton Archives



Primary Source: Frank Oliver's Views on Confederation

When the House of Commons debated creating Alberta and Saskatchewan, Frank Oliver said the following points:

PROVINCIAL AUTONOMY

"We knew that we must have the means or we cannot have the success. We must have the means with which to build roads, to provide schools, to take care of all these requirements of civilization which fall to the lot of the provinces; and without those means, without that money, if we cannot go forward as provinces, we had better not undertake the responsibility of it. We find that in the condition in which we are at the present time the Territories receive a matter of nearly a million and a quarter dollars of revenue from this Dominion, or of subsidy,¹ in the place of a provincial subsidy. Outside of that, there are expenditures² which, in the provinces, are borne out of the provincial funds, but which, so far, have come out of the Dominion treasury, and which aggregate³ something like half a million dollars."

House of Commons, 24 March 1905, pg. 3155.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

"As to the ownership of the lands; it has been urged that these lands are the property of the province, should remain⁴ the property of the province and should be administered by the province for the benefit of the revenue of the province. It matters not to me what the legal rights of the province or the Dominion respectively are in that case. The lands belong to Canada whether administered by the province or by the Dominion; the settlement of these lands is for the benefit of all Canada. Whatever method of administration will give us the best results in the way of the settlement of these lands is the policy that is best not only for the Dominion but for the province. As a representative of the west, I believe the idea of using the lands of the west as a source of provincial revenue would be a very great detriment to these new provinces and to the country at large. I am aware that the provinces must have revenue, and failing any other source I would say: Certainly we must have revenue from the lands. But if we can get adequate revenue from other sources than the lands, then we certainly do not want the lands used as a source of revenue. I can easily understand that with a change of policy on the part of the federal government, a change of policy back to What it was say twenty years ago, when it was believed to be the proper policy to

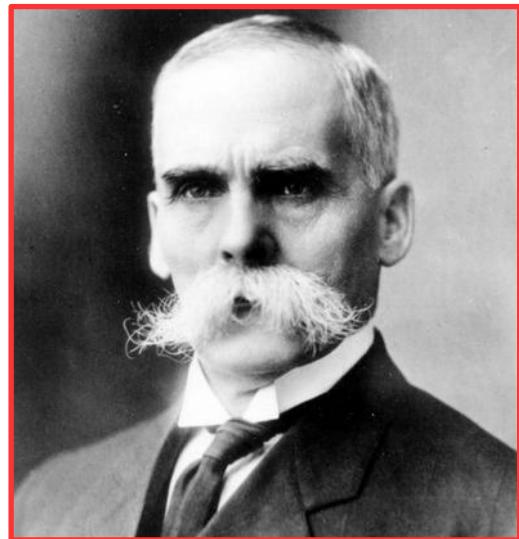


Image held by the City of Edmonton Archives

¹ Subsidy = money given by an entity

² Expenditures = expenses or costs

³ Aggregate = form once put together

⁴ Remain = continue to be

take everything that could be taken out of the land in the way of cash payment; then possibly it would be better that the lands should be in the hands of the province rather than in the hands of the Dominion. But, so long as we have a land policy the basic idea of which is the land for the settler, it is certainly better for us and for the Dominion that the lands should be administered by the federal authorities."

House of Commons, 24 March 1905, pg. 3157.

"When they hold that the land was a value in itself, I say they are mistaking the point altogether. The land only has a value in so far as it is in demand by settlers. When my hon. friend made his careful calculation as to setting apart certain tracts of land,⁵ and the Dominion government advancing money on the security of that land, he based the success of his project on the idea that the country would continue to prosper, that settlement would continue to increase, that the price of land would continue to rise. Now that supposition is all based on the success of the administration in securing progressive settlement upon the land, and if circumstances arise in which that increase of value does not continue, then his whole calculation falls to the ground. The first thing is to have such a policy and such an administration as will bring settlers into the country, as will give value to the land, as will give revenue to the Dominion, and will do all those desirable things that my hon. friend depicted⁶ as occurring if the land were in the hands of the provincial authorities. The thing is to get the settler, and the question of who administers the land is a small consideration. It is a small matter whether it is the Dominion or the province, but we say that the Dominion is in a better position to administer the lands satisfactorily and well than is the province."

House of Commons, 15 May 1905, pg. 6031.

SEPARATE SCHOOLS

"There seems to be some objection on the part of some of these gentlemen who have so petitioned parliament against separate schools. I admit that I, too, hold similar objections, but these gentlemen do not seem to be aware that those separate schools have been in existence in the Northwest Territories for 20 years to my knowledge; that they are in existence because of legislation passed unanimously 30 years ago by this parliament, as the leader of the opposition said, and repeated and reiterated,⁷ subject to repeal⁸ or amendment⁹ by this parliament at any time during the past 30 years, and there never was a word of protest from the Ministerial Association of Winnipeg, from the Orange Grand Lodge of eastern or western Ontario, from the preceptory¹⁰ of the Black Knights of Ireland in Strathcona, nor from any of those other petitioners, during that whole 30 years during which it was in the power of this parliament to do away with this national out-rage of separate schools in the Northwest. It is within the power of parliament to-day; it is not too late. But there is not a man here who will move, nor has there been a suggestion made to this House, that separate schools in the Northwest Territories should be abolished,¹¹ not a word. Do these gentlemen really mean what they say or do they know what they say? Is this a demonstration of objection to separate schools or is it an attempt to wreck¹² the Liberal government on a second school question? If this attack is honest, if it is against the separate schools and not against the French premier, it is in order for the leader of the opposition (Mr. R. L. Borden) and the gentlemen behind him to introduce a Bill into this parliament as they

⁵ Tracts of land = large portions of land

⁶ Depicted = described

⁷ Reiterated = repeated with emphasis

⁸ Repeal = abandonment or cancellation

⁹ Amendment = change in the wording of a text to clarify it or to change its overall meaning

¹⁰ Preceptory = headquarters of a community of knights

¹¹ Abolished = put a definite end to something

¹² Wreck = destroy

yet may do to abolish separate schools in the Northwest by repealing the section of the Northwest Act. I am against separate schools but I want some company in my position and I do not seem to be able to find it. It is not the first time I have been alone in this House, but I seem to be just as lonesome now as I ever was, notwithstanding all these petitions on this very interesting subject. These separate schools have been authorized in the Northwest Territories by Act of this parliament for 30 years at least and they have been in actual existence in the North-west Territories for 20 years by Act or ordinance of the Northwest legislature. There has been no word of protest in parliament or out of parliament, there has been no word of petition in the Northwest legislature, or amongst the people against that provision."

House of Commons, 24 March 1905, pgs. 3161–3162.

"That is the purpose of the Act—not the defining of anything about what they were before they came into the union. On the face of it it has no reference whatever to whether a province was organized before or not. If there was a class of persons who had rights at the union, when they came into the union they should continue to have those rights—that is the whole intent and meaning of the section; there is no other explanation. That is as Mr. Haultain understood it; that is as any man, I think, must understand it if he reads it with due care. That being the case, the British North America Act being the constitution of this country, I say that, although I am no lover of separate schools, although I do not believe in separate schools as so many of our people do, this government would certainly be doing very much less than its duty if it undertook, under all the circumstances of the case especially, to deviate from the terms of the British North America Act or took any other course than loyally to carry out its provisions."¹³

House of Commons, 24 March 1905, pg. 3165.

BENEFITS OF ONE PROVINCE

"I would like to point out further in this connection, as it was my duty to state in the House yesterday in regard to another matter, that it is very difficult to define the line between the ranching country and the farming country, for the reason that a country which a few years ago was understood to be solely a ranching country is now being occupied by hundreds, if not thousands, of people for the purpose of grain raising. There are settlements being made for strictly agricultural purposes to-day in the Alberta district, immediately south of the district of Calgary represented by my hon. friend, in localities which, seven years ago, were considered to be strictly ranching country; and the people in those settlements have raised magnificent crops of wheat on that very land, and are depending on wheat raising for their success. So along the main line of the Canadian Pacific Railway, in the very country he speaks of as exclusively ranching, several towns have started up recently which are dependent for their success on the success of farming in those localities. So that you cannot draw an exact line dividing farming country from ranching country, and my position is maintained, that the hon. gentleman's argument is good as against any division, but it is not good as against this particular division between Saskatchewan and Alberta."

House of Commons, 9 May 1905, pgs. 5613–5614.

LACK OF INDIGENOUS CONSULTATION

"I beg to repeat that the proposal of the hon. member (Mr. W. F. Maclean) to exclude this district of Athabaska from the proposed provinces is an attempt to exclude that district from the representation in this parliament which it will necessarily have as a part of the proposed: province of Alberta. It is also a declaration that the district of Athabaska, which, as I have already pointed out to the House, contributes a very considerable amount of the general trade of this

¹³ Provisions = arrangements made beforehand

country, is not entitled to representation, is not entitled to that consideration which a civilized community is considered to be entitled to, and which must be extended to it if the country is to develop and progress.

"Now, perhaps it is not, of very great interest to hon. gentlemen on the other side whether the two or three hundred white people who live in that district today secure their rights or not and whether they are to be taxed without representation or not. Perhaps it.. makes very little difference to them whether the few thousands of half-breeds,¹⁴ 'mere' half-breeds who are in that country are to be taxed without representation or not. But I do submit that it makes a great deal of difference to this country whether that district of Athabaska,—whether these great valley watered by the Athabaska and Peace rivers—are developed for settlement and trade, to furnish a market to the manufacturers and business houses of this eastern country. I say it makes a very great deal of difference whether a policy is pursued which will bring about that end or whether that country is to be excluded from the beneficial operation of provincial and Dominion government. because it has only a few white people and half-breeds at the present time, The hon. member (Mr. W.F. Maclean) has seen fit to put on record the views we have heard expressed in this House all day yesterday and today on the part of the opposition. And, for the purpose of campaigning¹⁵ in the west. I can only wish that they should stand up and unanimously vote for this proposition."

House of Commons, 9 May 1905, pg. 5647.

"I estimated 5,000 whites and half-breeds, and the census gives about 1,500 Indians¹⁶—a total of about 6,500, as a mere estimate. The Indians are entitled to be considered in such an estimate as well as, the Indians of Macleod or elsewhere... I have not the half-breeds as distinct from the whites. The distinction I drew was between voters and non-voters—between whites and half-breeds on the one side and Indians on the other."

House of Commons, 23 June 1905, pg. 8028.

"I believe that, as a matter of fact, the schedules for Saskatchewan have been drawn up without a knowledge of the number of whites and half-breeds in the eastern part of Athabaska. That eastern part of Athabaska is not under Indian treaty, and the fact that it is not under Indian treaty is evidence that there is not supposed by any authority to be any considerable population of white men in that district. If there was any considerable white population it would have been a necessity for the government before now to have secured a treaty from the Indians. I have every reason to believe that there is not either a large white or Indian population."

House of Commons, 23 June 1905, pg. 8055.

¹⁴ Half-breeds = an archaic term for Métis

¹⁵ Campaigning = running a political campaign

¹⁶ Indians = an archaic term for First Nations Peoples



Robert Borden in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir Robert Laird Borden was born in Grand Pré, Nova Scotia in 1854. A descendant of Richard Borden, whose family first arrived in Boston from England in 1638, the Bordens later moved to Nova Scotia during the mid 1700s. Although Robert's family was not wealthy, it provided him with good (though incomplete) education that he used to become a teacher. Unsatisfied with his professional prospects, he began apprenticing at a legal firm at a prominent Halifax legal firm in 1874. By the 1880s, he was assigned a variety of important cases from Conservative leaders, including Sir John A. Macdonald. In 1889, he married Laura Bond, the daughter of a successful Halifax hardware merchant. By the 1890s, Borden's legal firm was among the largest in the province.

Borden entered politics in 1896 when he won a House of Commons seat for Halifax after Sir Charles Tupper requested that he run for office. Over the next few years, he moved from being a backbencher to having a seat on the front bench. By 1900, Tupper was eager to retire and Borden, with few political enemies, became the logical choice. Borden initially rejected the idea, but eventually accepted on the condition that he only lead the party for one year while a committee searched for a permanent leader. Neither of these conditions were ever made public, and they quickly fell to the wayside.

Borden devotedly worked as leader of the opposition for the next decade, though he never enjoyed public speaking or debating, and struggled to lead his factious Conservative caucus. He rarely agreed with his French Canadian MPs, and made little effort to understand their nationalist perspectives, or to curb his antagonistic Protestant colleagues from Ontario.

During the 1905 parliamentary debate on the establishment of Alberta and Saskatchewan, Borden clashed with his former Quebec cabinet representative Frederick Debartzch Monk, who wanted the Conservatives to back protections for separate schools on the Prairies. Instead, Borden sided with Ontario and Prairie politicians by rejecting protections for separate schools in the name of provincial autonomy.

After the 1905 debate, Borden would go on to continue favouring English Canadian perspectives. He became Prime Minister in 1911, serving in this role throughout the First World War until 1920. He died in 1937 at the age of 82.

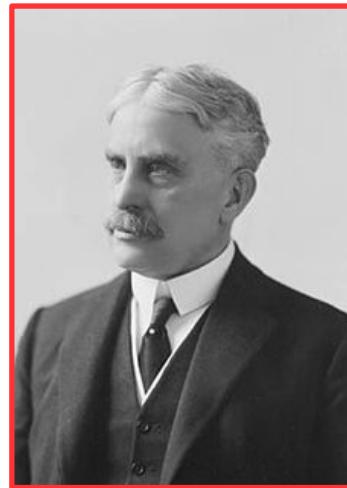


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Primary Source: Robert Borden's Views on Confederation

When the House of Commons debated creating Alberta and Saskatchewan, Robert Borden said the following points:

PROVINCIAL RIGHTS

“My position is that if you apply to these provinces the terms of the constitution as they are to-day, they will give to these provinces the absolute right to deal with their own educational Affairs.”

House of Commons, 24 March 1905, pg. 2115.

“So therefore I have good reason to congratulate the right hon. gentleman (Sir Wilfrid Laurier) upon his change of heart, because when I myself on October 14, 1903, moved in this House a resolution declaring that in the opinion of this House, the time had come when the government should take this question into immediate consideration, not one member of the government, not the right hon. gentleman himself, nor one of his colleagues ventured¹ to say one single word upon this all-important² subject. They put up in their place two or three gentlemen from the Northwest Territories of Canada to argue as strenuously³ as they could that the granting⁴ of a provincial status should not be accorded to these provinces in the immediate future. The resolution which I moved at that time, after reciting the unanimous resolutions passed by the legislature of the Northwest Territories set forth:

“That under the provisions⁵ of the British North America Act and amending⁶ Acts, the people of the several provinces of Canada enjoy large powers of local self-government committed to and exercised by the executive and legislature of each province.

“That the time has arrived when the same powers of local self-government should be granted to the people of the Northwest Territories of Canada and to this end the said representations and prayers contained in the said humble addresses should be taken into immediate consideration and acted upon forthwith.”⁷

House of Commons, 21 February 1905, pg. 1459.

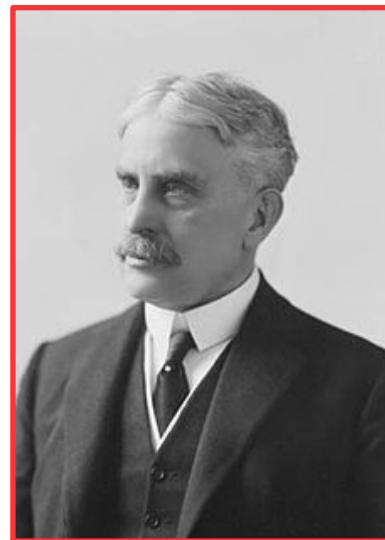


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¹ Ventured = dared or risked

² All-important = very important

³ Strenuously = vigorously

⁴ Granting = giving

⁵ Provisions = conditions or requirements found in a legal document

⁶ Amending = changing

⁷ Forthwith = immediately

SEPARATE SCHOOLS

"It is not, in my opinion, a question of separate schools, but a question of provincial rights. It is not a question of separate schools, but of provincial self government. It is not a question of separate schools but of constitutional home rule. It is a question of those privileges and liberties of which the right hon. gentleman, up to the present at least, has claimed to be the champion and exponent.⁸ No one appreciates or respects more highly than I do the moral and ethical training which the Roman Catholic Church bestows upon⁹ the youth of Canada who were born within the pale of that church. I esteem at the highest the value of the moral training of the children of this country; and I am free further to confess that I appreciate more highly perhaps than some others the consistency and devotion¹⁰ of Roman Catholics, in this and other matters of their faith, wherein they give to the Protestants of this country an example from which the latter might well learn valuable lessons. {...} It was in that school that my right hon. friend (Sir Wilfrid Laurier) learned long ago the lesson which he seems to have somewhat forgotten to-day. In the province of Quebec, there is and there is rightly, a strong spirit in favour of provincial rights. And it is because I interpret the constitution in the light of that spirit that I take the stand upon this question which I take to-day. Let me illustrate my meaning by one further statement. If any hon. member of this House or any man in this country should seek¹¹ to insert in this Bill a provision forbidding the establishment of separate schools in the Northwest, I would combat that proposal to the end, because I would consider it as absolutely in the conflict with the provincial rights which I desire to see maintained. I take this stand because I believe that not only in the light of the constitution, but in the light of the highest wisdom and statesmanship,¹² education should be left absolutely to the control of the people of the new provinces."

House of Commons, 22 March 1905, pgs. 2932–2933.

"I base my case and my contention¹³ upon the terms of the constitution. I do not argue against separate schools; I do not argue for separate schools. It is not for me to determine that question for the people of the Northwest; it is for the people of the Northwest, under the terms of the constitution, to determine that matter for themselves. I shall always endeavour¹⁴ to respect the opinions of my fellow-country-men, of whatever race and of whatever creed.¹⁵ But I do not think it is wise to attempt to step outside of the limits of the constitution to provide remedies which have no warrant¹⁶ within the terms of our national charter."

House of Commons, 22 March 1905, pg. 1905.

"Under the law the majority of ratepayers in a district can establish such schools as they think fit, and it would not make the slightest difference whether they were all Protestants or partly Protestants and partly Roman Catholics; or whether they had among them Jews and Mormons—they would be a majority for the establishment of a school. And, when these schools had been established the minority could establish separate schools. But the word 'separate schools' to my mind does not impart¹⁷ anything more than separation; it does not involve the idea that the separate Schools so established should be absolutely under the control of the persons who established them, any more than is the majority school. I do not think that any such result could

⁸ Exponent = supporter or advocate

⁹ Bestows upon = gives

¹⁰ Devotion = religious observance

¹¹ Seek = try or attempt

¹² Statesmanship = skillset to manage public affairs

¹³ Contention = disagreement

¹⁴ Endeavour = try

¹⁵ Creed: set of beliefs (religious or not) that guide someone's actions

¹⁶ Warrant = ground or justification

¹⁷ Impart = communicate

follow without a fuller and more definite expression of that intention than we find in the Act of 1875.”

House of Commons, 8 June 1905, pg. 7155.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

“So far as the control of the lands is concerned, I adhere to the opinion I before expressed in this House: that the people of the northwest when they are granted¹⁸ provincial rights are fully capable of dealing with these lands; that they are entitled to¹⁹ the control of these lands just as much as the people of the eastern provinces of Canada are entitled to the control of their provincial domain. I see no distinction... Are they not the people chiefly²⁰ interested? May we not rightly conclude that if these lands are handed over to them, they will so deal with them as to best conserve their own interests by forwarding and assisting a vigorous policy of immigration? May I not further suggest that even if there were any danger—and I do not think there is—it would be the task of good statesmanship to have inserted, if necessary, a provision²¹ in this Bill with regard to free homesteads²² and the prices of those lands, and obtain to it the consent of the people of the Northwest Territories. I see no possible constitutional difficulty because after all the question of the lands is not a question of legislative power until the lands are handed over to the people and become the public property of the provinces.”

House of Commons, 22 March 1905, pgs. 2929–2930.

“In order to make myself perfectly clear, I would like to say a word—I do not want to interrupt my hon. friend, for I know how difficult it is to make a consecutive legal argument with constant interruptions, those who have practised in courts have had some experience of that. What I meant to say is simply this, that I thought the lands ought to be handed over, but if we are to concede²³ the principle that the government do not intend to hand them over, then in that case the best thing to do was that which I suggested [to hand them over with specific federal regulations]. I did not intend at the time to deal with the question of legislative power. I may say besides to the Minister of Justice that I think the question of the lands stands so far as legislative power is concerned on a somewhat different basis from that of the educational clauses.”²⁴

House of Commons, 3 May 1905, pgs. 5337–5538.

“Another argument in favour of entrusting these lands to the people is that the lands can be better administered and controlled in the province than at Ottawa. They can be better administered and controlled by officers of the provincial government in touch with the people and comparatively near at hand than by the officers of the Dominion government. What reason is there, as I have said before, why a citizen of Ontario should have the right and privilege to deal with the minerals and public lands of his own province at Toronto, while the citizen of the Northwest must be obliged for the same purpose, to write or send to the city of Ottawa.”

House of Commons, 5 July 1905, pg. 8797.

¹⁸ Granted = given

¹⁹ Entitled to = deserving of

²⁰ Chiefly = mainly

²¹ Provision = condition or stipulation

²² Homesteads = a homestead includes the land, the house and other buildings on a property

²³ Concede: =accept

²⁴ Clauses = portions of text in a legal document that are specific to a case or issue

ONE PROVINCE VS. TWO

“... it would be better to do as my hon. friend from Hamilton proposed, to make only one province. I have not considered very fully the proposal of the member for South York. I would be more favourably impressed with the suggestion of the member for Hamilton which would result in creating only one province in the south, leaving possibly a new province to be formed in the north. But I am not prepared to say at this moment that I would favour either of these proposals, because I am under the impression that after all a great deal may be said in favour of the idea that you have in the south a territory which is practically settled, and that the territory in the north which it is proposed to add to that is to a very considerable extent of the same character, and may be opened up by the same mode of settlement.”

House of Commons, 9 May 1905, pgs. 5648–5649.

Clifford Sifton in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Clifford Sifton was born 10 March 1861 in St. Johns, Upper Canada (present-day Arva, Ontario), to a wealthy family of entrepreneurs. He was raised as a Methodist, became a prohibitionist and gravitated toward the moralistic political approaches for George Brown and Alexander Mackenzie. He graduated from Victoria College in 1880, became a lawyer and started a law firm in Brandon Manitoba.

Sifton entered politics in 1882 by assisting his father, John Wright Sifton, with a provincial re-election campaign in Manitoba.

Clifford was himself elected to Manitoba’s Legislative Assembly in 1888. As a Liberal under the leadership of Thomas Greenway, his party protested the Conservative government’s alleged reliance on Sir John A. Macdonald’s support. Greenway’s Liberals won the 1888 general election and Sifton was soon named Attorney General and Provincial Lands Commissioner. Within the cabinet, he helped to establish a new local railway funding policy that worked against the federally backed Canadian Pacific Railroad monopoly. A rising star, he also became the Minister of Education in 1892, and helped to lead the movement to end public support for the province’s separate schools by contending that any federal action on the matter infringed on the Manitoba legislature’s legal autonomy. When this dominion-provincial fight eventually toppled the federal Conservatives, and brought Wilfrid Laurier’s Liberals to power, Sifton was instrumental in developing the Laurier-Greenway Compromise that gave Sifton most of what he wanted.

Laurier rewarded Sifton’s role in resolving the Manitoba Schools Question by making him the new federal Minister of the Interior. As a federal politician, he carried great weight in cabinet, and promoting the western provinces and integrating them into Canada’s economy by advancing railway construction and agricultural settlement. Sifton’s immigration policies were wildly successful, spurring mass settlement on the Prairies by American, British, Western and Eastern European settlers. Under Sifton’s watch, the Crown also encouraged settlement by negotiating with Indigenous populations to develop agreements such as Treaty No. 8 in 1899.

Clifford Sifton was in favour of the establishment of Alberta and Saskatchewan as provinces in 1905. He wanted the western territories to join Canada as two provinces rather than one because he believed that separate and autonomous governments would be more responsive to the different populations and industries. He did not, however, support the educational clauses of the Autonomy bills, which gave separate schools more rights than the existing territorial government under Premier Frederick W. A. G. Haultain wanted. Once again, Sifton wanted a single, “national” school system for the province. Since he recognized that this was unachievable, however, he asked Laurier to change the bill to conform with existing separate school rights in the Northwest. Laurier initially resisted, but Sifton’s resignation, along with threats of rebellion from many within the Liberal caucus, led him to accept Sifton’s demand.

Sifton remained an MP until 1911, and sometimes spoke out against key Liberal policies like the reciprocity deal of 1911 with the United States. After leaving Parliament, he was knighted in 1915.

He spent the First World War years promoting Canada’s First World War effort, and convinced many Western leaders to join Sir Robert Borden’s Union government. He later died of heart failure in 1929.



Image held by Library and Archives Canada



Primary Source: Clifford Sifton's Views on Confederation

When the Northwest's Legislative Assembly debated provincial status, Clifford Sifton said the following points:

SIFTON'S RESIGNATION FROM LAURIER'S CABINET

"As members of the House are aware, I returned to the capital on Thursday afternoon. I immediately took occasion to read carefully the speech which the right hon. the Prime Minister (Sir Wilfrid Laurier) had delivered in introducing the Bill. I regretted that in the right hon. gentleman's address I found some principles enunciated¹ with which I am unable to agree. On Friday, the next day after I returned, at the earliest possible moment, I procured a copy of the educational clause of the Bill which my leader had introduced... That is the clause which is contained in the Bill which was introduced by the leader of the government. Between Friday, when I procured a copy of the clause, and Monday morning I gave the subject my best consideration, and I had the privilege in the meantime of having an interview with the Prime Minister on the subject. As the result of such consideration I determined that I could not endorse or support the principle of the educational clauses. Under these circumstances, Mr. Speaker, my duty became perfectly clear, and on Monday morning I wrote to the Prime Minister tendering² my resignation as a member of the cabinet. Subsequently, I expressed the desire that my resignation should be acted up on at once and to that wish the Prime Minister has now assented."³

House of Commons, 1 March 1905, pgs. 1852–1853.

After Laurier's government changed the education section of the autonomy bills to restrict separate school rights, Sifton explained his reasons for supporting the new bill:

"I came to the conclusion that, whatever anybody else might do, my course was perfectly clear: I should, when this question came up, be in a position to speak with a freedom with which a member of the government could not speak, and I should be called upon to decide to what extent and how far I would be prepared to compromise opinions which I had publicly expressed, and opinions which I still hold in order not to destroy the government of the country. That question which comes to every man in public life sooner or later, comes to-day to a good many men in this House of Commons. The question is how far a man is justified in compromising his opinion for the purpose of preventing a political crisis. That is a question which nearly every man in this House has had to decide before; but perhaps no person has had to decide it under quite as remarkable circumstances as the present. For myself, as to the political effect upon myself, I care



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¹ Enunciated = expressed in clear terms

² Tendering = presenting

³ Assented = formally accepted

not for that. I have relieved myself, I think, of the imputation⁴ that the course I have taken has been influenced by considerations of office or the considerations of my party remaining in office; and therefore I have to say, having given the subject the best consideration that I am capable of giving it, and having given it that consideration not only from the stand-point of the position of affairs in this parliament but from the standpoint of the position of affairs in the Northwest Territories in time to come, that I can, though not with very much enthusiasm, and with some degree of reluctance, give my support to the Bill.”⁵

House of Commons, 24 March 1905, pg. 3122.

SEPARATE SCHOOLS AND PROVINCIAL AUTONOMY

“For my part, Mr. Speaker, I have no hesitation in saying what my own opinion would be: it would be that the province ought to be left entirely free to deal with its own educational affairs. But, I would not get at it in the way that my hon. friend (Mr. R. L. Borden) does, by saying, the constitution does that, but as there is a certain amount of doubt about it I would strike out the limiting clause and I would make it so clear that there would not be any doubt in the minds of any one.”

House of Commons, 24 March 1905, pg. 3117.

“I do not think that my political friends in past years have had any cause to complain that I have not been willing to do my share of the fighting, or that I have not been willing to take my share of the blame. If men are going to act together politically, when one makes a mistake the rest have to take the blame, and I have always been willing to take my share of the blame, and have always been willing to shoulder the load along with the rest. But I declare, and I am serious—if I had not been serious about it I would still have been a member of the government—I declare that I would join with anybody in Canada to resist the pass-age of that Bill in the terms in which it was placed before the House by my right hon. friend (Sir Wilfrid Laurier). I have nothing more to say with regard to that. It was an unpleasant necessity for me to speak of it, but there are occasions on which people have to do things which constitute a very unpleasant necessity.”

House of Commons, 24 March 1905, 3106.

“It seems to me that almost everybody will agree with my hon. friend the Minister of Finance that the man in the street, hearing the hon. gentleman who leads the opposition [Robert Borden] say that he stands by the constitution, and hearing the right hon. gentleman who leads the government say that upon the rock of the constitution he stands, and seeing these two hon. gentlemen both standing on the rock of the constitution but coming to diametrically opposite conclusions will be likely to say: I cannot hope to understand the law or the constitution, but I do want to know what kind of schools they are going to have in the Northwest Territories.”

House of Commons, 24 March 1905, pg. 3099.

“And the conclusion, therefore, is this—that if this legislation is carried into effect it preserves just the two privileges which I spoke of the privilege of the Roman Catholic or Protestant minority to have a separate school house, and the privilege of having religious instruction between half-past three and four o’clock in the afternoon. But there cannot be under this system any control of the school by any clerical or sectarian body. There cannot be any sectarian teaching between nine o’clock in the morning and half-past three in the afternoon. So that, so far as we have objections

⁴ Imputation = insinuation

⁵ Note: Sifton supported the Liberals’ bill to create Alberta and Saskatchewan after his resignation convinced Laurier to allow him to remove most of the protections for separate schools from the bill.

to separate schools based upon the idea of church control, clerical control, or ecclesiasticism in any form, this system of schools is certainly not open to that objection."

House of Commons, 24 March 1905, pg. 3110.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

"That is a subject of vast importance in the Northwest Territories, and I must say that I take the responsibility of having, in all probability, induced my colleagues to accept the view which is the effect of the Bill that is before the House; that is to say, that the subject of irrigation⁶ for the present should be retained within the control of the federal government. The reasons can be given in a few words and to my mind they are absolutely conclusive. At the present time the right to use some of the principal streams which are of the utmost importance in connection with the irrigation in the Northwest Territories, is a subject of discussion between Canada and the United States and international complications have already arisen in regard to these streams. Obviously, if irrigation were under the administration of two provincial governments, it would be difficult to adjust a question such as that. In addition to that questions are going to arise in a comparatively short time between the residents of the western province and the residents of the eastern province in regard to the right of user of the water of these streams which flow from one into the other. It would seem to me most desirable, until the difficulties respecting international questions and the difficulties respecting interprovincial questions are settled, and until the irrigation system is further developed and a body of law upon the subject is built up, that the control should remain in the hands of the federal government. When a few years have elapsed,⁷ when the system is more fully developed, when it becomes a matter merely of local administration then there seems to be no good reason why the subject should not be relegated⁸ to the provincial governments."

House of Commons, 24 March 1905, pg. 3098.

BENEFITS OF TWO PROVINCES

"So far as the question of the number of provinces is concerned, I formed the opinion which, I think, will be shared by almost every person on careful investigation of the case, that it was not desirable that this vast territory should be formed into one province. Certainly it was not desirable to carry out the old idea which prevailed that there were to be four provinces. I think the best opinion of the House will be met by the decision which the government has reached, that the medium course should be taken, and, that instead of one or four, we should have two provinces. Not only is the question of area to be considered as was shown by the Prime Minister in his remarks in introducing the Bill, but you must consider also the even more important question of population. The population of this one province, if this territory were made into one province, would eventually have such a preponderance⁹ as compared with the other provinces that it could not be said to be wise to make such an arrangement. These provinces are composed of territories which, almost acre for acre, is arable land¹⁰ and capable of sustaining population. No other provinces in the Dominion can be similarly described. And to make one province of that particular territory whose capacity for sustaining population is, on the average, so much greater than that of any other province in the Dominion, giving it ultimately so much greater population than the other provinces, would certainly and obviously be unwise. Other considerations supported the same conclusion. The western and eastern portions of this territory lend themselves to different industrial conditions. Great grazing areas¹¹ exist in the west such as are

⁶ Irrigation = man-made watering system used in agriculture

⁷ Elapsed = passed, as in time

⁸ Relegated = transferred

⁹ Preponderance = dominating influence

¹⁰ Arable land = land that can be used for farming

¹¹ Grazing areas = land that can be used as pastures, for cattle

not found in the east. Mining possibilities on a large scale are to be found in the western part of the territory, and in the north, towards Edmonton, we have what is known as a mixed-farming district. Different classes of local legislation will be needed, and different conditions must be recognized in the two portions of the territory. Everybody who knows the conditions of that territory will be satisfied that the best results will result from having two local governments and two legislatures. Each of these legislatures and each of these administrations will have ample¹² scope for all the energy it may see fit to display in the development of the resources of the great territory which is committed to its charge. And this parliament may be satisfied, I think, that that arrangement which is suggested will give the surest guarantee that the future development of these territories will be best facilitated."

House of Commons, 24 March 1905, pgs. 3093–3094

¹² Ample = more than enough



Thomas Walter Scott in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Thomas Walter Scott was born on 27 October 1867 in Ilderton, Ontario. As a young man, he moved to Manitoba to work on his uncle's farm and then worked for the *Weekly Manitoba Liberal* in Portage la Prairie. In 1886, he moved with his boss to Regina, where he became co-owner of the *Regina Standard*. He went on to purchase the *Moose Jaw Times* and the *Regina Leader*. These moves allowed him to meet with local politicians, and he soon developed an interest in public affairs, including the Northwest school question. During the 1900 federal election, Scott successfully stood as the Liberal candidate for Assiniboia West. He quickly gained prominence by attacking the Canadian Pacific Railway and was re-elected to this seat in 1904.

Scott expressed similarly strong views during the subsequent parliamentary debates concerning the creation of Alberta and Saskatchewan. Instead of supporting Haultain's desires for a single province, local control of crown lands and no separate schools, Scott sided with his leader, Wilfrid Laurier, by supporting the establishment of two provinces, federal control of Crown lands and protections for separate schools.

Given Haultain's opposition to Laurier's policies, the former territorial leader's decision to campaign for the Conservatives during two subsequent by-elections, and Scott's loyalty to the Liberal party, it was not surprising that Scott was selected to lead Saskatchewan's Liberal Party on 16 August 1905. During the subsequent election campaign, his party ran on the slogan “Peace, Progress, and Prosperity”—peace with Ottawa, progress in terms of the province's development, and prosperity for its inhabitants. He won a majority government and, over the next eleven years, his government focused on building up infrastructure, including the roads, railways, bridges, telephone systems, the University of Saskatchewan and province's capital building.

In 1916, Scott retired. In 1936, Scott was admitted into the Homewood Sanatorium after a lifelong battle with depression. He died two years later on 23 March 1938.

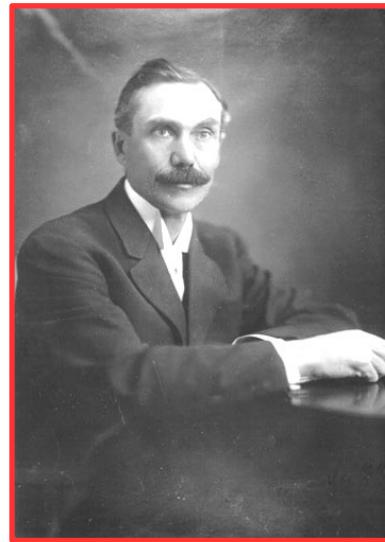


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Primary Source: Thomas Walter Scott's Views on Confederation

When the House of Commons debated creating Alberta and Saskatchewan, Thomas Scott said the following points:

SUMMARY STATEMENT

"I repeat, in conclusion, that I am satisfied with the propositions contained in these Bills and that they are the most important that ever have been presented to this parliament nobody disputes. I am satisfied that they will result not only in the immediate future, but in the interim the existence of two provinces in no sense inferior to, in every way equal with their sister provinces—enjoying absolute religious equality, full provincial rights, an efficient¹ free public or common, non-sectarian school system controlled by the state and on a plan guaranteeing the perfect autonomy of every conscience and scruple²—in a word, enjoying freedom in every reasonable and British sense of the term;—and that the provisions of these Bills will enable the people of these new provinces to carry on their great work, and fulfil the duties that fall upon them as self-governing provinces in this Dominion with every measure of success."

House of Commons, 31 March 1905, pgs. 3647–3648.

PROVINCIAL AUTONOMY

"I have endeavoured³ to explain to the House very clearly my position on that point—that there are no two provinces in Canada with exactly the same measure of autonomy, and probably the people of the Northwest Territories would not be willing to accept the exact position occupied by any other single province in Canada. I believe that the provisions of these Bills will place the Northwest Territories in a position as nearly as possible of absolute and satisfactory average equality with the other provinces of Canada."

House of Commons, 31 March 1905, pg. 3617.

"Of course any autonomy proposition is a matter of comparison. There is no such thing as absolute autonomy. We are not professing⁴ to grant absolute autonomy to the people of the Northwest Territories. All we are professing to do, and all we are asked to do, is to put the people of the Territories in an equitable position compared with the other provinces. All the Territories asked was that in the matter of local self-government, they should be put on an equal footing⁵



Image held by the
Saskatchewan Archives

¹ Efficient = well working

² Scruple = hesitation to do something that one believes could be the wrong thing to do

³ Endeavoured = tried

⁴ Professing = claiming

⁵ Put on equal footing = made somebody/something equal to somebody else/something else

with the other provinces. It is therefore necessary to make some comparison between the conditions which these new provinces will enjoy and those enjoyed by the other provinces."

House of Commons, 31 March 1905, pg. 3604

"Well, I am bound⁶ to say that I think the friendship of the hon. member for Carleton [Robert Borden] will bear a little analysis. If it has a sentimental feature, something that is not going to cost anything, something that is not going to bear on any other section of Canada, our hon. friends opposite are great friends of the Northwest, but, whenever we come down to a substantial matter like limiting the self governing powers of the people of the Northwest in regard to their actual and substantial resources the boot is on the other foot.⁷ That is an entirely different aspect of the case. There are hon. gentlemen behind my hon. friend from Carleton who are great friends of the people of the Territories too. It would be such an awful thing if any power of self government were denied to the people of the North-west Territories, but they are anxious to take away about half the territory of the people of the Northwest Territories."

House of Commons, 31 March 1905, pg. 3596

SEPARATE SCHOOLS

"And let me tell him⁸ that he will very much more readily get the consent of the people of the Northwest Territories to leaving in perpetuation⁹ a system of schools which is absolutely satisfactory to Protestant and Catholic alike than he will get their consent to any such invasion of their rights as is involved in his suggestion. On the sentimental question of lands, on the sentimental side of the school question hon. gentlemen opposite or a section of them, headed by the leader of the opposition, are great friends of the Northwest Territories, but when it comes down to substantial¹⁰ things, as I said, the boot is entirely on the other foot. Talk about invading autonomy. Why, Sir, no such radical and substantial invasion of Northwest autonomy as this suggestion involves—as read and repeated again here now by himself—could be imagined by an avowed¹¹ enemy of provincial rights."

House of Commons, 31 March 1905, pg. 3597.

"It is exactly what I wanted, I would not care to assent to¹² anything else. it is just what the Northwest wanted, it is in fact, stated a little less clearly in his Bill, just what Mr. Haultain asked for in his draft Bill. It is just what the Northwest people voted for in the general election of 1902 and what the assembly more than once unanimously voted for, or thought they were voting for. I would ask again if the hon. member for East Grey (Mr. Sproule) has ever heard a protest from anyone in the Territories against the condition of things existing there. I say there is no objection so far as I have ever heard. There are I think in the Northwest Territories 11 separate schools, nine Roman Catholic and two Protestant. One of them is at Edmonton, and the hon. member for Edmonton (Mr. Oliver) has already spoken; I venture¹³ to say he has not heard in the town of Edmonton any protest from anybody against the existence of that separate school there. Another one is at Strathcona and another at Wetaskiwin and the same remark will apply to my hon. friend for Strathcona (Mr. P. Talbot). The hon. member for Calgary (Mr. M.S. McCarthy) spoke the other day and he did not enter any protest against the separate school. There is one at Lethbridge and

⁶ Bound = obligated

⁷ The boot is on the other foot = the side that has the advantage has changed to be the opposite of what it previously was

⁸ Him = Robert Borden

⁹ Perpetuation = continuation of something that already exists

¹⁰ Substantial = considerable or significant

¹¹ Avowed = recognized publicly

¹² Assent to = accept

¹³ Venture = dare

one at MacLeod. If the hon. member for Alberta (Mr. Herron) is still here he may be able to say whether there is any protest in his district against the existence of the two separate schools in that district. There is another one at Regina and another one at or near Wapella. Speaking of the Regina separate school, I say that it is satisfactory to all the people in Regina and that any proposition to abolish¹⁴ the separate school in existence in Regina would be more unsatisfactory to the Protestants who live there than to the Roman Catholics.“

House of Commons, 31 March 1905, pg. 3631.

SEPARATE SCHOOLS AND MINORITY RIGHTS

“I presume that the hon. member for East Grey (Mr. Sproule) is “to-night representing the hon. Member for Carleton (Mr. R. L. Borden), and I would ask, when the leader of the Opposition put the question to the representatives of the minority who sit with him in this parliament how many of them expressed their willingness to have the guarantee left out and to leave the matter to the justice of the majority. It is not for me as a member of the majority to answer this question, it is not to the majority, it is to the members of the minority that that question is put. If they say they are willing I would say that possibly we might consent to leave out the guarantee, although as a matter of fact I prefer to have the guarantee left in this shape so that there will be no uncertainty in these provinces. Can we blame the members of the minority after all when we look at the history of Manitoba and the Territories? We have cut the minority privilege down there from what it was originally interpreted to mean. It was originally interpreted by the legislature of the Territories, the Old Northwest council, to mean that there should be church control for Roman Catholic schools. We have cut that down. We all know what occurred¹⁵ in Manitoba and what occurred in regard to the French language.”

House of Commons, 31 March 1905, pg. 3633

“When our friends of the minority decline, as, in my judgment, they have good reason to decline, looking at the history of the school question in the Northwest, to have the guarantee cut out of the Bill, then it is reasonable for me as a member of the majority, in view of the fact that it is not going to violate any principle of sound public policy, to leave the guarantee in. Indeed, as I have explained, I prefer to have the guarantee left in in this shape, and, so far as the educational provisions are concerned, I vote for these Bills without any hesitation. This is exactly the proposition I want, for the following reasons:—

“1. It removes all uncertainty.

“2. It respects the minority conscience, without violating any sound public principle.

“3. It provides securely against agitation¹⁶ in future.

“4. It perpetuates a system which has in practice proved to be eminently¹⁷ satisfactory to all classes.

“5. It means coercion¹⁸ in no sense or adaptation of the word, because it merely guarantees what would be continued by the almost universal will of the provinces.

¹⁴ Abolish = put a definite end to something

¹⁵ Occurred = happened

¹⁶ Agitation = protests

¹⁷ Eminently = greatly

¹⁸ Coercion = convincing someone by force

"6. It continues a system preferable in its practical working out to the public school system of Manitoba, where the minority have a theoretical grievance,¹⁹ which, interested parties are constantly able to exaggerate, and who continue to chafe under what they believe to be an infringement on their rights.

"7. It furnishes a possible common ground of action by the members of this House, and thus maintains unity. No common action was possible either upon the original section 16 or upon the amendment of the leader of the opposition.

"8. More than all, it is satisfactory to me as a citizen of, and one of the majority in, the Northwest, because it not only reasonably secures minority rights, but it absolutely secures majority rights against such invasion as was attempted by parliament in 1896 in the case of Manitoba. It is the only absolute guarantee of educational autonomy contained in any suggestion made to this House, excepting only that of the hon. member for Brandon (Mr. Sifton), to specifically make the provinces free and get imperial ratification of the free charters."

House of Commons, 31 March 1905, pg. 3634.

CONTROL OF CROWN LANDS AND NATURAL RESOURCES

"The particular benefit to the provinces in the plan that is being adopted as opposed to the plan of transferring the public domain to the local governments, is found in the fact that we have from the start an assured revenue; whereas, if the lands were transferred to the local governments, and if no change of policy were put into effect by them, they would have great difficulties, in the initial years of their provincial experience, in getting enough revenue to carry on the affairs of government. Moreover, their financial position is assured in the far future years, fifty or one hundred years hence, as long as this confederation lasts; whereas, on the other hand, and in the case of some of the other provinces fifty or one hundred years hence, the Crown domain cannot be worth very much to those provinces so far as concerns their revenues. The principle of the provincial right to a beneficial interest in the land is recognized in the most substantial manner, and I am pleased to be able to say, because I believe it to be the truth, that the people of the Northwest are eminently satisfied. I venture to say that there is scarcely²⁰ a man in the Northwest, who is not actuated²¹ by partisan²² sentiment, but has stated, either to himself or to his neighbours, that this is a better proposition than would be the proposition to turn over the lands to local management."

House of Commons, 31 March 1905, pg. 3608.

"The duties of the immigration Department, too, would follow the land. The new provinces could not be easily equipped for these onerous²³ duties. It took the federal authorities many years to bring immigration work up to its present status. They have it now in a state of high efficiency, with experienced agents at work in various parts of the world. It is important that the good work shall continue to go on undisturbed. A handsome equivalent, either in cash or in interest-bearing credit,²⁴ will suit the new provinces much better than the extra responsibilities which are involved in the ownership and control of the public domain."

House of Commons, 31 March 1905, pg. 3609.

¹⁹ Grievance = official complaint formulated about something that is believed to be wrong or unfair

²⁰ Scarcely = not often

²¹ Actuated = motivated

²² Partisan = biased toward one party

²³ Onerous = difficult or taxing

²⁴ Interest-bearing credit = credit that regularly pays money to the lender

"This subject was persistently placed before the people, and the provisions²⁵ of the Bill in this regard were, so far as I could learn, unanimously endorsed by the people. We do not want a policy of the land for revenue; we want a policy of the land for the people, and the members who parade²⁶ the fact that certain lands in the Northwest are to-day worth certain money are only giving evidence of the desirability, of the necessity for, and of the success of, the policy of giving away the land to anybody who will take it and use it. The idea that you could derive from the whole land of the country the same value that you can for a small part of it when you are using the greater part of it for the purpose of attracting settlers, is an idea that is absolutely absurd, and one which I think will not be approved of by even our western friends on the other side of the House."

House of Commons, May 8. 1905, pg. 5526.

"My hon. friend knows my view with regard to the proposals which are before the House. My view is that this parliament has the discretion²⁷ to give such constitution to these new provinces as it chooses to give. We are proposing to pay a certain amount of money to them in lieu of their public domain. I have been out in that country recently and have conversed with scores of²⁸ men who take an interest in this question, and they all agree with me that this proposal is far better for the provinces even than the proposal to transfer the land unrestrictedly to the new provinces, and that as between the proposal that is being put into effect and the suggestion to turn over the public domain with my hon. friend's restriction, there is no comparison at all."

House of Commons, May 8. 1905, pg. 5549.

BENEFITS OF TWO PROVINCES

"One of the questions which had to be considered in connection with this matter was the question of the number of provinces — whether there should be one province, as was contemplated²⁹ in the request made by the Northwest government and legislature, or more than one province. I may be permitted to say that I was myself quite strongly in favour of the proposition that only one province should be created; and even yet, looking at the question purely from the local and territorial point of view, I can see no reason why one government, one legislature, one set of machinery, should not have been sufficient for that territory. But, on the other hand, I was bound³⁰ to recognize, as the people of the Territories generally have recognized that the other partners in confederation had a right to an opinion in this matter, and the decision which has been come to, to create two provinces, is, I think, generally satisfactory to the people of the Northwest as a whole."

House of Commons, 31 March 1905, pg. 3601.

²⁵ Provisions = arrangements made beforehand

²⁶ Parade = exhibit something in a manner that attracts attention

²⁷ Discretion = choice

²⁸ Scores of = a large number of

²⁹ Contemplated = considered

³⁰ Bound = obligated

SECTION 1: MANITOBA

Louis Riel in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Louis Riel was born 22 October 1844 in the Red River Settlement, Manitoba. A controversial Canadian historical figure, he is a hero to some and a traitor to others. Riel was educated in Catholic Schools and, in 1858, was selected to be trained as a Métis candidate for the priesthood. Riel undertook this education successfully in Montreal until the death of his father in 1865 shook his confidence and led him to withdraw from the college the following March. To support his impoverished family, Riel instead became a law clerk for a Montreal firm and subsequently worked odd jobs in the United States.

Shortly after his return to the Red River Settlement in 1868, the settlement had acquired a small but growing and vocal Anglo-Protestant population from Ontario who had little respect for the much larger English and French Métis populations. The arrival of a Canadian land-surveying expedition the following year inflamed these tensions, and led Red River’s Métis to band together against the incursion. On 2 November 1869, Riel and his followers seized Upper Fort Garry without a struggle and, with their control of the surrounding region established, Riel invited all of Red River’s inhabitants, including the Anglo-Protestants, to discuss the region’s future in November 1869. This convention drafted a “List of Rights” that, after some modification, was later used by Red River representatives to negotiate Manitoba’s entry into Confederation as a province.

Before negotiations could begin, William McDougall asked the local Ontarians who opposed the Resistance to arm themselves and take back Upper Fort Garry. Riel, insisting that he and his forces were loyal to the Queen, easily dispersed these men before they could properly organize, taking several of their members captive. Shortly thereafter, the Resistance formed the Provisional Government of Assiniboia to administer the territory and open negotiations with Ottawa. The leaders of the Canadian movement, however, subsequently escaped from Upper Fort Garry and resumed fomenting against the Resistance despite the Provisional Government’s release of all Canadian prisoners by February. When the Resistance captured several of these men a second time, Riel and his followers tried and executed Thomas Scott—a belligerent young Orangeman who consistently infuriated his Métis guards—on 4 March 1870. Riel later explained that he refused clemency to ensure that Ottawa would seriously consider the Resistance’s demands, but the alleged “murder” infuriated Ontario Protestants and led Ottawa to send a military expedition to Red River. This force took control of the region, ending the resistance and forcing Riel to flee to the United States.

In 1884, Métis from Saskatchewan visited Riel and his family in Montana, convincing him to move to the Northwest and lead a new protest against Ottawa. In recent years, the Métis of that region had lost the buffalo, First Nations were frustrated by unextinguished land claims, and settlers had endured the collapse of land prices near Prince Albert when the Canadian Pacific Railway relocated. Riel once again formed a provisional government in Batoche but, this time, Ottawa sent the militia to Batoche on a newly completed section of the CPR, and the movement lacked the strength to ultimately defeat this assault. On 15 May 1885, the rebellion forces surrendered Batoche. Riel was subsequently tried, charged with treason and executed on 16 November 1885 in Regina.

Louis Riel, and the “List of Rights” that he largely inspired, created the impetus for Manitoba entering Confederation as a province instead of as a territory. These rights included state bilingualism, free homesteads and treaties for Indigenous Peoples.

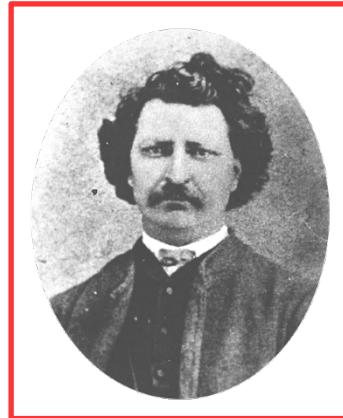


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Primary Source: Louis Riel's Views on Confederation

When the Red River Resistance debated joining Confederation, Louis Riel said the following points:

SUMMARY STATEMENT

“We must not expect to exhaust the subject. If we have the happiness soon to meet the new Lieutenant-Governor, we will have time and opportunity enough to express our feelings. For the present let me say only one thing—I congratulate the people of the North-West on the happy issue of their undertakings (cheers). I congratulate them on their moderation and firmness of purpose; and I congratulate them on having trust enough in the Crown of England to believe that ultimately they would obtain their rights (cheers). I must, too, congratulate the country on passing from under this Provisional rule to one of a more permanent and satisfactory character. From all that can be learned, also, there is great room for congratulation in the selection of Lieutenant-Governor which has been made. For myself, it will be my duty and pleasure, more than any other, to bid the new Governor welcome on his arrival (loud cheers). I would like to be the first to pay him the respect due to his position as Representative of the Crown (cheers). Something yet remains to be done. Many people are yet anxious and doubtful. Let us still pursue the work in which we have been lately engaged—the cultivation¹ of peace and friendship, and doing what can be done to convince these people that we never designed to wrong them (cheers), but that what has been done was as much in their interest as our own (hear).”

Legislative Assembly of Assiniboia, 24 June 1870, pg. 119.

“There are, I know, some differences between the residents of different localities—and perhaps the easiest way to dispose of them would be that each side should concede something. A spirit of concession, I think, ought to be manifested on both sides; and if it is, we will be cordial and united. If we were so united,—as was said long ago,—the people of Red River could make their own terms with Canada. We have had here already three Commissioners from the Dominion; and now, perhaps, we have another come among us, in the person of His Lordship the Bishop of St. Boniface,—one who is generally beloved and esteemed in the land, and to whose mission, I doubt not, the highest attention will be paid. For my part I would certainly like to see in the person of His Lordship a Commissioner, invested with full power to give us what we want (cheers). But we have to be careful: for we do not know what that power is; and we must not rush blindly into the hands of any Commissioners. Let us act prudently²—that is all I urge,—if we do so, we will be safe enough (cheers).”

Legislative Assembly of Assiniboia, 9 March 1870, pg. 8.

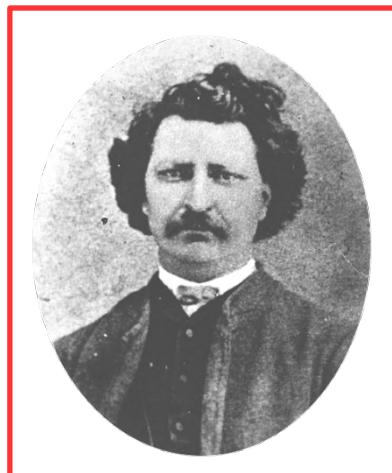


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¹ Cultivation = the process of growing

² Prudently = carefully

PROVINCIAL VS. TERRITORIAL STATUS

“Cannot we make regulations for outsiders, with reference to the sale and disposition of our lands? This land question, and that of our means of raising money, constitute perhaps the principal points in the whole provincial arrangement. As to the administration of justice, have we not in the chair a gentleman who has long acted in that capacity, and who is amply capable of administering justice in the Territory (cheers). I would say, let us not go too fast. I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion (cheers).”

Convention of 40, 4 February 1870, pg. 64.

“As to ourselves, I do not say positively that it is for our own good to go in as a province; but I think it a fair matter for the consideration of the Convention. On the whole I think that the position of a Province might suit us better than that of a Territory, but found it very difficult to decide.”

Convention of 40, 4 February 1870, pg. 63.

“I was very nearly induced to adopt your views, expressed in committee, Mr. Ross, with regard to a Crown Colony.³ One important consideration which we must bear in mind, is, that as a Territory we escape a great deal of heavy responsibility that may weigh on us as a Province. Of course it would be very flattering to our feelings to have all the standing and dignity of a Province. The exclusive powers to Provinces are considerable, and in themselves satisfactory, if we found them applicable to our case. (Mr. Riel then read the Confederation Act to show the powers conferred on Provinces.) He alluded specially to Article 5, which provides that the management and sale of the public lands belonging to the Provinces and of the timber and wood thereon, is vested in the Province. This, he alluded to, as one of the most important, as far as we are concerned. In looking at the advantages and disadvantages of the provincial and territorial systems, we have to consider fully the responsibility of our undertaking. Certainly, the North-West is a great pearl in the eyes of many parties.”

Convention of 40, 4 February 1870, pg. 63.

“As to this question of a Province, let me ask, is it not possible for us to settle our own affairs in a satisfactory manner? Cannot we make regulations for outsiders, with reference to the sale and disposition⁴ of our lands? This land question, and that of our means of raising money, constitute perhaps the principal points in the whole provincial arrangement. As to the administration of justice, have we not in the chair a gentleman who has long acted in that capacity, and who is amply capable of administering justice in the Territory (cheers). I would say, let us not go too fast. I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion (cheers).”

Convention of 40, 4 February 1870, pg. 64.

“For myself, I say that discussion on this subject should not be shut off. As a Province, we would have a higher status; and it is certainly worth considering why we should not look for that higher status. It remains to be seen whether we would be best as a Province or a Territory.”

Convention of 40, 4 February 1870, pg. 67.

³ Crown colony = territorial status

⁴ Disposition = distribution, sale

LOCAL AUTONOMY

"I would like to ascertain one point, which is of great importance. Are we going to enter into Confederation only to give Canada jurisdiction over us?"

Legislative Assembly of Assiniboia, June 24, 1870, pg. 115.

"Gentlemen of the Legislative Assembly—It may be out of the regular run of business to allude⁵ to a matter which is foreign to it, but I would say a word on a subject which interests us... now we are recognized abroad—recognized because we have taken a bold stand among the nations. Even if we are a community small in number, our attitude has been that of honest, determined, straightforward men. We certainly have some right to complain of injustice at the hands of some parties in Canada—parties who are now crying out against us. But our answer is, that we have as much confidence in the British flag as they have themselves (cheers). We have only to continue as we have begun. They cannot disturb us (cheers)."

Legislative Assembly of Assiniboia, 3 May 1870, pg. 81.

"In the negotiations for the transfer of this country it was struck out, and I see it forms no part of the bargain as it stands. I would now move, instead of my former motion, 'That all arrangements and stipulations made by the Hudson [sic] Bay Company in the matter of the transfer of the Government of this country to the Dominion of Canada, be null;⁶ and that all arrangements on this subject on the part of the Government of Confederation, be made directly with the people of Red River.' In explanation Mr. Riel stated that his motion had no reference to dealings with the Imperial Government, but simply provided that all negotiations for the transfer of the country should be carried on between Canada and the people of Red River and not between Canada and the Company."

Convention of 40, 5 February 1870, pg. 73.

"One result of our labors is that the people generally now have, for the first time in the history of this land, a voice in the direction of public affairs. They have here a full representation. Herein,⁷ we may congratulate ourselves that our work has been a good one; and, indeed, it may almost be said to be the only result we have arrived at as yet."

Legislative Assembly of Assiniboia, 9 March 1870, pg. 7.

"“We are here on most important business,—business affecting the welfare of the country; and if, says Mr. Riel, I could regard Mr. Smith as in a position to concede to us all the rights we desire or deserve,—or assure us that he would put us in a way to get them,—or assure us we would get even the most important of them—I would welcome him in the most hearty manner (loud cheers). But we must not allow the rights of the people to be jeopardized by our mode of treating them at this meeting. We are to be firm (cheers). We are to stand as a rock in defence of the rights and liberties of the country. Canada at the outset ought to have known our wishes and respected the people of this country; but she had not done so in a satisfactory manner. Now that she begins to respect us, we are not unwilling to meet these advances and consider them fairly and justly (cheers). Mr. Riel concluded by saying that being now in a position to get our rights, he could heartily welcome Mr. Smith to this country (cheers).”

Convention of 40, 27 January 1870, pg. 15.

"I would like the Local Legislature to have its power exerted from Fort Garry. I want this country to be governed for once by a Local Legislature. Our country has been hitherto differently

⁵ Allude = mention

⁶ Null = nothing

⁷ Herein = in this place

governed and they were within an ace⁸ of selling us. But now, I say let the authority of the Legislature be everywhere and influencing everything... We are not here to deprive anybody of their rights. For my part, I wish the whole country was under the control of the Local Legislature. We have to work for the country, in case the Canadians will not work for us."

Convention of 40, 2 February 1870, pg. 53.

PRESERVING MÉTIS AUTONOMY

"As a principle of action, we must seek to do what is right, and at the same time have a special regard to the interests of the people of this country. We must seek to preserve the existence of our own people. We must not by our own act allow ourselves to be swamped.⁹ If the day comes when that is done, it must be by no act of ours. I do not wish in anything I may do to hurt the stranger; but we must, primarily, do what is right and proper for our own interests. In this connection, all outsiders are to be looked upon as strangers—not merely Americans, but Canadians, English, Irish and Scotch. All are strangers in the sense that they are outsiders, that they do not appreciate the circumstances in which we live, and are not likely to enter fully into our views and feelings. Though in a sense British subjects, we must look on all coming in from abroad as foreigners, and while paying all respect to these foreigners, we must at the same time respect ourselves. The circumstances of our country are peculiar;¹⁰ and if therefore we do anything peculiar, looking at analogous¹¹ cases, it must be explained on the principle that we are a peculiar people in exceptional circumstances... If we allow all residents of one year in the country the right to vote, it is not impossible but in the second year they may rule us; and that surely is not for us to seek. Looking at the composition of this Convention, I am not sure that this will triumph, but those who come after will thank us for our efforts, even if we should fail."

Convention of 40, 3 February 1870, pg. 56.

LAND RIGHTS AND INDIGENOUS RIGHTS

"The grant is made to extinguish so much of the Indian¹² title as is inherited by children having Indian blood. But, apart from this, the general Indian title has to be extinguished by being dealt with separately. All those having Indian blood have a title which must be extinguished as well as the general Indian claim."

Legislative Assembly of Assiniboia, 24 June 1870, pg. 114.

"It is impossible to say what danger may beset us after we enter Confederation—and three years of this amount of protection is the very least we could ask. We must keep what rights and property we have now by every means in our power."

Convention of 40, 3 February 1870, pg. 60.

"After looking at the whole matter, this idea occurred to me, and I throw it out for consideration... would it not be wise in us to ask for a certain tract of country? Why not ask for a certain block of land, to be under the exclusive control of the Local Legislature? Let that land be disposed of as the people through their representatives, thought best for their interest. Of course when we attained the status of a province, we would at once have control of all the public lands of the country. But at present we were asking to go into Confederation as a Territory. In reference to the remark

⁸ Within an ace = very close to

⁹ Swamped = overwhelmed

¹⁰ Peculiar = unique

¹¹ Analogous = similar

¹² Indians = an archaic term for First Nations Peoples

made last night, that we ought not to take the position of Indians, I say it is very true: and I would say further, that here is a request which we can make with perfect consistency as civilised men."

Convention of 40, 2 February 1870, pg. 49.

"We must not regard the Company¹⁴ as something detestable. At the same time we must bear in mind that the public interests must be above those of the Company. I object to this getting one-twentieth of the land as is proposed.¹⁵— as it would give them a very unreasonable influence in the country. It would perhaps enable them to double the number of their Forts and their influence against the people. It meant five acres out of one hundred, and is, in my opinion, altogether too large. With greatly increased influence wielded by the Company, what would be the result? Had this tremendous influence been in the hands of the Company... it might have been raised against us,— and the affair might have been so disastrous as to result in the death of many in the room (cheers). I do not say that the Company should be crushed, for they are a source of power in this country; but we must keep them on the same footing as the other merchants. They must take their chance with the people, as a portion of them, and not as a section having a predominant influence... We, in this Settlement, must get control of all the lands in the North-West, or stipulate to enter as a Province shortly, in order to get that control (cheers)."

Convention of 40, 5 February 1870, pgs.72–73.

¹⁴ The Company = the Hudson's Bay Company

¹⁵ Note: Under the sale agreement, the Hudson's Bay Company retained ownership of 1/20th of its former lands, which it subsequently sold at high prices to speculators and "settlers" coming from outside of Manitoba.

Donald Alexander Smith, 1st Baron Strathcona, in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Donald Alexander Smith was born in 1820 on Scotland's northeast coast. After attending Forres Academy, he briefly apprenticed as a town clerk. Inspired by his uncle John Stuart—who was a fur trader—he embarked for Lower Canada in 1838 to join the Hudson's Bay Company. Over the next thirty years, he worked his way up through the company, and was eventually promoted to commissioner of the Montreal department to manage the Hudson's Bay Company's (HBC's) eastern operations.

In 1869, the negotiations to transfer the Hudson's Bay Company territories to Canada concluded. The Métis of the Red River area feared that Canadian surveyors and settlers would dispossess them of their lands. An armed resistance soon formed under the leadership of Louis Riel. Later that year, Prime Minister Sir John A. Macdonald appointed Smith special commissioner to defuse the growing tensions. Smith arrived at Upper Fort Garry (Winnipeg) on 27 December 1869 to negotiate with Riel. Shortly after arriving, Smith attended a public meeting of Red River representatives on 19 and 20 January, where he presented promises from the federal government to respect the inhabitants' land titles and right to a territorial council. Riel responded by convening the Council of 40 to consider the federal proposals, hear Smith elaborate these pledges, and appoint a delegation to send to Ottawa. In the meantime, however, the Canadian Party again unsuccessfully attempted to overthrow the Resistance. Four members were initially sentenced to death, but promises from Smith to encourage the inhabitants of the settlement's English parishes to support the provisional government convinced Riel only execute Thomas Scott.

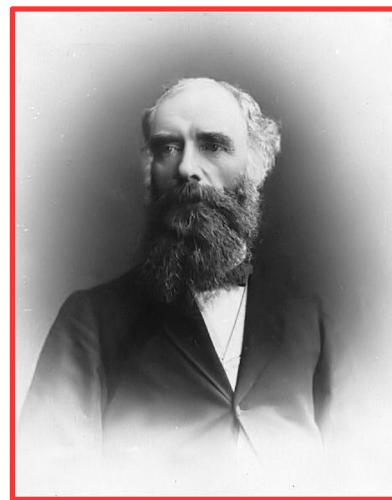


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Smith departed Upper Fort Garry 15 days later to return to Ottawa and report on their activities. Fresh from his success at defusing much of the tensions at Red River, the HBC appointed him president of its Council of the Northern Department. He then returned with Colonel Garnet Joseph Wolseley's Red River expedition and, at the colonel's request, briefly served as the acting governor of Assiniboia.

Thereafter, Smith continued to build his political career. After assuming the leadership of Manitoba's new government, Governor Adams Archibald appointed Smith to his executive council. By the end of the year, Smith won a seat in the Legislative Assembly and, the following year, he successfully ran as the candidate for the federal riding of Selkirk. During the 1878 general election, he defeated former lieutenant governor of Manitoba Alexander Morris by 10 votes, but he lost a subsequent by-election spawned by corruption allegations. He re-entered the House of Commons as an independent Conservative for Montreal West in 1887, and was re-elected in 1891. In 1896, he was appointed high commissioner in London. Smith's many accomplishments brought him a series of honours, including a knighthood and a peerage in 1897 (the latter creating the title Lord Strathcona).

Throughout his time in and out of politics, Smith continued to prosper from his connections with Hudson's Bay Company and other businesses. He was, for example, among the incorporators of the Manitoba Western Railway (which was to run from Lake Manitoba to North Dakota). Smith's financial support for the Canadian Pacific Railway was also essential to its progress, and he was eventually honoured with driving the CPR's “last spike” into the ground. He was also involved in a wide variety of corporations and was among the most generous philanthropists of the early twentieth century. He died in England in 1914.



Primary Source: Donald Smith's Views on Confederation

Donald Smith spoke before the Council of 40 during its debates on Confederation on 7 February 1870. He commented on each of the demands in its “List of Rights.”

SUMMARY

“Mr. Chairman and gentlemen, in addressing you now, I may say that it is my duty to give you every information in my power; and, coming as I do, as a Commissioner from the Canadian Government, it will give me the utmost pleasure to do so (cheers). I need hardly say now, that Canada is not only disposed to¹ respect the people of this country; but is most desirous of according to them every privilege enjoyed by any Province of the Dominion,— all the rights of British subjects, in fact, which are enjoyed in any portion of the Dominion (cheers).”

Convention of 40, pg. 15.

RECOGNITION OF THE RESISTANCE’S AUTHORITY

“When I had the honor of conferring with members of the Canadian Government, they assured me of their desire to consult the wishes of the people of the Territory in respect to matters connected with the composition of the Local Legislature; and their intention was, that as soon as the North-West became a part of the Confederation, that at least two-thirds of the members of the Council should be selected from among the residents. I was commissioned to assure the people of this. For the time being, Councillors under the former Government were to retain their seats,— that is, in the Government of the Hudson [sic] Bay Company, which at the time I left Ottawa was the only Government known in Canada. It would have been for that Council to have recommended to the Dominion Government any alterations they might deem necessary for placing the Local Government more in accordance with the wants and wishes of the community. These recommendations would be introduced in a bill to be submitted to Parliament.”

Convention of 40, pg. 80.

LOCAL AUTONOMY

“Mr. Smith I will now proceed to the List of Rights. I have been up to time, but in the short period allowed me to think over these articles, I have been able to throw together only a few thoughts. Two hours is but a very short time to consider a document which has occupied the time of this Convention some eleven or twelve days. With regard to article one, the Convention has already

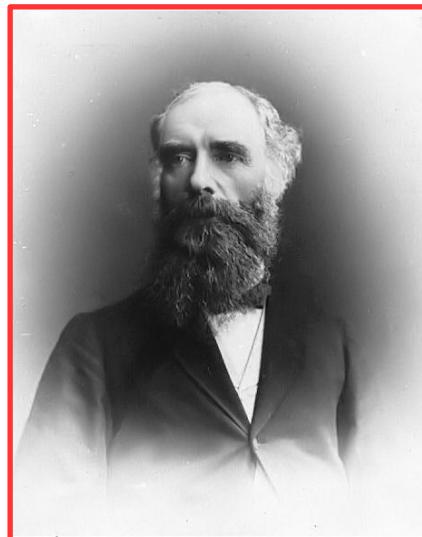


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¹ Disposed to = inclined to

had a communication to the effect that the Dominion Government had provided by Order-in-Council² for the continuance of the present tariff of duties in the Territory for at least two years; and I feel convinced that the Government will be prepared to recommend to Parliament such measures as will meet the views of the Convention as expressed in this article. The article is as follows...

"Article 4 of the list is as follows:— '4. That while the burden of public expense in this Territory is borne by Canada, the country be governed under a Lieutenant-Governor from Canada, and a Legislature, three members of whom, being heads of departments of the Government, shall be nominated by the Governor-General of Canada.' To this I would say—When I had the honor of conferring with members of the Canadian Government, they assured me of their desire to consult the wishes of the people of the Territory in respect to matters connected with the composition of the Local Legislature; and their intention was, that as soon as the North-West became a part of the Confederation, that at least two-thirds of the members of the Council should be selected from among the residents. I was commissioned to assure the people of this. For the time being, Councillors under the former Government were to retain their seats,—that is, in the Government of the Hudson Bay Company, which at the time I left Ottawa was the only Government known in Canada. It would have been for that Council to have recommended to the Dominion Government any alterations they might deem necessary for placing the Local Government more in accordance with the wants and wishes of the community. These recommendations would be introduced in a bill to be submitted to Parliament..."

"...the Council here, as in the first instance constituted, would as soon as possible be replaced by a Legislature to be chosen by the people. Bearing this in mind I did not hesitate to give it as my opinion that the Dominion Government will ask Parliament to provide a liberal Government for the country while it remains a Territory. The fifth article says:—

"5. That after the expiration of this exceptional period the country shall be governed as regards its local affairs as the Provinces of Ontario and Quebec are now governed, by a Legislature elected by the people, and a ministry responsible to it, under a Lieutenant Governor appointed by the Governor-General of Canada."

"With regard to this, I have the most explicit assurance from the Canadian Government that such will be the case. Article 6 says:—

"6. That there shall be no interference by the Dominion Parliament in the local affairs of this Territory, other than is allowed in the Confederated Provinces; and that this Territory shall have and enjoy, in all respects, the same privileges, advantages and aids, in meeting the public expenses of this Territory, as the other provinces in Confederation have and enjoy.'

"For this I believe the Dominion Government will provide in a liberal spirit.

"Article 7 says:— '7. That while the North-West remains a Territory the Legislature have a right to pass all laws local to the Territory over the veto of the Lieutenant-Governor by a two-thirds vote.'

"This article brings up some constitutional considerations, with which it would be unpardonable presumption on my part were I to deal summarily. But I would repeat most distinctly that the Dominion Government will pay the utmost deference to the wishes of the Convention as regards this and all other matters in connection with the Government of the country; and I have full confidence that the decision arrived at, will be acceptable to the people."

Convention of 40, pgs. 79–82.

² Order in Council = the Crown's order, in this case composed by members of the federal cabinet, on an administrative matter

LANDS

"Article 8 is:— '8. A Homestead³ and Pre-emption Law.' It has already been intimated to me by the Canadian Government, with a view of its being made known to the people of the Settlement, that all property held by residents in peaceable possession, will be secured to them; and that a most liberal⁴ land policy in regard to the future settlement of the country, will be adopted,— every privilege in this respect enjoyed in Ontario or Quebec, being extended to this Territory."

Convention of 40, pgs. 81–82.

SEPARATE SCHOOLS

"Article 9 states:— '9. That while the North-West remains a Territory the sum of \$25,000 a year be appropriated for schools, roads and bridges.' In respect to this article, it may be better that I should not speak as to any particular sum; but I feel quite certain that an amount even exceeding that here mentioned, will be appropriated for the purposes referred to. I can give an assurance that this will be done."

Convention of 40, pg. 82.

RAILWAY

"11. That there shall be guaranteed uninterrupted steam communication to Lake Superior within five years, and also the establishment by rail of a connection with the American railway as soon as it reaches the international line."

"I do not hesitate to give this assurance, as the works on the Lake Superior route, which have been progressing actively since the early part of last summer, will doubtless be completed much within the specified time. As to the railway to Pembina, shortly after the American line reaches that place, it will certainly be carried out. If I might be permitted a remark with respect to this article I would say, that I would not be loath to make a personal promise. I have seen a number of prominent men, connected with large undertakings in England as well as in Canada. The matters alluded to⁵ in this article have been spoken of, and I know all are most anxious to push on with such undertakings, knowing that it will be for their own interest to do so. In this way, I have no doubt that private enterprise will shortly accomplish such undertakings as are here proposed. Shortly before leaving Canada, I myself was in business connection with such men as Mr. Hugh Allan, Mr. A. Allan, of the steamboat line; Mr. King, President of the Bank of Montreal; Mr. Redpath, the owner of one of the most extensive establishments in Canada; and other men of note there. Our object was, to get up a Rolling Stock Company.⁶ In the first instance we had, I think, a contract for some 500 cars. And some fine day I hope that the townsmen of Winnipeg will see some of these cars making their way across the prairie (cheers). I hope you will see them coming laden with the manufactures of Canada, and returning laden with the surplus products of the country. Though I have some connection with the Hudson Bay Company, I may also say that I have been largely connected with public enterprises.⁷ In connection with some men of standing I have been connected with other enterprises. I have had considerable interest in a large woollen mill in Cornwall. Some of our blankets have already come in here, and no doubt many more will come in, as they are better and cheaper than others. I hope yet to see men come in here, establish

³ Homestead = family farm

⁴ Liberal = generous

⁵ Alluded to = referred to

⁶ Rolling Stock Company = railway

⁷ Public enterprises = government projects

such manufactures, use up your wool, and circulate more money in the place (cheers). This they will do, no doubt, as soon as they will find it to their advantage (cheers).⁸"

Convention of 40, pgs. 82–83.

BILINGUALISM/BICULTURALISM

"It is a matter of business; and I am sure the people here would be very happy to have such people coming among them (cheers). The twelfth article is:—

"“12. That the English and French languages be common in the Legislature and Courts, and that all public documents and acts of the Legislature, be published in both languages.’

"As to this I have to say, that its propriety⁹ is so very evident, that it will unquestionably be provided for. Article 13:—

"“13. That the Judge of the Supreme Court¹⁰ speak the French and English languages.”

"The answer given to the foregoing, will apply equally here."

Convention of 40, pg. 83.

INDIGENOUS RIGHTS

"The fourteenth article says:—

"“14. That treaties be concluded between the Dominion and the several Indian¹¹ tribes of the country, as soon as possible.’

"Fully alive to the necessity of doing this, the Dominion Parliament will not fail to take an early opportunity of dealing with this matter with the view of extinguishing, in an equitable manner the claims of the Indians—so that settlers may obtain clear and undisputable titles.”

Convention of 40, pg. 83.

PARLIAMENTARY REPRESENTATION

"The fifteenth article is:—

"“15. That we have four representatives in the Canadian Parliament — one in the Senate and three in the Legislative Assembly.”¹² The Convention will not expect me to say definitely as to the number of representatives to be elected in the Territory, for the Canadian Parliament. But I can promise that the circumstances and requirements of the country will be fully and liberally considered in making the allotment. The sixteenth article is as follows:—”

Convention of 40, pg. 83.

LOCAL AUTONOMY

"“16. That all the properties, rights and privileges, as hitherto enjoyed by us, be respected, and that the recognition and arrangement of local customs, usages and privileges, be made under the

⁸ Cheers = peoples attending the Convention of 40 cheering about Smith's promise.

⁹ Propriety = appropriateness

¹⁰ Supreme Court = in this case, the province's highest court, which are today known as "Superior Courts"

¹¹ Indians = an archaic term for First Nations Peoples

¹² Legislative Assembly = the House of Commons in Ottawa

control of the Local Legislature.' On the part of the Canadian Government as well as of Her Majesty's Representative in British North America—and also as coming immediately from the Sovereign—assurances have been given to all, that the properties, rights and privileges hitherto enjoyed by the people of the Territory would be respected; and I feel sure that the Dominion Government will, with pleasure, [accede?] to the Local Legislature, the recognition and arrangement of local customs, usages, and privileges. The seventeenth article says:—

“17. That the Local Legislature of this Territory have full control of all the public Lands¹³ inside a circumference, having Upper Fort Garry as a centre; and that the radii¹⁴ of this circumference be the number of miles that the American line is distant from Fort Garry.’

“With regard to this article, my knowledge of the country and of the extent to which this concession might affect public works &c. is too limited to admit of my expressing any decided opinion on the subject further than that full and substantial justice will be done in the matter.”

Convention of 40, pgs. 83–84.

ON THE INVITATION FOR FURTHER NEGOTIATIONS WITH RED RIVER RESISTANCE

“Having gone through the articles, may I now be permitted to say a few words? Your list is not only long, but contains many things of great importance. In coming here first, I had no idea of it! Nor had the Canadian Government. However I was authorized by them, as Commissioner, to do what in my judgement might appear best in the state of public affairs here. It was thought, at the same time, that there might be some points raised which I really could not deal personally with any satisfaction to the people of the country. This being the case, and looking at the suggestion put forward by the Very Reverend the Grand Vicar, with reference to a delegation from this country to Canada,— I have now on the part of the Dominion Government—and as authorized by them—to invite a delegation of the residents of Red River, to meet and confer with them at Ottawa (cheers). A delegation of two or more of the residents of Red River—as they may think best—the delegation to confer with the Government and Legislature, and explain the wants and wishes of the Red River people, as well as to discuss and arrange for the representation of the country in Parliament (cheers). I felt that, this being the case, it was less necessary for me to deal very particularly with these matters. On the part of the Government I am authorised¹⁵ to offer a very cordial reception to the delegates who may be sent from this country to Canada (loud cheers). I myself feel every confidence that the result will be such as will be entirely satisfactory to the people of the North-West. It is, I know, the desire of the Canadian Government that it should be so (cheers).”

Convention of 40, pg. 84–85.

¹³ Public lands = lands owned by the government

¹⁴ Radii = radius

¹⁵ Authorised = authorized

Adams G. Archibald in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



The second son of Samuel and Elizabeth Archibald, Adams George Archibald was born on 3 May 1843 in Truro, Nova Scotia. He began a career in law as a notary public in 1836 and became an attorney after being called to the bar of Prince Edward Island in June 1836 and to the Nova Scotia bar seven months later. From there, Archibald became commissioner of schools in 1841, registrar in 1842 and judge in 1848. In 1849, he was appointed one of five commissioners to oversee the building of a telegraph line linking Halifax to the New Brunswick border.

Following the family tradition, Archibald successfully ran as a Liberal candidate for Colchester County during the 1851 general election. Thereafter, he proved to be especially effective in committees, often speaking quietly and offering well-structured arguments. He strove for consensus, but stubbornly fought for or against particular causes, and even broke party lines when he believed it to be necessary. (Archibald, for example, consistently opposed universal male suffrage.) In 1852, he advocated reciprocal trade with the United States and, in 1854, supported an agreement worked out in Washington between the British North American colonies and the United States.

In 1859, he became attorney general despite allegations of corruption during the by-election ratifying his appointment. Archibald became the Liberal leader in 1862, after Joseph Howe became the imperial fisheries commissioner. In 1864, his attempts to curtail universal male suffrage led to his government's defeat.

Archibald had not previously shown much interest in the Maritimes becoming part of the British North American union, but he became a strong proponent of Confederation after the 1864 Charlottetown and Quebec conferences both because he believed that it would likely secure the Intercolonial Railway for Nova Scotia and because Confederation offered him liberation from provincial politics.

In 1867, John A. Macdonald appointed Archibald as secretary of state in the first post-Confederation cabinet. In the resulting by-election, however, Archibald lost his seat and he resigned from the cabinet in April 1868. He was re-elected during another by-election the following year, and he subsequently became the first lieutenant governor of Manitoba and the North-West Territories. When he arrived in the Northwest in August 1870, he discovered that Colonel Garnet Joseph Wolseley, the leader of the military expedition sent to the area, had already appointed Donald Alexander Smith as acting governor of Assiniboia. Archibald then declared a new government for Manitoba and subsequently attempted to balance cementing Canadian control of the region with satisfying the expectations of the former resisters. This pursuit of reconciliation was only partially successful and was somewhat hindered by Canadian and imperial refusals to grant a general amnesty for the resistance. Archibald even shook Louis Riel's hand when reviewing Métis, who subsequently organized to resist a short-lived attack by Fenians. Archibald went on to help negotiate Treaties 1 and 2, but he lacked the power to properly resolve Indigenous concerns.

After leaving Manitoba, Archibald briefly served on the Supreme Court of Nova Scotia before becoming the province's lieutenant governor from 1873 to 1883. After briefly returning to the House of Commons, he was too ill to stand for re-election and in 1891 and passed away the following year.

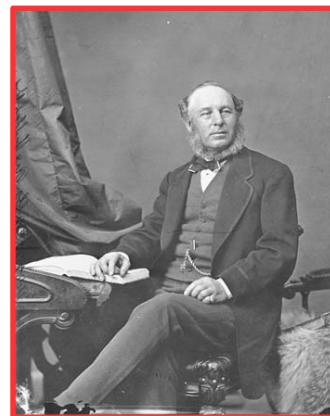


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Primary Source: Adams Archibald's Views on Confederation

When the House of Commons debated creating Manitoba, Adams Archibald said the following points:

SUMMARY STATEMENT

"The circumstances in which these events place us impose on us a stern duty. We must vindicate the supremacy of the national flag. But the readiest mode of doing so is, at the same time, to show these people that their fears are unfounded, that their rights shall be guaranteed, their property held sacred, and that they shall be secured in all the privileges and advantages which belong to them, as Britons and as freemen. This is why I rejoice that the Government have proposed a most liberal Bill, which gives the people every guarantee they have a right to ask. With this Bill in one hand, and the flag of our country in the other, we can enter, not as conquerors, but as pacifiers,¹ and we shall satisfy the people there that we have no selfish object of our own to accomplish, that we go there for their good as well as for our good."

House of Commons, 7 May 1870, pg. 1431.

IMPORTANCE OF MANITOBA AND GENEROUS TERMS OF UNION TO CANADIAN EXPANSIONISM

"My hon. friend from Lambton speaks of the value of the great domain on which we are about to enter in the most glowing terms.² He dwells on its importance as the site of the only railway which can find its way to the Pacific, over a fertile country. I entirely agree with him in his judgement. I feel that the value of this great Territory cannot be overestimated, and it is because I feel thus—and because the Province we are now organizing is the key of the whole—that I entertain³ so strong a desire that we should get possession of this, which assures us of the whole. I consider it sound policy to deal in a liberal spirit with the troubles we have, so as to efface them at once and forever. If this Bill proposed to deal with the whole North-West Territory, we should feel much more difficulty in approaching the subject. If we were called upon to give form and shape to the political institutions which were to regulate a whole continent, we would do well to hesitate. To my mind the smallness of the limits of the Province is no objection. If it be one, it is one capable of an easy remedy. All we require to know is that a larger Territory ought to be included, and at any time the limits can be extended. You may enlarge, but you will find it difficult to contract. But after all, is it so very small? It contains 14,000 square miles. That is not a very large tract, perhaps, in the minds of the people of the great Province of Ontario, but with us by the seaboard, a Province five or six times as large as Prince Edward Island, is no contemptible Territory... in Manitoba there is hardly an acre that is not cultivable. It is capable of sustaining a population of millions from the soil alone, and such a Province cannot be called mean or



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¹ Pacifiers = peacemakers

² Glowing terms = praise

³ Entertain = feel

contemptible. It is true the present population *does not exceed fifteen to seventeen thousand*, but they will not remain long at that figure. One of the first results which will follow the organization of the country, will be a large influx of Immigration. Quebec will contribute its share, Ontario will do the same, many will come from beyond the water, and in two years we shall find there a population of double the number; and in five years it will amount to a very considerable population. Let them come from where they may; let them be of any origin, or race or creed; let them go in and possess the country, working it under the organization we are now framing, or under any other organization which they may think fit to adopt, all that we have to do is to see them fairly started in the race."

House of Commons, 7 May 1870, pgs. 1429–1430.

LOCAL AUTONOMY AND MINORITY RIGHTS

"These men are here by the invitation of the Canadian Government. They were appointed at a meeting of representatives from the various districts, convened at Fort Garry for that purpose. They are here, therefore, as the representatives of the people of that district, or, at all events, the representatives of that portion of the people who have taken part in these troubles. They may have sympathized with the actors in the *emeute*...⁴ If they can be of any use, it will be because they have the confidence and may be supposed to understand the views of the people behind them. These people are in armed insurrection.⁵ We wish to know what the difficulties are, we invite them to send delegates, and they send them on our invitation. The question is not whether the conduct of these people has been right or wrong. We want to know what it is they complain of, and they send these men to tell us. They are, therefore, so far representatives, and any insults hurled against them are insults to the people who sent them here. I ask my honourable friend for Lambton [Mackenzie], if he thinks any good is to come of his undertaking to proclaim on the floor of this House that one of these men is a drunkard and a loafer—and that another, in reckless disregard of his sacred character, has been complicated with rebellion, and violence and outrages of the worst kind. A man holding the high position of the hon. member for Lambton in this House and in this country has a large amount of responsibility thrown upon him. His words should be weighed and measured. I fear such language is not calculated to promote the settlement of these unhappy troubles."

House of Commons, 7 May 1870, pgs. 1428–1429.

INDIGENOUS LOYALTY TO THE CROWN

"It has hitherto been the pride of Canada, that in her dealings with the Indian⁶ tribes, she has evinced a spirit of generosity. That in making treaties she has dealt liberally, and what she has promised solemnly,⁷ she has kept faithfully. And at this moment she is reaping the reward of her good faith. If there is any one thing more than another that will assist us in putting an end to these Western troubles, it is the fact that the Indian tribes in every quarter are grateful to their great mother the Queen, for the way in which they have been dealt with, and are loyal to a man. There is also one other thing that very much helps us. In the country at this moment there are no more loyal subjects of the Crown than our fellow citizens of French descent. There are no men more truly British in their feelings, in their attachment to the Sovereign, in their love of British connection than are the French Canadians. And in this respect the half-breeds of French origin⁸ in the territory reflect the loyalty which they inherit from both races. They have no sympathy with

⁴ *Emeute* = riot

⁵ Insurrection = rebellion

⁶ Indians = an archaic term for First Nations Peoples

⁷ Solemnly = in a formal or dignified manner

⁸ Half-breeds of French origin = Métis

republican institutions,⁹ and if at this moment we have but little to fear from Filibusters¹⁰ and Fenians in the West, it is due to the fact that the men who are frightened, unnecessarily frightened, into an aggressive attitude, have no sympathy with the people and no regard for the institutions of their Southern neighbours."

House of Commons, 7 May 1870, pg. 1432.

DESIRE TO WORK WITH MÉTIS

"A flood of light has poured in upon us, and yet it is impossible to deny that in many points we are still in the dark. This little community which has grown up in the very heart of the continent is unique. Separated by boundless prairies from intercourse with the people of the South, barred out from Canada by 800 miles of swamp and wilderness, and mountain and lake, separated from the people on the Pacific shores, by the almost impassable chain of the Rocky Mountains, they have had little intercourse¹¹ with the outer world. And yet they have among them men, who have had the advantages of the best education which Europe can afford—men who in intellectual culture, in manners and in every social qualification are not surpassed in any country. And yet, these men are brought into immediate contact with the most primitive people in the world, with men in the primary stages of society, in the lowest and rudest conditions of civilization. Is it any wonder that a community so secluded from all the rest of the world, uninformed of all that is transpiring around them, should be subject to great, to unreasonable alarms, when suddenly the barrier is burst, which separates them from the rest of the world, and they see their country about to be entered by strangers? Is it any wonder that their fears should be raised; should be traded upon by Demagogues Ambitious of power and place? I do not think it is. I deplore¹² as much as any man in this House, I can blame with as much severity as any man in this House, the fatal results which have followed, but I can not say I am astonished that under the circumstances in which these men were placed, and with the fears they entertained, just such things should occur as have occurred, and that they should have culminated in the sad event which we all alike deplore and condemn."

House of Commons, 7 May 1870, pg. 1430.

⁹ Republican institutions = in this case, a government that is not loyal to the British Crown

¹⁰ Filibusters = a group engaging in unorganized warfare

¹¹ Intercourse = interaction

¹² Deplore = disapprove of



George-Étienne Cartier in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir George-Étienne Cartier was born on 6 September 1814 at Saint-Antoine-sur-Richelieu, Lower Canada to a wealthy merchant and political family. At the age of twenty-three, he participated in the rebellions in Lower Canada in 1837 and afterward was forced to flee to the United States for roughly six months. Indeed, newspaper reports claimed that he was killed in the ensuing confrontations. When Cartier returned from the United States in October of that year, he resumed his law practice. In 1848, Cartier began his political career by winning the seat for Verchères in the Legislative Assembly of United Canada. In 1852, Cartier introduced the bill that created the Grand Trunk Railway Company, and he was subsequently appointed one of its legal advisors the following year. He soon became the leader of the Parti Bleu. The party drew much of its support from the Roman Catholic Church and was thus strongly committed to preserving the power of the Catholic Church and French culture in what is now Quebec. Many Bleus also had strong ties to big business. Cartier, for example, was intimately involved with the Grand Trunk Railway. In 1857, Cartier and John A. Macdonald supported each other as co-Premiers, and the two men continued to work closely as leaders of their respective French and English coalitions until Cartier’s death in 1873.

As a leader in the Great Coalition, Cartier was one of the leading advocates of Confederation and took a leading role at the Charlottetown and Quebec conferences, and strongly defended the proposal in the Legislative Assembly. The *Bleu* leader believed that it was the only alternative to annexation to the United States. In 1865 he declared, “We must either have a Confederation of British North America or else be absorbed by the American Confederation.” Cartier also desired the expansion of the Province of Canada’s financial and political influence across British North America. He therefore supported the construction of an intercolonial railway and Canada’s acquisition of the North-West. Both of these endeavours would also serve his business interests.

After Confederation, his interests converged on Manitoba. In 1869, he went to London with William McDougall to arrange for the purchase of the territory from the Hudson’s Bay Company and ultimately conducted the brunt of these discussions when McDougall fell ill. When the Canadian government’s hasty attempt to occupy the territory without first consulting the existing inhabitants sparked the Red River Resistance, Cartier again took the initiative. He pursued a general policy of appeasement, meeting with Bishop Alexandre-Antonin Taché, who rushed to the region to help resolve the conflict, as well as with a subsequent Red River delegation that ventured to Ottawa to negotiate the formal terms of union. Though small, Manitoba would become a province, and the French Canadian leader ensured that the Métis were promised their own lands, separate school rights and dual language protections.

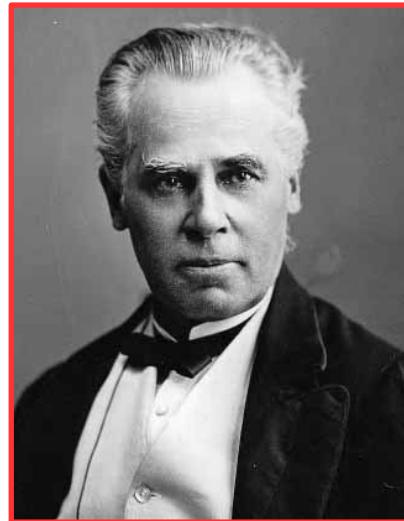


Image held by Library and Archives Canada.



Primary Source: George-Étienne Cartier's Views on Confederation

When the House of Commons debated creating Manitoba, George-Étienne Cartier said the following points:

SUMMARY STATEMENT

“...the expedition was one of peace, and was necessary for the acquisition of the Territory. The Canadian Government was in this matter acting in accordance with the Imperial authorities. The measure which had just passed the House, was one of pacification,¹ and was necessarily preceded by an expedition to re-establish the authority of the Queen and restore order and security to life and property in the country. It was necessary to send troops to protect a large portion of the people there who were at the mercy of an armed minority. The spirit which had been shown by England towards Ireland showed that she desired to do justice to all her Possessions,² and as well to Red River as to others. It was necessary that her authority should be established there, and it was for that purpose the expedition was to be sent, and not for the purpose of carrying on war. It was the desire of the Convention that troops should be sent and every one must be aware that in consequence of the troubles which had existed, unless authority was re-established and troops sent to maintain it, there was a danger of various sections of the people engaging in civil war, whereas if the law Courts were to be able to exercise their powers, they must be supported by the force necessary. Irregularity has taken place on both sides, and it was probable that the Imperial Government, as was its custom, would grant an amnesty to offenders. With regard to Mr. [Guillaume] Gaucher’s question, the composition of the force shewed [sic] that it was not sent with a feeling of hatred, different creeds and races being mixed together.”

House of Commons, 10 May 1870, pgs.1506–1507.

“There was the case of Ireland, conquered hundreds of years ago, and the misgovernment there was only now about to be relieved by Protestant votes. We wanted no such state of things here—no country baptized in blood. The House and country ought to be thankful that the North-West Territory would be annexed without a drop of blood being shed (hear, hear). The moderation of the half-breeds³ had been remarkable; and now they understood the policy of the Government was to be pacific.⁴”

House of Commons, 21 February 1870, pg. 118.

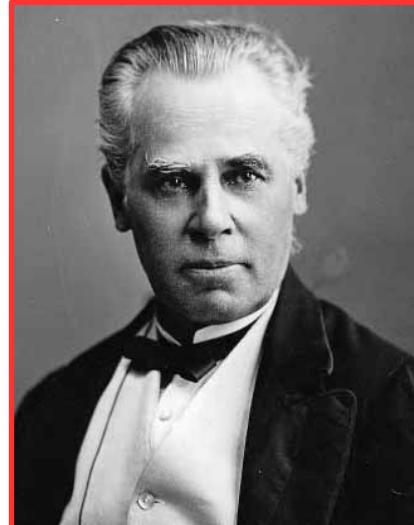


Image held by Library and Archives Canada.

¹ Pacification = create peace

² Possessions = territories

³ Half-breeds = an archaic term for Métis

⁴ Pacific = peaceful

FRENCH CANADIANS AND THEIR FUTURE IN MANITOBA

"It had been published in some papers that there was a conspiracy against his hon. Friend [McDougall], because a French Gouvernor⁵ ought to be sent there, and that the Territory ought to be a second Quebec. He thought that these statements were the most wicked untruths that had ever been published. He had promised his friend his support, and he should not have been guilty of doing anything to give the least appearance of truth to such a wicked and mischievous untruth. The French Canadians were an impulsive race, and he thought it very wrong for a writer or a speaker to attempt to raise a disturbance in the East as well as in the West. They were French Canadians, but they were also British subjects (cheers), and were as much British, even if not more so, than the British (cheers). He was a pure Frenchman, and he defied them to produce a more loyal man. Suppose that he was appointed to the Governorship, would his being a French Canadian make him unfit for that position? (No! no.) Sir G.-E. Cartier then contrasted the liberality⁶ of the Provinces of Ontario and Quebec, and gave a stirring description of the loyalty of the old French inhabitants of the Province of Quebec. As to the inhabitants of the Red River, the French had gone there with their fathers, but some stupid fanatical papers had said there should be no Frenchmen there. At any rate there was no intention to send a French Government there; but still their paper had no right to speak of the French population as they had done. The Red River must be a Province like Quebec, Ontario, Nova Scotia, or New Brunswick, but a Province for every race to settle in. He thanked God there were in Lower Canada 250,000 honest English-speaking residents; and he and his co-nationalists⁷ only regretted that there were not double the number. At the last census there were 80,000 French Canadians in Upper Canada. He hoped at the next census there would be 100,000 more (laughter), and he was convinced that the Upper Province would not be the worse for this increase. The address stated that the policy of conciliation would be adopted."

House of Commons, 21 February 1870, pg. 118.

ON MANITOBA BECOMING A PROVINCE, RATHER THAN A TERRITORY

"He [Cartier] did not intend to refer to what had taken place in the Territory... they ought to drown those difficulties by liberal measures. He thought the people in the Territory were educated, and the conference at Red River would contrast favourably with theirs at Quebec. (Ironical hears.⁸) The original inhabitants of Upper Canada were only 10,000 when the Province was formed; and the settlers now at Red River Territory would contrast favourably with them. The scheme of the Hon. Mr. McDougall would cause discontent, and keep alive alarm and contention,⁹ thus preventing the settlement of the country. The Government Bill, if carried, would go abroad as the settlement of the Red River difficulty; whereas the... Municipal Government proposed by the amendment would not achieve any such end. It would put off the formation of a Province for three years [and] launch them into a territorial Government... If the hon. member for Lanark [McDougall] had succeeded in entering the Province, and establishing a Government as he proposed the cost would have greatly exceeded this sum."

House of Commons, 9 May 1870, pg. 1457.

SMALLNESS OF MANITOBA

"...He himself would not enter on the merits of the Bill, but make a few prefatory observations in answer to those of the member for Lambton. He had found fault with the Constitution of the

⁵ Gouvernor = Governor

⁶ Liberality = generosity

⁷ Co-nationalists = French Canadians

⁸ Ironical hears = mocking sounds from the opposition MPs

⁹ Contention = heated disagreement

Territory, and there being two Houses for so small a portion of the Territory. He referred to Prince Edward Island, with its population of only 85,000, and an area of only 1,300,000 acres, which, from the first, had a political organization and all the machinery of a Government, and to New Brunswick, which, at the time of its separation from Nova Scotia, had a population not larger than that of Nova Scotia. Manitoba was the key to the whole territory, and when they had defined its limits they had done a good work. This Bill had, as it were, disclosed the policy of the Government, for it was evident there was room between Ontario and the Rocky Mountains for several Provinces, and Manitoba was made the model or starting point for the Provinces to be erected to the Pacific Ocean."

House of Commons, 2 May 1870, pg. 1309.

MÉTIS LANDS, FIRST NATIONS LANDS AND THE RAILWAY

"...it was the intention of the Government to deal most liberally with all occupants of lands in the Territory. It mattered not what their descent might be. There would not be a penny exacted¹⁰ from anyone holding a title from the Hudson's Bay Company. The descendants of white people had no pretensions to the lands of the Territory, and consequently no provision was made for them in the Bill. In further reply to the hon. members, he (Sir G.-E. Cartier) said that the Indian¹¹ Reserve was to do for all the tribes in the North-West. With regard to the provision for pure Indians there were only 1,700 in the Province, and their claims would be provided for."

House of Commons, 9 May 1870, pg. 1447.

"Hon. Sir George-E. Cartier then contended that any inhabitant of the Red River country having Indian blood in his veins was considered to be an Indian. They were dealing now with a territory in which Indian claims had been extinguished, and had now to deal with their descendant—the half-breeds. That was the reason the new Province had been made so small."

House of Commons, 9 May 1870, pg. 1450.

"The Government intended to be liberal, and the claims of the half-breeds would be seen by those interested, to have been considered. The Government agreed that the lots should be 200 acres. He might say that the intention of the Government was to pursue a land policy which would not be surpassed in liberality by any Province in the Dominion, or any State in the neighbouring Union, or by the Federal Government itself (hear, hear.) If the children of half-breeds should fail to avail¹² themselves of the liberal offers made them to settle on the reserves, the land would be forfeited to the Crown."

House of Commons, 9 May 1870, pg. 1458.

"With regard to land grants, there had been a discussion before recess, and it was unnecessary to repeat the arguments then advanced. The Government intended to be liberal, and the claims of the half-breeds would be seen by those interested, to have been considered. The Government agreed that the lots should be 200 acres. He might say that the intention of the Government was to pursue a land policy which would not be surpassed in liberality by any Province in the Dominion, or any State in the neighbouring Union, or by the Federal Government itself. (hear, hear.) If the children of half-breeds should fail to avail themselves of the liberal offers made them to settle on the reserves, the land would be forfeited to the Crown."

House of Commons, 9 May 1870, pg. 1458.

¹⁰ Exacted = taken

¹¹ Indians = an archaic term for First Nations Peoples

¹² Avail = take advantage of

"The land question was the most difficult one to decide of any connected with the measure; it was one of the most important connected with the welfare of the Territory; it would soon be necessary to construct a railway through Red River and consequently the Dominion Parliament would require to control the wild lands. If the lands were left in the hands of the Local Parliaments¹³ there might be great difficulty in constructing the British Pacific Railroad, although the Dominion Government held the control of the lands it was only just to give something in return for them. Thus arose the reserves. Was it not just and liberal to provide for the settlement of those who had done so much for the advancement of the Red River country—the Indian half-breeds? The intention of the Government was to adopt a most liberal policy with respect to the settlement of the Territory."

House of Commons, 9 May 1870, pg. 1446.

"The land, except 1,200,000 acres, was under the control of the Government, and these were held for the purpose of extinguishing the claims of the half-breeds, which it was desirous not to leave unsettled, as they had been the first settlers, and made the Territory. These lands were not to be dealt with as the Indian reserves, but were to be given to the heads of families to settle their children. The policy, after settling these claims, was to give away the land so as to fill up the country. As it did so emigration¹⁴ would go westward, fill up other portions of the Territory, and so the grand scheme of Confederation would be carried out."

House of Commons, 2 May 1870, pg. 1309.

"He would conclude by reiterating that their measure was more liberal, just, and economical than the measure proposed by his hon. Friend [Mackenzie]."

House of Commons, 9 May 1870, pg. 1458.

¹³ Hands of the Local Parliament = provincial government jurisdiction

¹⁴ Emigration = the act of leaving one's own country to settle permanently in another

Alexander Mackenzie in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Alexander Mackenzie was born on the 28 January 1822 in Scotland as the third of ten sons to a family that was not well off and which consequently moved frequently. At the age of 13, with his father's health failing, Mackenzie began working fulltime as an apprentice stonemason and subsequently emigrated to Canada with the rest of his family in 1842 with only 16 shillings to his name. Mackenzie served as a contractor and foreman on major canal and building sites in southern Ontario and settled in Port Sarnia in Upper Canada in 1846 with his family. Mackenzie was also a Protestant who advocated for the separation of the Church and State in order to encourage personal freedoms, and he showed little interest in activities unrelated to self-improvement. He was also thrifty and, even after he became Prime Minister of Canada, complained about spending \$128 on a political banquet in 1876.

Mackenzie, started his political career in 1851 as a campaigner for George Brown's Reformer Party. During the 1861 election, Mackenzie won the seat for Lambton in the province's Legislative Assembly and quickly rose to become one of Brown's lieutenants supporting representation by population, government retrenchment and fiscal responsibility, and the supremacy of the Parliament over financial interests. He was a strong speaker and a good parliamentary tactician, but often lacked the flair to inspire those around him.

Mackenzie supported Confederation because it guaranteed key Reform goals like representation by population, but he disliked the “Great Coalition” because it required Reformers to ignore differences with their Conservative rivals. Mackenzie shared the pervasive thirst in Ontario to “settle” the Northwest, but frequently opposed the Conservative’s policies. In the case of Manitoba, Mackenzie shared the prevalent outrage against Thomas Scott’s execution and, even though he would later grant amnesty to Riel in 1875 after becoming prime minister, he joined Ontario Liberals in opposing any concessions to the Red River resisters during the early 1870s. When Macdonald’s government announced the establishment of Manitoba, Mackenzie opposed its over-representation in Parliament (according to the principle of representation by population).

As one of his party’s most outspoken voices, it was not surprising that Mackenzie eventually became Liberal leader in March 1873. Within a month of Mackenzie’s election, the Pacific Scandal severely weakened the Conservatives. The following January, the Liberals won the subsequent election and Alexander Mackenzie, with his reputation for honesty, became Prime Minister of Canada. His cabinet, however, struggled to coalesce, and disunity plagued the government. His government, nevertheless, achieved several important reforms, including the establishment of Canada’s Supreme Court.

In 1878, Mackenzie called for an election which his government subsequently lost to the Conservative Party. Although he returned to his seat in Lambton, he soon resigned as party leader. During the next decade, he became increasingly isolated and, with his voice failing, rarely spoke in Parliament after 1882. He died on 17 April 1892, after several months of being bedridden following a fall near his home.



Image held by Library and Archives Canada.



Primary Source: Alexander Mackenzie's Views on Confederation

When the House of Commons debated creating Manitoba, Alexander Mackenzie said the following points:

SUMMARY STATEMENTS

"He looked upon it as an undertaking of vast political importance to the future of the country. He looked upon it as a question essential to the continuance of their existence as a British Independent power on the continent. He considered that without that Territory it would be impossible to maintain their present political relations, and a change in political relations, which that House and the country would be adverse to,¹ would be the inevitable consequence of any departure from the policy long held by Canada of acquiring that Territory for the Dominion."

House of Commons, 7 May 1870, pg. 1415.

"... he [Mackenzie] looked upon the whole proposal of the Government as one that was open to great objection, and that the whole course taken in the North-West matter was one exceedingly disastrous to the country. The House was informed at the beginning of the session that the Government had declined taking possession of the country, and had not paid the amount agreed to with the Hudson's Bay Company, in order to throw the expense of settling the disputes on the Imperial Government, and to force them to take possession for us, and to hand it over to us as a new purchase. He had always looked upon the Territory as their own, and the payment as a payment simply to obtain a quit claim deed² to us of that Territory. He looked upon the proposal of the Government as most reprehensible, and calculated to bring our Government and people into dispute with Imperial statesmen, as a refusal, under the circumstances, they had no right to make. He was now convinced, after much careful examination of the evidence of everyone who had come from that Territory, that had the proposition been carried out, with good faith, that insurrection, with all its consequent troubles, disasters and murder would have been avoided. In consequence of this conduct of the Government they had been threatened with a war of races and nations, and now as the result of all this political tergiversation³ and bad faith, the pitiable⁴ compensation of the Imperial Government being willing to pay one-quarter part of the expenses attending the restoration of Government. This showed more than anything he could name the results of the



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¹ Adverse to = oppose

² Quit claim deed = a legal document used to transfer land

³ Tergiversation = conflicting or evasive statements

⁴ Pitiable = pathetic

policy the Government pursued, and the want of national faith⁵ which had characterized the Government in their dealing."

House of Commons, 2 May 1870, pg. 1305.

NEGOTIATING WITH RESISTERS

"He (Mr. Mackenzie) was not willing that they [Red River resisters] should be recognized as the representatives of the people, nor in any sense considered with more favour than the loyal men who had suffered from their (the delegates') rebellion. He was willing to hear everyone from that Territory—but what was the loyalty of the Premier? He [Sir John A. Macdonald] had often lectured the Opposition in the absence of argument, on their want of loyalty, but he (Mr. Mackenzie) would not sit in that House without raising his indignant protest against the reception of those men nominated by Riel as delegates... He [Mackenzie] had shown consideration for the Government, and was not prepared to take any extreme views or perpetrate any injustice on any portion of the people, but he was not prepared to see those men received as delegates representing the people over whom they had tyrannized because of their loyalty, while the representatives of the truly loyal settlers who had remained true to their allegiance throughout, were treated as outcasts and bastards, no attention being paid to their representations (hear)."

House of Commons, 3 May 1870, pgs. 1335–1336.

"What he complained of was, that everything should be conceded⁶ to one party and nothing to the other—that delegates of rebels should be consulted, while delegates of a large portion of the people, and those the loyal party, were disregarded...⁷ He would like to see if there was a majority in this House who would refuse to give protection to the loyal inhabitants of that country in face of the public opinion of the Dominion. He would like to see if there were a dozen members in that House with such a want of manliness and honesty as to allow rebels to drive loyal men from the Territory seize their property, endanger their safety and even take life when there was no excuse for it. (Hear, hear.) Those very rebels had now assembled in a mock legislature there, and were assuming to deal with the lands of the Crown, as that House would not dare to do. He referred to an Act passed by the Legislature of Assiniboia, enacting that two miles hay privilege be converted by that Act into fee simple ownership. There was no reference to the Crown at all, why that House would not dare to pass an Act such as that one, yet that Legislature, that had established itself in the most irregular way imaginable, was to be allowed to exist, and no troops were to be sent there, according to the hon. member for Hochelaga,⁸ because the Bill passed by that Parliament satisfied the people who were carrying on that mock Legislature."

House of Commons, 3 May 1870, pg. 1515.

LAND POLICIES

"He [Macdonald] had told the House about the land policy, no further than this, that lands in occupation held under license or agreement of the Hudson's Bay Company, were to be retained by those in possession or the present local authorities, while the Dominion are to exercise control over the remainder of the Territory. A certain portion is to be set aside to settle Indian⁹ claims and another portion to settle Indian claims that the half-breeds¹⁰ have. But these half-breeds were either Indians or not (hear). They were not looked upon as Indians, some had been to Ottawa, and

⁵ Want of national faith = lack of public support for

⁶ Conceded = given up

⁷ Disregarded = ignored

⁸ Hon. member for Hochelaga = Anoine-Aimé Dorion—a French Canadian MP who had previously commented on the Red River situation.

⁹ Indian = an archaic term for First Nations Peoples

¹⁰ Half-breeds = an archaic term for Métis

given evidence, and did not consider themselves Indians. They were regularly settled upon farms, and what the object could be in making some special provision for them that was not made for other inhabitants was more than he could well understand."

House of Commons, 2 May 1870, pg. 1306.

"There was one provision in the Bill which he thought very disastrous. The Province, as now proposed, included an area of a little over 13,000 square miles, of which 500 were water, and a great portion of pastureland, which was not fit for settlement, so that by taking one-half, they had 6,500 square miles left—taking the land held by the population, or that claimed by the Hudson's Bay Company, there would be left altogether 2,500,000 acres for settlement, and of that the Bill proposed to set apart 1,400,000 acres, leaving a million for settlers who were to go into the country. He was entirely opposed to the land policy of the Bill. His impression was that they had committed a great mistake in the land policy of the old Provinces, and he did trust that, in securing that new country, they would have been able to lay out the whole land for settlement and pour in it a tide of settlers who would open up the whole country. If that policy was adopted, there would be no need of a reservation at all, (cheers)..."

House of Commons, 7 May 1870, pg. 1420.

"The effect of this [reserve] policy would be to shut up that portion of the Territory from immediate settlement, and turn emigrants¹¹ from Manitoba to lands not more inviting, but less difficult of access, on the other side of the line. He was a little pained by the assertion of the hon. Minister of Militia [Cartier] that those people had never thrown off their allegiance, and had never done anything wrong, but stood up for the protection of their rights. If the people had been in any way oppressed or if any violation of their rights had taken place, he would not only justify but assist them so far as he could, if in the Territory or where he could render them assistance. A people suffering under oppression had a right to use almost any force to preserve their rights; but in that case there had been no oppression, but merely a groundless fear that their rights might be interfered with, as the only incentives to their acts of disloyalty and violence. But the hon. Minister of Militia was entirely wrong when he asserted that they never threw off their allegiance. Did the hon. Minister ever read their declaration of independence? He would read it further—"We solemnly¹² declare, in the name of our constituents and in our own names, before God and man, that from the day the Government we always respected abandoned us to the people of a foreign land, Rupert's Land and the North-West became free and exempt from allegiance to that same Government." Yet, after that declaration, the hon. gentleman said the people never threw off their allegiance. Could the hon. gentleman, at any period of his own history, have used more violent language?"

House of Commons, 9 May 1870, pg. 1460.

"He advocated the policy that the half-breeds who were the head of a family should have the title of 200 acres of land, and that a white settler should be put on the same footing. By that means they would avoid the possibility of keeping land in reserve for an indefinite time, and would promote its settlement."

House of Commons, 9 May 1870, pg. 1449.

"Mr. Mackenzie said they had everything to do with the extinguishment of the Indian title. It was one of the conditions of obtaining possession of the Territory. The extinguishment of the half-breed title took one-sixth of the lands of the new Province and the extinguishment of the claims of the pure blooded Indians would take two-sixths of the entire area. There was half the Province gone. There were now 600,000 acres settled, and the Hudson's Bay Company, besides holding 10,000 acres in possession, claimed one-twentieth part of the land of the Province. Taking water

¹¹ Emigrants = individuals who leave their own country to settle permanently in another

¹² Solemnly = in a formal or dignified manner

and waste lands from the country there was absolutely little or nothing left for emigrants to settle upon. That would be the result of the policy of the Government. Before they proposed to extinguish the half-breed title the House ought to know what the Government intended to do with the Indian title... He advocated the policy that the half-breeds who were the head of a family should have the title of 200 acres of land, and that a white settler should be put on the same footing. By that means they would avoid the possibility of keeping land in reserve for an indefinite time, and would promote its settlement."

House of Commons, 9 May 1870, pg. 1450.

PROVINCIAL VS. TERRITORIAL STATUS

"...did seem a little ludicrous to establish a little municipality in the North-West of 10,000 square miles—about the size of two or three counties in Ontario—with a population of 15,000 people, having two Chambers, and a right to send two members to the Senate and four to the House here (laughter). The whole thing had such a ludicrous look that it only put one in mind of some of the incidents in Gulliver's Travels. It may be on more close investigation that more palliating circumstances might be brought to light for this extraordinary Constitution, but at the present moment he could only say that he looked upon it as one of the most preposterous¹³ schemes that was ever submitted to the Legislature."

House of Commons, 2 May 1870, pg. 1306.

"He did not, however, consider it advisable to establish a permanent Government in the Territory at present, and would prefer to see a Governor of the Territory for a year or two who would be able to ascertain the desires and wishes of the inhabitants of the Territory as to the form of Government to be introduced... it would be far better that they should pass a Bill organizing a temporary Government, with a Council of members to be elected from regular electoral divisions, and that they should in the meantime govern the country, and should indicate to Parliament what form of Government they desired. (Hear.)"

House of Commons, 7 May 1870, pg. 1420.

He would therefore move that the Bill be committed, with a view to the adoption in the Bill of a Temporary and Territorial form of government. 'That the Legislature should be chosen by popular voice, and there should be representation in the Dominion Parliament, combining with due regard the rights of the people and the economical administration of local affairs, the means of obtaining a knowledge of the public will as to form of the Legislature and the tenure of the lands of the Province, thus obviating¹⁴ the putting upon them of a form of government to which they might object' (Hear.)"

House of Commons, 9 May 1870, pg. 1461.

MINORITY RIGHTS AND SEPARATE SCHOOLS

"He trusted that the Government would bring down such a statement as to the claims which were to be recognized in the clauses of the Bill, because in absence of the knowledge as to the extent of these claims it was manifestly impossible to pass any such claims. Everything must be done so as to retain the liberty¹⁵ of every class and creed of Her Majesty's subjects on the same footing and that no one shall have any special claims or privileges recognized in that new Territory. He would look with very grievous apprehension¹⁶ on anything that would introduce into that new Territory

¹³ Preposterous = ridiculous

¹⁴ Obviating = avoiding

¹⁵ Liberty = freedom

¹⁶ Grievous apprehension = severe hesitancy

the divisions which were for so many years so disastrous in our own country (hear), and which kept many of the denominations concerned in these disputes in a state of internecine¹⁷ warfare, which produced results so disastrous to society generally, and particularly to the churches engaged. Anything that had the effect of preventing this, we must insist on here, and that no legislation shall be initiated by this House, which has a tendency to initiate, permit or perpetuate anything of that sort. (Cheers.)"

House of Commons, 2 May 1870, pgs. 1306–1307.

"Mr. Mackenzie was prepared to leave the matter [separate school rights] to be settled exclusively by the Local Legislature.¹⁸ The British North America Act gave all the protection necessary for minorities; and local authorities understood their own local wants better than the General Legislature. It was his earnest desire to avoid introducing into the new Province those detrimental discussions which had operated so unhappily on their own country, and therefore hoped the amendment would be carried."

House of Commons, 10 May 1870, pg. 1503.

¹⁷ Internecine = destructive to both sides

¹⁸ Local legislative = local (as opposed to federal) jurisdiction

William McDougall in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Born in present-day Toronto on 25 January 1882, William McDougall grew up in a Scottish family that emphasized education. He attended a Methodist school which later became Victoria College, where he learned business and communication and gained an awareness of the modern progression of sciences. Having witnessed the 1837 burning of Montgomery's Tavern and concluded that the rebellion had been a push against oligarchies, he developed strong liberal views. After completing his schooling, he undertook legal studies under James Hervey Price and supported the Clear Grit Reform movement (which advocated ballot votes, freer landholding laws, secularization of the clergy reserves and elective democratic instructions). In 1847, McDougall joined a law firm and used this work to finance his journalism career. His newspapers initially catered to rural audiences, but he founded the *North American* newspaper in 1850 to challenge George Brown's mainstream Reform movement by giving voice to Clear Grit assessments.

McDougall first ran for office in 1854 but lost. Hard times forced him to sell the *North American* to George Brown and work as a journalist for the *Globe*. This sale, along with other political developments, helped to unite Reformers and bolster McDougall's standing within the movement, and he subsequently won the seat in Oxford North in the Legislative Assembly in 1858.

McDougall's personal eccentricity and political unreliability led others to label him "Wandering Willie." Yet his talents won him continued support. In 1862, he became Commissioner of Crown Lands. From this office, he laid the groundwork for Canada's expansion into the Northwest, including the repossession of Indigenous reserves on Manitoulin Island. He subsequently joined the Great Coalition cabinet and participated in the Charlottetown, Quebec and London conferences. A supporter of Confederation, McDougall hoped to leverage the new country's aggregated resources to expand into the Northwest.

As a result of his various political roles, professional skillset and a continued desire for power, McDougall was appointed the Minister of Public Works by Sir John A. Macdonald on 1 July 1867. By choosing to remain in the coalition cabinet after George Brown departed, McDougall was accused of having betrayed the reformers. McDougall responded by asserting that Confederation created a new political system free from old divisions and defended his decision to pursue his own political goals. The most important of these goals was Canada's expansion to the Pacific. In 1868, McDougall and Sir Georges-Étienne Cartier negotiated the transfer of the Hudson's Bay territory to Canada and, the following year, McDougall left the cabinet to become lieutenant governor designate of the North-West Territories. On 30 October 1869, however, McDougall was prevented from entering the territory by organized Métis from the Red River area. Despite the prime minister's instructions to wait in Minnesota until the Resistance ended, McDougall entered the Red River territory and declared Canadian sovereignty, drawing the ire of Macdonald, who had deliberately postponed the transfer of Hudson's Bay Company lands to Canada.

Humiliated, McDougall returned to Ottawa. He unsuccessfully tried to regain his parliamentary seat in 1872, and did not return to Parliament until he won the seat for Halton as a Conservative in 1878, only to be defeated in the next two elections. In the meantime, he continued his legal practice and advised Sir Wilfred Laurier on trade policy. In 1905, McDougall passed away, leaving almost no estate for his family.



Image held by Library and Archives Canada.



Primary Source: William McDougall's Views on Confederation

When the House of Commons debated creating Manitoba, William McDougall said the following points:

SUMMARY STATEMENTS

“Any hon. member¹... who could stand up to palliate² and defend the acts of those who were in armed rebellion to the Dominion could hardly be called a loyal man. What was wrong with the Cabinet? Did they wish to encourage rebellion? Here, to-night, the members of the Government had attempted a defence of the rebellion. He denied that they expounded the views of the country at large. If there could be any excuse for that rebellion, he could not blame hon. gentlemen for speaking as they had done; but he denied that anything had ever been done in the North-West to provoke that rebellion. There was nothing to justify it, and nothing in its whole course to palliate its enormity, or deserve the defence of the hon. member for Hants.³ It was unfair to blame him (Hon. Mr. McDougall) for the fatal results of his journey into Red River, and the blunders which brought about the rebellion. The blame, if it lay with any one, lay with the Government, which had sent him up and failed to keep faith with him.”

House of Commons, 9 May 1870, pg. 1481.

“If they [the government] honestly desired to carry out Confederation and to establish as soon as practicable their authority in the North-West, he would defend them and help them to carry out their policy; but, on the other hand, if it appeared to him and to the judgment of his friends in this House that their policy was not calculated to accomplish this object, but likely to encourage those in resistance to authority, then he would oppose them, and, if necessary, vote to turn them out of office.”

House of Commons, 22 February, 1870 pgs. 140–141.



Image held by Library and Archives Canada.

¹ Hon. member = member of Parliament

² Palliate = make less severe or unpleasant without removing the cause

³ Member for Hants = Joseph Howe, the Secretary of State

"The only objection to that was the question of the Indians,⁴ but he apprehended no difficulty from that source if proper endeavours were made to let the Indians know the changes, so as to prevent false impressions from getting abroad. With regard to the size of the Province only 900,000 acres would be open for the settlement of new settlers. He denied the right of the half-breeds⁵ to any reserve and if the Province was made too large they could diminish it."

House of Commons, 7 May 1870, pg. 1436.

PROVINCIAL VS. TERRITORIAL STATUS

"He objected to the Bill as premature, and thought it should only be proposed at the end of four or five years, when they had seen whether the Government which they were creating might find itself embroiled in any new difficulty in consequence of the already existing difficulties of the different populations and recollections of former disputes... They [the federal government] should provide such a Government as was suited to the wants and number of the population, and when it was found that they had grown out of their district and municipal system, and were ready to bear the expenses of a Provincial system, let the House give it to them."

House of Commons, 7 May 1870, pg. 1437.

MÉTIS LAND CLAIMS

"The other difference between his plan and that of the Government was in regard to land. They must offer greater inducements⁶ to emigrants⁷ than they would find in Minnesota, if they wished to get them to come to their Territory. He proposed to give them 200 acres of land, a residence of 3 years, and a fee of \$5, instead of, as in the United States, 160 acres, 5 years, and \$10. There were difficulties of various kinds in Minnesota, and several Canadian emigrants who had settled in that State had waited upon him at Pembina, expressing their wish to go into the Red River Territory if a liberal⁸ land policy were adopted. That was the case with many of the western States. The superiority of the land was acknowledged. He had adopted, with modifications, the American Homestead law,⁹ to which there was nothing similar in the Government Bill."

House of Commons, 9 May 1870, pg. 1454.

"Hon. Mr. McDougall said there was really no Indian claim such as was alluded to in the Bill. As soon as the Indian mingles with the white he ceases to be an Indian, and the half-breeds were just as intelligent and well able to look after their own affairs as any white man. He referred to the half-breeds who accompanied the delegates to Canada, as an instance of what he asserted. Mr. Monkman belonged to the tribe known among the Americans as Swampies,¹⁰ his mother being a full-blooded native, and he would prove the intelligence of those men. The Indians of the Province claimed the lands given by Lord Selkirk.¹¹ The first negotiation that he had at Pembina was with Indians, who, with their usual sagacity, said that the insurrection arose with those who had come into the country, and not with the Indians. They asked him what the Government intended to do with their lands, and he had communicated with the Secretary of the Provinces. The clause made

⁴ Indians = First Nations

⁵ Half-breeds = an archaic term for Métis

⁶ Inducements = incentives

⁷ Emigrants = individuals who leave their own country to settle permanently in another

⁸ Liberal = generous

⁹ American Homestead law = surveyors mapped out family farms in square lots that generally ignored Indigenous ownership.

¹⁰ Swampies = Maškēkowak, the Cree of certain portions of northern Manitoba and Northeastern Saskatchewan

¹¹ Lord Selkirk = Thomas Douglas, 5th Earl of Selkirk helped to found the Selkirk settlement in southern Manitoba

no provision for them, and they could not go on the land and survey it with a view of settlement, without raising a war. The claim of the half-breeds was not founded on justice or law, and would lead to great inconvenience. The provisions of the Bill, that he had prepared, had a clause that every man going in and settling should have the right of ownership of land, and that would meet the claims of the half-breeds. If there were any young half-breeds wanting land, they could obtain it by a free grant. But agriculture was not the natural pursuit of those men. They were hunters and trappers, and the only effect of those reserves would be to retard¹² the settlement of the country, but not to settle the half-breeds. If free grants were given and a homestead provision made, the Government would have done their duty and acted as justly and liberally as could be expected of them. What was it that kept Canada back, what but those reservations of land for one thing or another. Their very best lands had been shut off from settlement in that way, and the country had been placed at a disadvantage compared with the neighboring Republic. Emigrants had passed through Canada to settle in the United States, where they could appropriate the best unsettled lands they could find. Canada's very best lands had been reserved under the old English idea which hon. gentlemen opposite had in their heads, and which had been the curse of the country through that reservation. If they would agree on some conclusion respecting a Homestead Law and strike out those appropriations, they would follow the most just and liberal course."

House of Commons, 9 May 1870, pgs. 1447–1448.

MCDOUGALL'S ANTI-FRENCH ANTI-CATHOLIC VIEWS

During the parliamentary debate, McDougall read the following excerpt from a letter that he sent to Prime Minister John A. Macdonald from the Northwest:

"My dear Sir John,—As I intend to leave for Toronto to-morrow, and shall visit, and probably speak to my constituents before my return, I desire to recapitulate,¹³ for greater certainty in future discussions, some of the views and opinions in regard to the present crisis in the North-West, which I have expressed to you and other members of the Cabinet since my arrival in Ottawa. I also desire to mention some of the points in your policy, in respect to which I shall feel it my duty to raise an issue in Parliament and in the country. In the first place, I have tried to impress¹⁴ upon you, what I firmly believe is the fact, that the resistance of the priests and the French half-breeds to your representative was not in any sense a personal matter, as has been represented in Canada, but was the result of a deep-laid, well planned, and so far, well executed conspiracy to prevent the union of Rupert's Land with Canada; that the movement is directed, aided, and will, in the spring, be openly joined by American politicians, filibusters¹⁵ and sympathizers, both within and without the Territory, with a view to its annexation to the United States—that the rebels now in arms aver¹⁶ and believed that they have sympathizing friends in Canada in high places, even in the Cabinet, who will delay, if they do not entirely prevent, all coercive measures until they can establish their Provisional Government on a firm basis, and support it with a force that will render any attempt by Canada to displace it impossible: that all attempts to persuade or talk over the leaders of the conspiracy by the missionaries you have sent them, and by the offers of such terms of concessions as you can constitutionally make, will certainly fail; and that if they seem to listen or yield, which, so far, they are not inclined to do, for they have imprisoned your missionaries, you will soon discover that their only object is to gain time—that in a word the movement of Riel & Co.,¹⁷ is a political revolution, and not the mere outbreak of ignorant half-breeds exasperated by stories mostly untrue; of individual wrong-doing,

¹² Retard = delay

¹³ Recapitulate = summarize

¹⁴ Impress = to make someone understand

¹⁵ Filibusters = a group engaging in unorganized warfare

¹⁶ Aver = claim

¹⁷ Riel & Co. = the Red River resisters

which they fear may be repeated, and have taken up arms to prevent that—while they are tools of cunning men, and these stories have helped to sharpen them for their work.”

House of Commons, 9 May 1870, pgs. 1483–1484.

FIGHTING VS. NEGOTIATING WITH RED RIVER RESISTANCE

During the parliamentary debate, McDougall read the following additional excerpt from a letter that he sent to Prime Minister John A. Macdonald from the Northwest:

“The leaders and secret abettors of the conspiracy know what they are about, and will yield to one argument, and one only—‘force.’ Viewing the case in this light, and with the best opportunity which any Canadian official has had to see and judge, I have urged immediate preparation for the transportation of a sufficient force in the spring to crush the outbreak at a blow... I have told you, and I repeat the statement here, that my Commission, or Charter, prescriptive though it be, is at your service, and that my opinion is that it should be held by a military man until law and order are restored in the Territory... I have renounced¹⁸ your refusal to accept the transfer of the Territory on the 1st of December, as agreed upon by the three Governments, as an act of unpardonable folly, not to say a crime which placed me in the position of an impostor, and but for the providential interference in the eye of the law, a filibuster and a felony;¹⁹ that by your continued refusal to accept the transfer, you are abetting the rebels, giving them the very encouragement and position they seek, to wit:²⁰ that of a Government *ex necessitate*²¹ and exposing your agents to be bold, as they have been bold, without the power of reply,—that they have no business there as the representatives of Canada, until Canada acquires a right to the country; that your pretence²² of an agreement, expressed or implied, that the temporal Government was to hand over the Territory to Canada with all its inhabitants, half-breeds and Indians, in a friendly mood and without arms in their hands was unwarranted in law and unjust to both the Hudson's Bay Company and the Imperial Government; and finally, that your hesitating half-hearted policy for the future, predicated upon the representations of the rebels and their abettors with whom Mr. Howe established friendly relations when in the Territory and from whom you have derived our chief council in this whole matter, is the sure and speedy mode of establishing an independent Government in the North-West hostile to Canada and friendly to the United States, and before the summer is over, able to maintain its position by force.”

House of Commons, 9 May 1870, pgs. 1483–1484.

“The measure was before the House and it was for them to see that in framing a Government for the new Province, and in view of what had taken place, they should so far respect public opinion in Canada, the British feeling of the Dominion, that should render it beyond peradventure that any one that had been guilty of murder and robbery should be elected a member of the Legislature. He thought if some such provision was not made that they should have such men as Riel, Lepine and the traitors who sat in conclave²³ on poor Scott elected to the Legislature. It would be extremely unwise, and under the peculiar circumstances, it was not more than just and right in view of the highest interests of the Dominion to put it beyond the power of the people to elect such men to the administration of the affairs of the Province. The hon. gentleman [Cartier] had referred to the Quebec Conference, and said no such provision had been made in it as that, but the agreement was that the law should exist as it was till²⁴ Parliament should see fit to alter it.

¹⁸ Renounced = ignored

¹⁹ Felony = crime

²⁰ To wit = that is to say

²¹ *Ex necessitate* = from necessity

²² Pretence = hint at

²³ Conclave = a private meeting

²⁴ Till = until

He admitted the House was competent²⁵ to deal with such matters; but he thought it would be a disgrace to allow such men as Riel to be elected to the Legislature in the new Province."

House of Commons, 10 May 1870, pg. 1500.

SEPARATE SCHOOLS

"He should also propose to strike out the 20th clause relating to separate schools. They had better see what provisions the Local Parliament might make with regard to this question, after which the Governor General exercised the vote power. He opposed the clause as inapplicable to the country and as suggestive of a state of things which it should be preferable not to suppose to exist."

House of Commons, 7 May 1870, pg. 1437.

"... the effect of the [Education] clause, if not struck out, would be to fix laws which the Local Legislature could not alter in future, and that it would be better to leave the matter to local authorities to decide, as in the other Provinces. He quite agreed with his hon. friend in giving the same powers to this Province as the others, and it was for that reason that he desired to strike out the clause."

House of Commons, 10 May 1870, pgs. 1502–1503.

"There was also another provision very important which he did not find in the Government Bill. He referred to the school reserve lands.²⁶ That principle was adopted in the western States, and the good results were very great, and it appeared that informing that new Province, they should adopt that new system. He had put a provision in this Bill with that view, putting the whole control of them under the local authority."

House of Commons, 9 May 1870, pg. 1454.

²⁵ Competent = capable of

²⁶ School reserve lands = During the nineteenth century, schools often paid for their operation by renting land given to them by the government. In the case of separate (either French or Catholic) schools, politicians often wanted to withhold or limit this privilege to limit the number and size of separate schools.

SECTION 1: ONTARIO



George Brown in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

George Brown was born in Scotland in 1818. In 1837, he emigrated with his father from Liverpool to New York, where they quickly established a politically charged paper called the *British Chronicle*. The journal resonated with many Scottish communities in Canada, and the Browns moved to Toronto in 1843. George Brown readily followed in his father's footsteps, pursuing politics in journalism by publishing editorial pieces in his father's new Toronto paper, the *Banner*. In 1844, a group of Toronto Reformers approached George Brown about founding a new party paper. The result was the *Toronto Globe*, which would become one of the most powerful newspapers in British North America.

A genuine passion for politics combined with his editorial talents made it natural for Brown to enter politics. First elected to the Legislative Assembly riding for Kent in 1851, he eventually united and led Reformers behind the platform of representation by population (“rep by pop”). Like most other Reformers, Brown also supported the annexation of the North-West and free trade, and he preferred non-sectarian education systems. His anti-Catholicism, when combined with strident demands for “rep by pop,” made it difficult for Lower Canadian politicians to ally with him.

Political deadlock in the Canadian legislature increasingly frustrated all sides. In 1862, health problems led him to return to Scotland for the first time in 25 years, where, at the age of 43, he met and fell in love with Anne Nelson. They married and returned to Canada in late December. The experience of having returned to the centre of the British Empire, combined with a new willingness for compromise that spurred from a desire to spend more time with his new family, led him to suggest the formation of a Great Coalition (comprised of Macdonald’s Liberal-Conservatives, Cartier’s Bleus and Brown’s Reformers). He subsequently took leading roles in the Charlottetown and Quebec conferences.

A prominent journalist, Liberal politician, and major contributor to the shape of Confederation, Brown left the Great Coalition in December 1856, knowing that the Confederation deal was assured. After losing a bid to become a federal MP in 1867, he preferred to be known for his relation to the *Globe*. George Brown subsequently refused the lieutenant governorship of Ontario in 1875 and a knighthood in 1879. He became a senator in 1873, and died of an infected gun wound in Toronto in 1880.

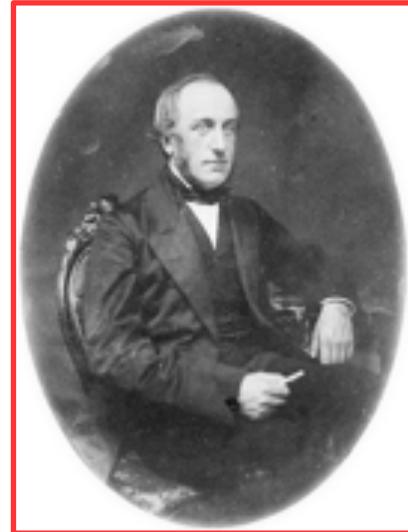


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Primary Source: George Brown's Views on Confederation

When the Province of Canada's legislatures debated Confederation in February and March 1865, George Brown said the following points:

SCHOOLS / MINORITY RIGHTS

"Now, I need hardly remind the House that I have always opposed and continue to oppose the system of sectarian education,¹ so far as the public chest is concerned. I have never had any hesitation on that point. I have never been able to see why all the people of the province, to whatever sect² they may belong, should not send their children to the same common schools to receive the ordinary branches of instruction. I regard the parent and the pastor as the best religious instructors—and so long as the religious faith of the children is uninterfered with, and ample opportunity afforded to the clergy to give religious instruction to the children of their flocks, I cannot conceive any sound objection to mixed schools. But while in the Conference and elsewhere I have always maintained this view, and always given my vote against sectarian public schools, I am bound to admit, as I have always admitted, that the sectarian system, carried to the limited extent it has yet been in Upper Canada, and confined as it chiefly is to cities and towns, has 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. There are but a hundred separate schools in Upper Canada, out of some four thousand, and all Roman Catholic. But if the Roman Catholics are entitled to separate schools and to go on extending their operations, so are the members of the Church of England, the Presbyterians, the Methodists, and all other sects.³ No candid⁴ Roman Catholic will deny this for a moment; and there lay the great danger to our educational fabric, that the separate system might 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 prodigal⁵ a system of public instruction must inevitably entail.⁶ Now it is known to every honorable member of this House that an Act was passed in 1863, as a final settlement of this sectarian controversy.... When, therefore, it was

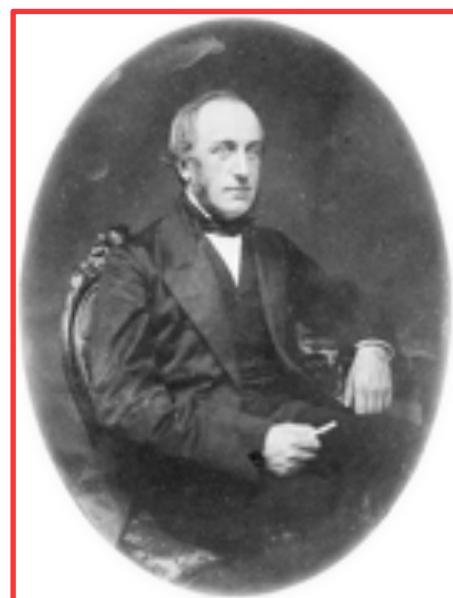


Image held by Library and Archives Canada.

¹ Sectarian education = separate school system

² Sect = group of people with different religious beliefs

³ The Church of England, the Presbyterians and the Methodists are different denominations of the Protestant Christian faith.

⁴ Candid = honest

⁵ Prodigal = spending money in a wasteful way

⁶ Entail = include

proposed that a provision should be inserted in the Confederation scheme to bind that compact⁷ of 1863 and declare it a final settlement, so that we should not be compelled, as we have been since 1849, to stand constantly to our arms, awaiting fresh attacks upon our common school system, the proposition seemed to me one that was not rashly to be rejected. (Hear, hear.)⁸ I admit that, from my point of view, this is a blot on the scheme before the House, it is, confessedly, one of the concessions from our side that had to be made to secure this great measure of reform. But assuredly,⁹ I, for one, have not the slightest hesitation in accepting it as a necessary condition of the scheme of union, and doubly acceptable must it be in the eyes of honorable gentlemen opposite, who were the authors of the bill of 1863. (Cheers.)¹⁰ But it was urged that though this arrangement might perhaps be fair as regards Upper Canada, it was not so as regards Lower Canada, for there were matters of which the British population have long complained, and some amendments to the existing School Act were required to secure them equal justice. Well, when this point was raised, gentlemen of all parties in Lower Canada at once expressed themselves prepared to treat it in a frank and conciliatory manner,¹¹ with a view to removing any injustice that might be shown to exist; and on this understanding the educational clause was adopted by the Conference."

REPRESENTATION BY POPULATION

"The people of Upper Canada have bitterly complained that though they numbered four hundred thousand souls more than the population of Lower Canada, and though they have contributed three or four pounds to the general revenue for every pound contributed by the sister province, yet the Lower Canadians send to Parliament as many representatives as they do. Now, sir, the measure in your hands brings this injustice to an end;—it sweeps away the line of demarcation¹² between the two sections on all matters common to the whole province; it gives representation according to numbers wherever found in the House of Assembly; and it provides a simple and convenient system for re-adjusting the representation after each decennial¹³ census. (Cheers.)"

PROVINCIAL AUTONOMY

"But, Mr. Speaker, I am further in favor of this scheme because it will bring to an end the sectional discord¹⁴ between Upper and Lower Canada. It sweeps away the boundary line between the provinces so far as regards matters common to the whole people—it places all on an equal level—and the members of the Federal Legislature will meet at last as citizens of a common country. The questions that used to excite the most hostile feelings among us have been taken away from the General Legislature, and placed under the control of the local bodies. No man need hereafter be debarred¹⁵ from success in public life because his views, however popular in his own section, are unpopular in the other,—for he will not have to deal with sectional questions; and the temptation to the Government of the day to make capital out of local prejudices will be greatly lessened, if not altogether¹⁶ at an end. What has rendered¹⁷ prominent public men in one section utterly unpopular in the other in past years? Has it been our views on trade and commerce—immigration—land settlement—the canal system—the tariff,—or any other of the great questions

⁷ Compact = agreement

⁸ Hear, hear = everyone else in the room agreeing with what was said

⁹ Assuredly = surely

¹⁰ Cheers = other people cheering for what Brown is saying

¹¹ Frank and conciliatory manner = honest and open way

¹² Demarcation = boundary

¹³ Decennial = every 10 years

¹⁴ Discord = disagreement

¹⁵ Debarred = excluded

¹⁶ Altogether - entirely

¹⁷ Rendered = made

of national interest? No, sir, it was from our views as to the applying of public money to local purposes—the allotment¹⁸ of public lands to local purposes,—the building of local roads, bridges, and landing-piers with public funds—the chartering of ecclesiastical¹⁹ institutions—the granting of public money for sectarian²⁰ purposes—the interference with our school system—and similar matters, that the hot feuds between Upper and Lower Canada have chiefly arisen, and caused our public men, the more faithful they were to the opinions and wishes of one section, to be the more unpopular in the other. A most happy day will it be for Canada when this bill goes into effect, and all these subjects of discord are swept from the discussion of our Legislature. (Hear.)...

“All local matters are to be banished from the General Legislature; local governments are to have control over local affairs, and if our friends in Lower Canada choose to be extravagant, they will have to bear the burden of it themselves. (Hear, hear.) 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 have to bear the brunt. (Hear, hear.)... Each province is to determine for itself its own wants, and to find the money to meet them from its own resources. (Hear, hear.)”

SENATE

“But I am told by Upper Canadians—the constitution of the Lower House is all well enough, it is in the Upper House arrangements that the scheme is objectionable.²¹ And first, it is said that Upper Canada should have had in the Legislative Council a greater number of members than Lower Canada.... Our Lower Canada friends have agreed to give us representation by population in the Lower House, on the express condition that they shall have equality in the Upper House. On no other condition could we have advanced a step; and, for my part, I am quite willing they should have it. In maintaining the existing sectional boundaries and handing over the control of local matters to local bodies, we recognize, to a certain extent, a diversity of interests; and it was quite natural that the protection for those interests, by equality in the Upper Chamber, should be demanded by the less numerous provinces. Honorable gentlemen may say that it will erect a barrier in the Upper House against the just influence that Upper Canada will exercise, by her numbers, in the Lower House, over the general legislation of the country.”

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.

¹⁸ Allotment = a piece of land that is given

¹⁹ Ecclesiastical = church

²⁰ Sectarian = Catholic vs. Protestant

²¹ Objectionable = worthy of objection



John A. Macdonald in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

John A. Macdonald was born in Glasgow, Scotland in 1815. His father was an unsuccessful merchant who improved his family's fortunes after immigrating to Kingston, Upper Canada in 1820 and opening several businesses. John A. Macdonald began articling in law at the age of 15 and opened his own firm ten years later. His family life was filled with considerable tragedy. In 1843, Macdonald married his cousin Isabella Clark, who soon became chronically ill, endured two difficult pregnancies (John Alexander and Hugh John), and died in 1857. Their first son died at 13 months, while the latter went on to become a reluctant political figure in Manitoba.

John A. Macdonald became the political representative for Kingston after winning his seat in the general election of 1844. He soon ascended to lead the Liberal-Conservatives. A practical politician, Macdonald had a penchant for brokering deals and alliances. This attitude served him well in the Province of Canada's political arena, where he led his Upper Canadian party as Premier or co-Premier with George Étienne Cartier and other Bleu leaders for much of the late 1850s and early 1860s.

Although Macdonald preferred legislative union and doubted the merits of the federal principle until 1864, he championed a centralized British North American federation at the Charlottetown, Quebec and London constitutional conferences because the solution broke the political deadlock that had plagued the relationship between Canada East and Canada West. After marrying Susan Agnes Bernard in February 1867, he became Canada's first Prime Minister in 1867, and was knighted around the same time.

Note: Macdonald personally favoured weak provincial powers, and stated this position during the debates. To gain the support of other provinces, however, he emphasized provincial powers on several occasions. If students ask about this contradiction in Macdonald's statements, congratulate them on noticing that politicians sometimes tell people what they want to hear.

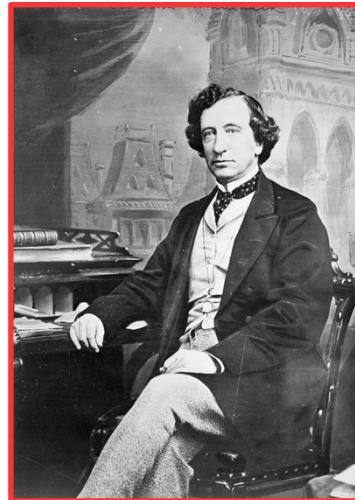


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Primary Source: John A. Macdonald's Views on Confederation

Macdonald, as co-Premier of the Province of Canada and member of the Grand Coalition, was among the speakers who introduced the terms of union.

When the Province of Canada's legislatures debated Confederation in February and March 1865, John A. Macdonald said the following points:

SCHOOLS / MINORITY RIGHTS

"As to the school question, it had been announced by Hon. Mr. Galt, at Sherbrooke, that before Confederation took place, this Parliament would be asked to consider a measure which he hoped would be satisfactory to all classes of the community. There was a good deal of apprehension¹ in Lower Canada on the part of the minority there as to the possible effect of Confederation on their rights on the subject of education, and it was the intention of the Government ... to lay before the House this session, certain amendments² to the school law, to operate as a sort of guarantee against any infringement³ by the majority of the rights of the minority in this matter.... I only said this, that before Confederation is adopted, the Government would bring down a measure to amend the school law of Lower Canada, protecting the rights of the minority, and which, at the same time, I believe, would be satisfactory to the majority, who have always hitherto⁴ shown respect for the rights of the minority, and, no doubt, will continue to do so."

REPRESENTATION BY POPULATION

"Now, we all know the manner in which that question was and is regarded by Lower Canada; that while in Upper Canada the desire and cry for it was daily augmenting,⁵ the resistance to it in Lower Canada was proportionably⁶ increasing in strength.... For though Upper Canada would have felt that it had received what it claimed as a right, and had succeeded in establishing its right, yet it would have left the Lower Province with a sullen⁷ feeling of injury and injustice. The Lower Canadians would not have worked cheerfully under such a change of system, but would have ceased⁸ to be what they are now—a nationality, with representatives in Parliament, governed by general principles, and dividing according to

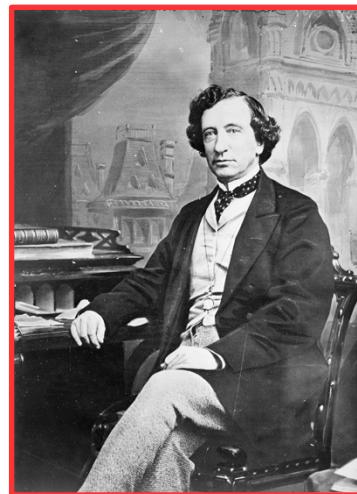


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¹ Apprehension = fear

² Amendments = changes or additions to a document

³ Infringement = limitation

⁴ Hitherto = until now

⁵ Augmenting = growing

⁶ Proportionably = proportionately

⁷ Sullen = gloomy

⁸ Ceased = stopped

their political opinions—and would have been in great danger of becoming a faction,⁹ forgetful of national obligations, and only actuated¹⁰ by a desire to defend their own sectional interests, their own laws, and their own institutions. (Hear, hear.)”¹¹

REPRESENTATION BY POPULATION AND PROVINCIAL GOVERNMENTS VS. LEGISLATIVE UNION

“The ... only means of solution for our difficulties was the junction¹² of the provinces either in a Federal or a Legislative Union. Now, as regards the comparative advantages of a Legislative and a Federal Union, I have never hesitated to state my own opinions. I have again and again stated in the House, that, if practicable,¹³ I thought a Legislative Union would be preferable. (Hear, hear.) I have always contended that if we could agree to have one government and one parliament, legislating for the whole of these peoples, it would be the best, the cheapest, the most vigorous, and the strongest system of government we could adopt. (Hear, hear.) But, on looking at the subject in the Conference ... we found that such a system was impracticable.¹⁴ In the first place, it would not meet the assent¹⁵ of the people of Lower Canada, because they felt that in their peculiar position—being in a minority, with a different language, nationality and religion from the majority,—in ease of a junction¹⁶ with the other provinces, their institutions and their laws might be assailed,¹⁷ and their ancestral associations, on which they prided themselves, attacked and prejudiced; it was found that any proposition which involved the absorption of the individuality of Lower Canada ... would not be received with favor by her people. We found too, that though their people speak the same language and enjoy the same system of law as the people of Upper Canada, a system founded on the common law of England, there was as great a disinclination¹⁸ on the part of the various Maritime Provinces to lose their individuality, as separate political organizations, as we observed in the case of Lower Canada herself. (Hear, hear.) Therefore, we were forced to the conclusion that we must either abandon the idea of Union altogether, or devise a system of union in which the separate provincial organizations would be in some degree preserved.”

REPRESENTATION BY POPULATION

“In settling the constitution of the Lower House, that which peculiarly¹⁹ represents the people, it was agreed that the principle of representation based on population should be adopted, and the mode of applying that principle is fully developed in these resolutions.... In order to protect local interests, and to prevent sectional jealousies, it was found requisite²⁰ that the three great divisions into which British North America is separated, should be represented in the Upper House on the principle of equality.”

⁹ Faction = a group in disagreement with a larger group

¹⁰ Actuated = motivated

¹¹ Hear, hear = everyone else in the room agreeing with what was said

¹² Junction = joining

¹³ Practicable = to be done

¹⁴ Impracticable = unfeasible

¹⁵ Assent = approval

¹⁶ Junction = a point where two things join

¹⁷ Assailed = attacked

¹⁸ Disinclination = unwillingness

¹⁹ Peculiarly = especially

²⁰ Requisite = was necessary

PROVINCIAL AUTONOMY

"I shall not detain²¹ the House by entering into a consideration at any length of the different powers conferred upon the General Parliament as contradistinguished²² from those reserved to the local legislatures; but any honorable member on examining the list of different subjects which are to be assigned to the General and Local Legislatures respectively, will see that all the great questions which affect the general interests of the Confederacy as a whole, are confined to the Federal Parliament, while the local interests and local laws of each section are preserved intact, and entrusted to the care of the local bodies. As a matter of course, the General Parliament must have the power of dealing with the public debt and property of the Confederation. Of course, too, it must have the regulation of trade and commerce, of customs²³ and excise.²⁴ The Federal Parliament must have the sovereign power of raising money from such sources and by such means as the representatives of the people will allow. It will be seen that the local legislatures have the control of all local works; and it is a matter of great importance, and one of the chief advantages of the Federal Union and of local legislatures, that each province will have the power and means of developing its own resources and aiding its own progress after its own fashion and in its own way. Therefore all the local improvements, all local enterprises or undertakings of any kind, have been left to the care and management of the local legislatures of each province."

PROVINCIAL AUTONOMY

"Besides all the powers that are specifically given in the 37th and last item of this portion of the Constitution, confers²⁵ on the General Legislature the general mass of sovereign legislation, the power to legislate on 'all matters of a general character, not specially and exclusively reserved for the local governments and legislatures.' This is precisely the provision²⁶ which is wanting in the Constitution of the United States. It is here that we find the weakness of the American system—the point where the American Constitution breaks down. (Hear, hear.) It is in itself a wise and necessary provision. We thereby strengthen the Central Parliament, and make the Confederation one people and one government, instead of five peoples and five governments, with merely a point of authority connecting us to a limited and insufficient extent."

SENATE

"There are three great sections, having different interests, in this proposed Confederation. We have Western Canada, an agricultural country far away from the sea, and having the largest population who have agricultural interests principally to guard. We have Lower Canada, with other and separate interests, and especially with institutions and laws which she jealously guards against absorption by any larger, more numerous, or stronger power. And we have the Maritime Provinces, having also different sectional interests of their own, having, from their position, classes and interests which we do not know in Western Canada. Accordingly, in the Upper House,—the controlling and regulating, but not the initiating, branch (for we know that here as in England, to the Lower House will practically belong the initiation of matters of great public interest), in the House which has the sober second-thought in legislation—it is provided that each of these great sections shall be represented equally by 24 members."

²¹ Detain = hold

²² As contradistinguished = as compared

²³ Customs = taxes on goods that circulate between two countries

²⁴ Excise = tax on goods that circulates within a country

²⁵ Confers = gives

²⁶ Provision = a clause

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.



John Sewell Sanborn in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

John Sewell Sanborn was born in Gilmanton, New Hampshire on New Year's Day in 1819. He subsequently graduated from Dartmouth College with a master of arts degree. After 1852, he moved to Sherbrooke, Lower Canada, where he worked as a school principal for three years. After that, he studied law in Montreal, became a lawyer in 1847, and returned to Sherbrooke. There he married Eleanor Hall Brooks, the daughter of the current local Conservative member of the Legislative Assembly.

When Sanborn's father-in-law died in 1849, Alexander Tilloch Galt briefly filled the vacant seat but shortly thereafter declared himself in favour of annexation to the United States. The unpopularity of this stand, along with some of Galt's business ties, in addition to his opposition to moving the Province of Canada's capital to Toronto, led him to resign his seat in January 1850. Sanborn contested the riding as an annexationist, believing that joining the United States would bring greater prosperity to his region. He ultimately won the riding with 51% of the vote and became the only annexationist candidate ever elected to the Canadian parliament. As prosperity returned to Canada, however, support for annexationism waned. In the Legislative Assembly, Sanborn had ties to both major parties, but most often sided with the Liberals. Eleanor died in 1853, leaving three children. John Sanborn married Nancy Judson Hasseltine of Bradford in 1856. They had one daughter together.

When evaluating Confederation in 1865, Sanborn did not fit into the typically pro- and anti-Confederation spectrum. He famously proposed an unsuccessful amendment for an elected Senate, but this is outside of this mini-unit's scope. As a representative for a largely English-Protestant riding in Lower Canada, he expressed considerable concern for this minority's long-term rights under a federal union that gave provinces jurisdiction in education. He ultimately abstained from the final vote on the 72 Resolutions.



Image held by Library and Archives Canada.



Primary Source: John S. Sanborn's Views on Confederation

When the Province of Canada's legislatures debated Confederation in February and March 1865, John Sanborn said the following points:

Unlike today, separate schools used to own lots of land and relied heavily on revenue from renting these lands to cover their costs. When Sanborn spoke about "property rights," he recognized that these schools required the right to operate, as well as the right to retain these lands.

MINORITY RIGHTS

"He was also prepared to admit that diversity of interests was no sufficient argument against union,—(hear)—since in this very particular might frequently be found the strongest bond of union. As in electricity, opposite poles attracted each other, so among nations a diversity of interests which might *a priori*¹ be pronounced² a bar, was not unfrequently³ the most effectual means of harmony, and thus a diversity of feeling which brought out talent, might lead to a comparison of opinions which would induce⁴ an enlarged policy calculated to elevate and not to depress⁵ national energies. He was prepared to admit that Confederation would enlarge the minds of all, and make us better to understand our resources and capabilities. It would make us more enquiring,⁶ and teach us so to use our industrial power as to secure the best results. (Hear, hear.)⁷ He was prepared to admit that the results of the union between Upper and Lower Canada had been beneficial to both, and he argued that union with the other provinces, inhabited by a people educated under different circumstances and of different origins, could hardly be without mutual advantage. It would give the inhabitants of each province the opportunity of studying each other's habits and pursuits, and so induce larger and more comprehensive⁸ views."



Image held by Library and Archives Canada.

¹ *A priori* = theoretically

² Pronounced = declared

³ Unfrequently = infrequently

⁴ Induce = create

⁵ Depress = diminish

⁶ Enquiring = inquiring

⁷ Hear, hear = everyone else in the room agreeing with what was said

⁸ Comprehensive = including all or almost all of something

REPRESENTATION BY POPULATION

"But what was the real impediment?⁹ Want of patriotism—not the want of a good Constitution. If there had been less virulence¹⁰ of party spirit, and a better disposition to accommodate matters, there would have been no dead-lock.¹¹ (Hear, hear.)... If the leading men had felt as they ought to have felt, there would have been no deadlock, for it existed more in name than in reality. There was no cause for saying that no government could be formed which could command a good majority. And what had the difficulties arisen from? From a persistent¹² agitation¹³ for representation according to population, in consequence of which the people had at last come to believe that it was a fundamental axiom¹⁴ in government. (Hear, hear.)"

PROVINCIAL AUTONOMY AND MINORITY / SCHOOL RIGHTS

"The limitation of the era of the federal, and the power of the local governments, was the old story of federal and state rights—in fact, the bone of contention which had led to the present unhappy war; an apple of discord¹⁵ which our posterity¹⁶ might gather in fruits of the most bitter character. There was another branch of the subject he [Sanborn] would fail in his duty if he did not touch upon, and that was the situation in which the English of Lower Canada would be placed. The Honorable Premier had remarked at some length upon the disposition¹⁷ to toleration and the indulgent spirit evinced¹⁸ by his people in past times, and he (Hon. Mr. Sanborn) was not prepared to detract¹⁹ from this. He would freely and fully concede²⁰ the point. He had always lived in the midst of a mixed population, and his division was more French than English, and it would ill become him to cast reflections on their liberality and desire for fair play or justice to others. But this was the time, when treating of important arrangements for the future, to lay aside all unnecessary delicacy, and by our action to lay down the guarantees for the perpetuation²¹ of these kind feelings and this spirit of toleration so long existing, and which he devoutly hoped would never cease. No greater calamity²² could befall the English, or, in fact, both races, than the introduction of religious discord among the people of Lower Canada. (Hear, hear.) It would, however, be a grievous mistake to overlook the safeguards and rules necessary to perpetuate kindly feelings, and to prevent the disposition to aggressions which existed more or less in all minds. That principle—the love of power—was found in every human heart, none were exempt from it, and the history of the world showed that no people had ever risen superior to it. The Honorable Premier had recognized this truth in the remarks he had made in regard of the difficulties between Upper and Lower Canada. The French Canadians had persistently refused the demands of Upper Canada for representation by population, because of the terror they felt that, if granted, their institutions would be in danger; and he had told the French members in the House that under the new Constitution their rights were so effectually²³ guarded that their autonomy was fully secured—the safeguards thereof being put in their own hands. But, at the same time, the

⁹ Impediment = obstacle

¹⁰ Virulence = hostility

¹¹ Dead-lock = no agreement

¹² Persistent = repeated

¹³ Agitation = movement

¹⁴ Axiom = an established norm

¹⁵ Apple of discord = a point of disagreement

¹⁶ Our posterity = future generations

¹⁷ Disposition = preference

¹⁸ Evinced = revealed

¹⁹ Detract = abandon

²⁰ Concede = surrender

²¹ The perpetuation = the repetition

²² Calamity = disaster

²³ Effectually = effectively

English, who were a fourth of the population, and who, by habit and tradition, had their own views of public policy, were left entirely without guarantee other than the good feelings and tolerant spirit of the French. Was this safe? The only safeguard they were to have was in regard of education, but in regard of the rights of property they were to be left to the Legislature. And this brought him to the consideration of that part of the proposed Constitution which had reference to civil rights and rights of property. It was said that the civil laws of Lower Canada were now consolidated into a code, and this would enhance our credit; and if based upon sound principles and rendered²⁴ permanent, it would undoubtedly do so, for what is so conducive to the prosperity of a country as well-protected rights of property and vested interests?"

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.

²⁴ Rendered = made

SECTION 1: QUEBEC



Antoine-Aimé Dorion in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Born in Sainte-Anne-de-la-Pérade (La Pérade), Lower Canada in 1818, Antoine-Aimé Dorion was born into a prominent merchant and Catholic family that had long supported the progressive ideas of the politician and rebel leader Louis-Joseph Papineau.

After attending school and studying law, he became an articling student; however after his father suffered a financial setback, he took the role of a junior clerk in Montreal. During this period, he developed deep ties with Lower Canada’s intellectual elites, read philosophy and literature, developed a strong reputation as a lawyer, and married Iphigénie Trestler. As a liberal, he was a strong advocate of responsible government. He helped found the short-lived Montreal Annexation Society, where he worked closely with English-speaking Protestants. Yet, Dorion was also something of a moderate in that he did not support the anti-clericalism that had wide support among many *Rouge* politicians and thinkers. He first held provincial office in 1854, when he won the support of English-speaking Montrealers with promises of progress, more elected government positions and reciprocity with the United States. He almost immediately became the Rouge leader in the Legislative Assembly, where he continued to balance progress against anti-clericalism and the survival of French-Canadian culture against the assimilationist intentions of the emerging English-Protestant population in the province of Canada. Dorion spent nearly all of his pre-Confederation political career in opposition; his only time in government was as co-Premier in the ill-fated two-day Grit-Rouge government with George Brown, and a year as co-Premier with John Sandfield Macdonald from 1863 to 1864.

Dorion did not join the Great Coalition of 1864 and was not present at the Charlottetown and Quebec conferences. During the Legislative Assembly’s debate on the Quebec Resolutions in 1865, he led the Rouges in opposing the Confederation deal. The federal principle, Dorion claimed, created extra and unnecessary levels of government. Like many politicians from Canada East and West, he contended that the resolutions needed to be ratified by the Province’s voters. He was also deeply concerned that English Protestants from across British North America would dominate French Canadians in the House of Commons.



Image held by Library and Archives Canada.



Primary Source: Antoine-Aimé Dorion's Views on Confederation

When the Province of Canada's legislatures debated Confederation in February and March 1865, Antoine-Aimé Dorion said the following points:

SCHOOLS/MINORITY RIGHTS

"When my honorable friend... makes a contract with a friend and neighbor to be filled even a few months in the future, does he not have it put in legal form, in black and white?¹ Of course he does. And when we are making arrangements calculated to last for all time to come, is it not vastly more important that the same safe and equitable principle² should be recognized? (Hear, hear.)³ The honorable gentleman recognized it himself in the most marked manner,⁴ by placing in the resolutions guarantees respecting the educational institutions of the two sections of Canada. The Roman Catholics of Upper Canada were anxious to have their rights protected against the hand of the Protestant majority, and, where the Protestants are in a minority, they are just as anxious to have their rights permanently protected."

MINORITY RIGHTS

"I should have desired to make my remarks to the House in French, but considering the large number of honorable members who are not familiar with that language, I think it my duty to speak at the present time in English."

REPRESENTATION BY POPULATION AND MINORITY RIGHTS

"I [have] always stated that the difference existing in the religious faith of the people of the two sections, in their language, in their laws, in their prejudices⁵ even—for there are prejudices which were respectable and ought to be respected—would prevent any member from Lower Canada, representing a French constituency, from voting for representation by population, pure and simple,⁶ and thereby placing the people of Lower Canada in the position of having to trust for the protection of their rights to the people of Upper Canada, who would thereby have the majority in the Legislature. (Hear.)"



Image held by Library and Archives Canada.

¹ Legal form, in black and white = Dorion is saying that those supporting Confederation need to state things more clearly

² Equitable principle = a law that treats everyone fairly

³ Hear, hear = everyone else in the room agreeing with what was said

⁴ Marked manner = a noticeable way

⁵ Prejudices = judgements or ideas about someone or something before you actually know them

⁶ Pure and simple = on its own

REPRESENTATION BY POPULATION AND SCHOOL/MINORITY RIGHTS

"There is at this moment a movement on the part of the British Protestants in Lower Canada to have some protection and guarantee for their educational establishments in this province put into the scheme of Confederation, should it be adopted; and far from finding fault with them, I respect them the more for their energy in seeking protection for their separate interests. I know that majorities are naturally aggressive and how the possession of power engenders despotism,⁷ and I can understand how a majority, animated⁸ this moment by the best feelings, might in six or nine months be willing to abuse its power and trample on the rights of the minority, while acting in good faith,⁹ and on what it considered to be its right. We know also the ill feelings that might be engendered to such a course. I think it but just that the Protestant minority should be protected in its rights in everything that was dear to it as a distinct nationality,¹⁰ and should not lie at the discretion¹¹ of the majority in this respect, and for this reason I am ready to extend to my Protestant fellow-citizens in Lower Canada of British origin, the fullest justice in all things, and I wish to see their interests us a minority guaranteed and protected in every scheme¹² which may be adopted. With these views on the question of representation, I pronounced in favor of a Confederation of the two Provinces of Upper and Lower Canada, as the best means of protecting the varied interests of the two sections. But the Confederation I advocated¹³ was a real confederation, giving the largest powers to the local governments, and merely a delegated authority¹⁴ to the General Government—in that respect differing *in toto*¹⁵ from the one now proposed which gives all the powers to the Central Government, and reserves for the local governments the smallest possible amount of freedom of action. There is nothing besides in what I have ever written or said that can be interpreted as favoring a Confederation of all the provinces. This I always opposed."

REPRESENTATION BY POPULATION VS. PROVINCIAL AUTONOMY

"Is this House, sir, going to vote a Constitution with the Upper House as proposed, without knowing what sort of local legislatures we are to have to govern us? Suppose, after we have adopted the main scheme, the Government come down with a plan for settling the local legislatures upon which great differences of opinion will arise, may it not happen then that the majority from Lower Canada will unite with a minority from Upper Canada and impose¹⁶ upon that section a local Constitution distasteful to a large majority of the people of Upper Canada? The whole scheme, sir, is absurd from beginning to end."

PROVINCIAL AUTONOMY

"Perhaps the people of Upper Canada think a legislative union a most desirable thing. I can tell those gentlemen that the people of Lower Canada are attached to their institutions in a manner that defies any attempt to change them in that way. They will not change their religious institutions, their laws and their language, for any consideration whatever. 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 honorable

⁷ Engenders despotism = causes one person to have a lot of power over other people

⁸ Animated = excited

⁹ Acting in good faith = acting fairly

¹⁰ Distinct nationality = belonging to a particular nation

¹¹ Discretion = freedom to decide in a particular situation

¹² Scheme = thought

¹³ Advocated = publically support

¹⁴ Delegated authority = give power to others

¹⁵ *in toto* = in total

¹⁶ Impose = force

gentlemen that the history of every country goes to show that not even by the power of the sword¹⁷ can such changes be accomplished. (Hear, hear.) ... Is it desirable that in this country then we should pass a measure calculated to give dissatisfaction to a million of people? You may ascertain¹⁸ what the cost of keeping down a million of dissatisfied people is by the scenes that have been and are now transpiring¹⁹ on the other side of the line, where a fifth of the people of the United States has risen and has caused more misery and misfortune to be heaped upon that country than could have been wrought in centuries of peaceful compromising legislation.... Experience shows that majorities are always aggressive, and it cannot well be otherwise in this instance. It therefore need not be wondered at that the people of Lower Canada, of British origin, are ready to make use of every means to prevent their being placed at the mercy of a preponderating²⁰ population of a different origin. I agree with them in thinking that they ought to take nothing on trust in this matter of entering upon a new state of political existence, and neither ought we of French origin to do so, in relation to the General Government, however happy our relations to each other may be at present."

SENATE

"Suppose the Lower House²¹ turns out to be chiefly Liberal, how long will it submit to the Upper House, named by Conservative administrations which have taken advantage of their temporary, numerical strength to bring about such a change as is now proposed? Remember, sir, that, after all, the power, the influence of the popular branch of the Legislature is paramount."²²

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.

¹⁷ Power of the sword = violent oppression

¹⁸ Ascertain = make sure of

¹⁹ Transpiring = happening

²⁰ Preponderating = dominating

²¹ Lower House = House of Commons

²² Paramount = most important



George-Étienne Cartier in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir George-Étienne Cartier was born on 6 September 1814 at Saint-Antoine-sur-Richelieu, Lower Canada to a wealthy merchant and political family. At the age of twenty-three, he participated in the rebellions in Lower Canada in 1837 and afterward was forced to flee to the United States for roughly six months. Indeed, newspaper reports claimed that he was killed in the ensuing confrontations. When Cartier returned from the United States in October of that year, he resumed his law practice. In 1848, Cartier began his political career by winning the seat for Verchères in the Legislative Assembly of United Canada. In 1852, Cartier introduced the bill that created the Grand Trunk Railway Company, and he was subsequently appointed one of its legal advisors the following year. He soon became the leader of the Parti Bleu. The party drew much of its support from the Roman Catholic Church and was thus strongly committed to preserving the power of the Catholic Church and French culture in what is now Quebec. Many Bleus also had strong ties to big business. Cartier, for example, was intimately involved with the Grand Trunk Railway. In 1857, Cartier and John A. Macdonald supported each other as co-Premiers, and the two men continued to work closely as leaders of their respective French and English coalitions until Cartier’s death in 1873.

As a leader in the Great Coalition, Cartier was one of the leading advocates of Confederation and took a leading role at the Charlottetown and Quebec conferences, and strongly defended the proposal in the Legislative Assembly. The Bleu leader believed that it was the only alternative to annexation to the United States. In 1865 he declared, “We must either have a Confederation of British North America or else be absorbed by the American Confederation.” Cartier also desired the expansion of the Province of Canada’s financial and political influence across British North America. He therefore supported the construction of an intercolonial railway and Canada’s acquisition of the North-West. Both of these endeavours would also serve his business interests. Most significantly, he also supported a federal structure of governance because he believed that it would give Quebecers the provincial autonomy to preserve Francophone culture. In fact, he sought the protection of guarantees of English Protestant rights in Quebec, believing that it would lead to reciprocal rights for French-Catholic minorities in other parts of Confederation.

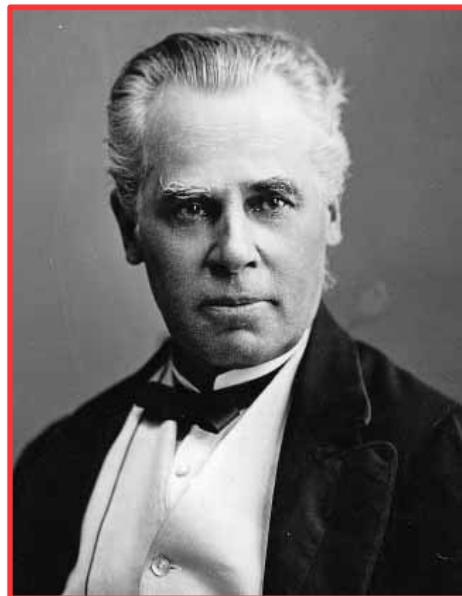


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Primary Source: George-Étienne Cartier's Views on Confederation

When the Province of Canada's legislatures debated Confederation in February and March 1865, George-Étienne Cartier said the following points:

SCHOOLS/MINORITY RIGHTS

"Some parties—through the press and by other modes—pretended that it was impossible to carry out Federation, on account of the differences of races and religions. Those who took this view of the question were in error. It was just the reverse. It was precisely on account of the variety of races, local interests, &c.,¹ that the Federation system ought to be resorted to,² and would be found to work well. (Hear, hear.)"³

SCHOOLS/MINORITY RIGHTS

"Objection had been taken to the scheme now under consideration, because of the words 'new nationality.' Now, when we were united together, if union were attained, we would form a political nationality with which neither the national origin, nor the religion of any individual, would interfere. It was lamented⁴ by some that we had this diversity of races, and hopes were expressed that this distinctive feature would cease.⁵ The idea of unity of races was utopian⁶—it was impossible. Distinctions of this kind would always exist. Dissimilarity, in fact, appeared to be the order of the physical world and of the moral world, as well as in the political world. But with regard to the objection based on this fact, to the effect that a great nation could not be formed because Lower Canada was in great part French and Catholic, and Upper Canada was British and Protestant, and the Lower Provinces were mixed, it was futile and worthless in the extreme. Look, for instance, at the United Kingdom, inhabited as it was by three great races. (Hear, hear.) Had the diversity of race impeded the glory, the progress, the wealth of England? Had they not rather each contributed their share to the greatness of the Empire?... In our own Federation we should have Catholic and Protestant, English, French, Irish and Scotch, and each by his efforts and his success would increase the prosperity and glory of the new Confederacy. (Hear, hear.) He [Cartier] viewed the diversity of races in British North America in this way: we were of different races, not for the purpose of warring against each other, but in order to compete and emulate⁷ for the

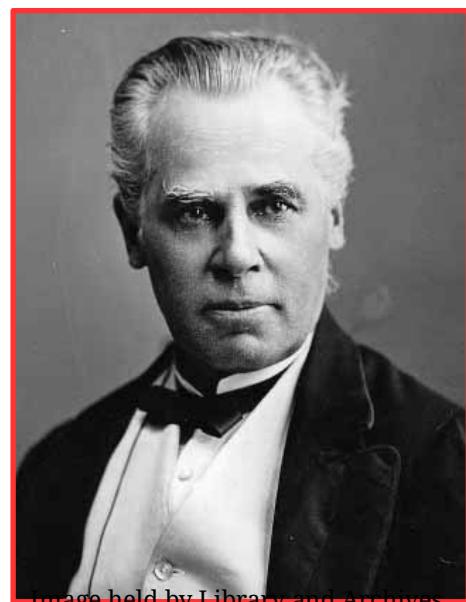


Image held by Library and Archives Canada.

¹ &c. = etcetera

² Resorted to = used

³ Hear, hear = everyone else in the room agreeing with what was said

⁴ Lamented = complained

⁵ Cease = stop

⁶ Utopian = unrealistic

⁷ Emulate = copy

general welfare. (Cheers.)⁸ We could not do away with the distinctions of race. We could not legislate for the disappearance of the French Canadians from American soil, but British and French Canadians alike could appreciate and understand their position relative to each other. They were placed like great families beside each other, and their contact produced a healthy spirit of emulation. It was a benefit rather than otherwise that we had a diversity of races.”

SCHOOLS/MINORITY RIGHTS

“Of course, the difficulty, it would be said, would be to deal fairly by the minority. In Upper Canada the Catholics would find themselves in a minority; in Lower Canada the Protestants would be in a minority, while the Lower Provinces were divided. Under such circumstances, would anyone pretend that either the local or general governments would sanction⁹ any injustice. What would be the consequence, even supposing any such thing were attempted by any one of the local governments? It would be censured everywhere. Whether it came from Upper Canada or from Lower Canada, any attempt to deprive¹⁰ the minority of their rights would be at once thwarted.¹¹ Under the Federation system, granting to the control of the General Government these large questions of general interest in which the differences of race or religion had no place, it could not be pretended that the rights of either race or religion could be invaded at all. We were to have a General Parliament to deal with the matters of defence, tariff, excise,¹² public works,¹³ and these matters absorbed all individual interest.”

LANGUAGE AND MINORITY RIGHTS

“I will add to what has been stated by the Hon. Attorney General for Upper Canada, in reply to the hon. member for the county of Quebec and the hon. member for Hochelaga, that it was also necessary to protect the English minorities in Lower Canada with respect to the use of their language, because in the Local Parliament of Lower Canada the majority will be composed of French-Canadians. The members of the Conference were desirous that it should not be in the power of that majority to decree¹⁴ the abolition of the use of the English language in the Local Legislature of Lower Canada, any more than it will be in the power of the Federal Legislature to do so with respect to the French language. I will also add that the use of both languages will be secured in the Imperial Act to be based on these resolutions. (Hear, hear.)”

REPRESENTATION BY POPULATION VS. MINORITY RIGHTS

“He [Cartier] did not oppose the principle of representation by population from an unwillingness to do justice to Upper Canada. He took this ground, however, that when justice was done to Upper Canada, it was his duty to see that no injustice was done to Lower Canada. He did not entertain the slightest apprehension¹⁵ that Lower Canada’s rights were in the least jeopardized¹⁶ by the provision that in the General Legislature the French Canadians of Lower Canada would have a smaller number of representatives than all the other origins combined. It would be seen by the resolutions that in the questions which would be submitted to the General Parliament there could be no danger to the rights and privileges of either French Canadians, Scotchmen,¹⁷ Englishmen or

⁸ Cheers = other people cheering for what Cartier is saying

⁹ Sanction = penalty for disobeying the law

¹⁰ Deprive = take away

¹¹ Thwarted = opposed successfully

¹² Tariff and excise = taxes paid when bringing goods across an international border

¹³ Public works = government construction projects (ex. roads)

¹⁴ Decree = order

¹⁵ Apprehension = worry or hesitation

¹⁶ Jeopardized = worried

¹⁷ Scotchmen = the inhabitants of Scotland

Irishmen. Questions of commerce, of international communication, and all matters of general interest, would be discussed and determined in the General Legislature; but in the exercise of the functions of the General Government, no one could apprehend that anything could be enacted which would harm or do injustice to persons of any nationality."

REPRESENTATION BY POPULATION

"He [Cartier] wished that Upper Canada should understand him in this matter. He was accused of being opposed to Upper Canada's rights, because during fifteen or twenty years he had to oppose his honorable friend the President of the Council (Hon. Mr. BROWN). His honorable colleague took the ground that representation should be according to population in each section of the province. He (Hon. Mr. CARTIER) had restated that position, believing that the moment such a principle was applied, his honorable friend, who, no doubt, wanted to maintain the peaceful government of the country, would have been disappointed in his wish. It would have given rise to one of the bitterest struggles between the two provinces that ever took place between two nations. He did not mean to say that the majority from Upper Canada would have tyrannised¹⁸ over Lower Canada; but the idea that Upper Canada, as a territory, had the preponderance¹⁹ in the Government by a large number of representatives, would have been sufficient to generate that sectional strife to which he had alluded."²⁰

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.

¹⁸ Tyrannised = cruelly dominated

¹⁹ Preponderance = a dominant proportion

²⁰ Alluded = referred



Christopher Dunkin in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Christopher Dunkin was born 25 September 1812 at Walworth, England to the Honourable Summerhays Dunkin and Martha Hemming. His family's wealth allowed him to study at the universities of London and then Glasgow from 1829 to 1831. Later, he continued his studies at Harvard University until 1833, and became a Greek and Latin tutor. He subsequently resigned from this position in 1835 and married Mary, daughter of Jonathan Barber. They eventually moved to Montreal in 1837 to pursue Dunkin's professional ambitions.

He first served as a correspondent for the *Morning Courier*, then worked at the post of secretary first to the education commission in 1838, then to the postal service, and eventually became the deputy provincial secretary for Canada East on 1 January 1842. Four years after, he received his first commission as a lawyer and his ambition and talent soon brought him popularity. He unsuccessfully ran for political office in 1844, but then succeeded in 1857, becoming the Conservative representative for Drummond and Arthabaska in the Legislative Assembly. Over the succeeding years, he developed a cold and stubborn personality. It was he who sponsored the temperance bill of 1864, which became known as the Dunkin Act.

When the Legislative Assembly debated the 72 Resolutions in 1865, Dunkin strongly opposed the deal and gave one of the longest, detailed and thoughtful critiques of the terms of union. He worried about the mixture of American and British systems, and expressed particular concern about the Senate as well as the persistence of the party system. He did not, however, express major concern about the rights of English-speaking Protestants in a French-Catholic province, and his failure to pioneer this cause cost him considerable support among his English-speaking comrades.

Despite this setback, he became Quebec's Provincial Treasurer immediately after Confederation and held this post until 1869. During the same period, he was also the MP for Brome and became John A. Macdonald's Minister of Agriculture in 1869. On 25 October 1871, he left politics for the bench, becoming a judge of the Superior Court of Quebec for the district of Bedford.



Image held by Library and Archives Canada.



Primary Source: Christopher Dunkin's Views on Confederation

When the Province of Canada's legislatures debated Confederation in February and March 1865, Christopher Dunkin said the following points:

SCHOOLS/MINORITY RIGHTS

"So, too, with regard to education in Upper and Lower Canada; the provision is to be made, no one knows how, for everybody, and all are guaranteed some sort of satisfaction. It is true we are not told what the promised measures on this head are to be; whether they really will give increased facilities to the minorities in the two sections for the education of their youth in their own way or not; but we are to take the promise as all right, and everybody is required to be content.

"By the very provisions¹ you talk of for the protection of the non-French and non-Catholic interests, you unfortunately countenance² the idea that the French are going to be more unfair than I believe they wish to be. For that matter, what else can they well be? They will find themselves a minority in the General Legislature,³ and their power in the General Government will depend upon their power within their own province and over their provincial delegations in the Federal Parliament. They will thus be compelled⁴ to be practically aggressive, to secure and retain that power. They may not, perhaps, wish to be; they may not, perhaps, be aggressive in the worst sense of the term.—I do not say that they certainly will be; but whether they are or not, there will certainly be in this system the very strongest tendencies to make them practically aggressive upon the rights of the minority in language and faith,⁵ and at the same time to make the minority most suspicious and resentful of aggression. The same sort of alienation,⁶ as between the two faiths, will be going on in Upper Canada. Note of warning is already given by this scheme, to both parties, that they prepare for fight; and the indications, I regret to say, are that such note of warning is not to be given in vain. (Hear, hear.)⁷ The prejudices of the two camps are once more stirred to their depths; and if this scheme goes into operation, they will separate more and more widely, and finally break out into open war, unless, indeed, it shall work very differently from what any one can now imagine. If provincial independence is to be crushed down by a General Government careless of local majorities, then you will have this war. Or, if on

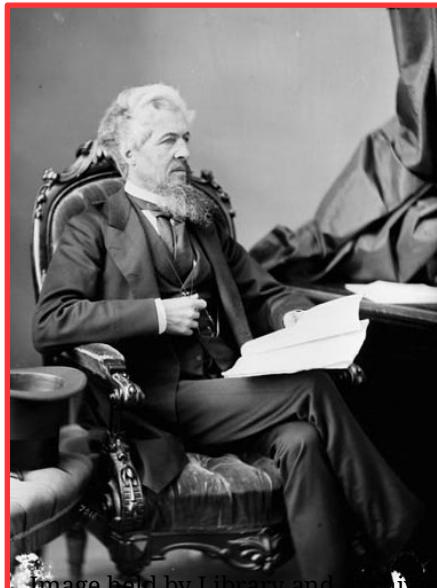


Image held by Library and Archives Canada.

¹ Provisions = a list of protection rules

² Countenance = to make an idea seem credible

³ General legislature = parliament

⁴ Compelled = forced

⁵ Faith = religion

⁶ Alienation = separation

⁷ Hear, hear = everyone else in the room agreeing with what was said

the other hand, the policy of the Federal Executive⁸ should be to give effect to the aggregate⁹ will of the several local majorities, at whatever sacrifice of principle, still then you will have this war. The local minorities—threatened with elimination, in their alarm and jealousy, will be simply desperate, ready for any outbreak of discontent at any moment. Take a practical case. Suppose the rule adopted, of not having an Executive Council¹⁰ inconveniently large, Lower Canada, as we have seen, can then only have three members of it; and if all these three are French-Canadians—as they almost must be, because the French cannot put up with less than three out of twelve—how will not the Irish Catholics and the British Protestants feel themselves aggrieved?¹¹ You cannot help it. They must in that case feel deeply aggrieved, and so feeling, they will cause troubles. The Irish Catholics will be told, I suppose, ‘Oh, you will have an Irish Catholic member of the Government to look to from Newfoundland,’ and if so, they will have to guide themselves by some sort of Irish-Catholic Newfoundland rule of policy, and not by any rule ever so little savoring of a regard for larger or higher principle. The British Protestants, in their turn, will be told: ‘You have a majority of your own tongue and faith from Upper Canada and the Lower Provinces; you must be content with that, and look to their members of the Government for such care as you may need in the matter of your affairs.’ ‘Oh, we must, must we?’ will be the answer; ‘then we will square our conduct,¹² not by any rule for British America or even Lower Canada, but by the shifting exigencies¹³ of prejudice or passion, whatever they might be, in Upper Canada and your Lower Provinces.’ (Hear, hear.) These discontented elements in Lower Canada, depend upon it,¹⁴ will create no small confusion; and among those thus driven into making trouble, there will be not a few whose preferences will even be American, and who will appeal to outside influences for protection. Such will be the legitimate effect of this system; and if any one tells me that it will be conducive¹⁵ to the peace and good government of this country, I say he prophesies¹⁶ in a way that I cannot understand. Thank God, Mr. Speaker, I do not need, as I stand here, to defend myself from any charge of bigotry as against any sect or party. There was a time in Canada when it was most difficult for any person who spoke my tongue to stand up and say that the French-Canadians ought not to be politically exterminated from the face of the earth. I stood out steadfastly¹⁷ against that doctrine then. I remember well the painful events of that sad time. I foresee but too distinctly the fearful probability there is of that time coming again, through the adoption of these resolutions. And I do not shrink from the danger of being misunderstood or misrepresented,¹⁸ when I now stand up here and warn the country of this danger. If trouble of this sort ever arises, it is one that will extend very rapidly over the whole Confederacy. In all parts of it, in every province, there are minorities that will be acted upon by that kind of thing. In the Lower Provinces, and in Newfoundland, things are but too ripe for the outburst of hostilities of this description. Talk, indeed, in such a state of things, of your founding here by this means ‘a new nationality’—of your creating such a thing—of your whole people here rallying round its new Government at Ottawa. Mr. Speaker, is such a thing possible? We have a large class whose national feelings turn towards London, whose very heart is there; another large class whose sympathies centre here at Quebec, or in a sentimental way may have some reference to Paris; another large class whose memories are of the Emerald Isle; and yet another whose comparisons are rather with Washington; but have we any class of people who are attached, or whose feelings are going to be directed with any earnestness, to the city of Ottawa, the centre of the new

⁸ Federal executive = the prime minister’s cabinet

⁹ Aggregate = combined

¹⁰ Executive council = the prime minister’s cabinet

¹¹ Aggrieved = upset at how you have been treated

¹² Square our conduct = correct how we behave

¹³ Exigencies = an urgent need or demand

¹⁴ Depend upon it = count on it

¹⁵ Conducive = making something possible

¹⁶ Prophecies = predicts

¹⁷ Steadfastly = dependable

¹⁸ Misrepresent = to incorrectly repeat another person’s statement

nationality that is to be created? In the times to come, when men shall begin to feel strongly on those questions that appeal to national preferences, prejudices and passions, all talk of your new nationality will sound but strangely. Some other older nationality will then be found to hold the first place in most people's hearts. (Hear, hear.)"

REPRESENTATION BY POPULATION

"Representation by population is given to meet the grand demand of Upper Canada; but the people of Lower Canada are assured, in the same breath, that it will not hurt them; that their institutions and privileges are made perfectly safe; that they will even have as many members in the Lower House as before, and that they will, in a variety of ways, be really better off than ever. A delightful ambiguity is found, too, upon the point as to who will make the future apportionments¹⁹ of the constituencies....

"The House of Representatives is an aggregate²⁰ of state delegations, and our mock House of Commons is to be an aggregate of provincial delegations. Each man is to come to it ticketed as an Upper or Lower Canadian, a New Brunswicker, a Nova Scotian, Newfoundland, a Prince Edward Islander, or what not. These distinctions, which, if we are to be a united people, we had better try to sink, we are to keep up and exaggerate. The system will do that, and but too well."

PROVINCIAL AUTONOMY

"...according to this scheme, independently of and besides all the difficulties our sectionally-organized²¹ Federal Cabinet will find in dealing with its sectionally-organized Federal Legislature, it is to have these provincial governments also, to embarrass it...

"There is, in the United States' system, a clear and distinct line drawn between the functions of the general and state governments. Some may not like the idea of state sovereignty,²² and many may wish that more power had been given to the General Government. But this much is plain, that it is not proposed to allow anything approaching to state sovereignty here. We have not even an intelligible statement as to what powers are to be exercised by the general, and what by the local legislatures and governments. Several subjects are specifically given to both; many others are confusedly left in doubt between them; and there is the strange and anomalous²³ provision that not only can the General Government disallow the acts of the provincial legislatures, and control and hamper and fetter²⁴ provincial action in more ways than one, but that wherever any federal legislation contravenes²⁵ or in any way clashes with provincial legislation, as to any matter at all common between them, such federal legislation shall override it, and take its place. It is not too much to say that a continuance of such a system for any length of time without serious clashing is absolutely impossible."

SENATE

"Mr. Speaker, at the Legislative Council under the proposed Confederation; what is it? There is a sort of attempt to prevent its numbers from resting on a population basis; and this is about the only principle I can find in it. (Hear, hear.) It would seem to have been thought, that as the branch of the legislature was to be shared between the provinces in the ratio of their population, there must be some other rule followed for the Upper Chamber. So we are to have twenty-four for

¹⁹ Apportionments = divisions

²⁰ Aggregate = formation

²¹ Sectionally-organized = organized by province

²² State sovereignty = provincial autonomy

²³ Anomalous = different from normal

²⁴ Hamper and fetter = to stop from moving forward

²⁵ Contravenes = conflicts

Upper Canada, twenty-four for Lower Canada, twenty-four for the three Lower Provinces, and four for Newfoundland; simply, I suppose, because the populations of these equalized sections are not equal, and because four is not in proportion to the population of Newfoundland. (Hear, hear.)...

“Surely, Mr. Speaker, this Legislative Council, constituted so differently from the Senate of the United States, presided over by a functionary²⁶ to be nominated by the General Government; having no such functions of a judicial or executive character as attached to that body, and cut off from that minute oversight of the finances which attaches to the Senate of the United States; although it may be a first-rate deadlock; although it may be able to interpose²⁷ an absolute veto, for no one can say how long, on all legislation, would be no Federal cheek at all. I believe it to be a very near approach to the worst system which could be devised in legislation....”

“All that can be said of it is, that it is proposed to be constituted upon almost the worst principles that could have been adopted. It seems as if it were so constituted for the mere purpose of leading to a dead-lock. The members of it are not to represent our provinces at all, but are to be named by the Federal power itself, for life, and in numbers to constitute a pretty numerous body, but without any of the peculiar functions wisely assigned to the Senate of the United States.”

All of the above quotes are from: Province of Canada. *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, 3rd Session, 8th Provincial Parliament of Canada*. Quebec: Hunter, Rose & Co., Parliamentary Printers, 1865.

²⁶ Functionary = leader

²⁷ Interpose = add something in between

SECTION 1: NEW BRUNSWICK

Samuel Leonard Tilley in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



In 1818, Sir Samuel Leonard Tilley was born in Saint John, New Brunswick, to a family with strong loyalist roots. After completing his basic education, Tilley apprenticed as a druggist in Portland before returning to Saint John and opening a highly successful drugstore. After the 1848 recession, Tilley gradually waded into politics as the treasurer for the New Brunswick Colonial Association (NBCA); claimed Britain was not adequately supporting its colonies; called for protection of agriculture, industry and fisheries; and supported the establishment of a British North American federation. During the 1850 general election, Tilley successfully ran for a Legislative Assembly seat, only to resign in protest when two of his fellow NBCA members abandoned their party to join the Governor's cabinet. Tilley, however, returned to office in 1854 as the Attorney General Charles Fisher's provincial secretary where Tilley, as part of the first responsible government in New Brunswick, introduced the first revenue bill that tried to hold the province of New Brunswick accountable for its finances. Tilley's decision to push through controversial prohibition legislation led to Lieutenant Governor John Henry Thomas Manners-Sutton dissolving the assembly and calling an election, which Tilley lost.

In 1857, Tilley returned again to the polls, this time as a Reformer. The completion of the European and North American Railway between Saint John and Shediac was seen as important progress for the colony. On 14 March 1861, Tilley organized his fellow council members to resign when Fisher was caught in a scandal, which resulted in Fisher's removal and Tilley's consolidation of power. Tilley worked with Arthur Hamilton Gordon, the new Lieutenant Governor in 1861, to pursue funding the Intercolonial Railway, which would connect the Province of Canada to the Maritimes through New Brunswick and increase economic development along its route. He and the newly elected Nova Scotian Premier, Charles Tupper, were unable to convince the Canadians to support a cost-sharing deal to construct the railway. Despite this setback, Tilley fought back by introducing the legislation in 1864 that subsidized additional railway construction within the colony.

After the formation of John A. Macdonald, George Brown and George-Étienne Cartier's Great Coalition in 1864, Tilley insisted during the negotiations at Charlottetown and Quebec City that the Intercolonial Railway was vital to political and economic union with Canada. Tilley's government, however, was defeated in the 1865 general election, and a new government, led by Albert Smith, pursued a new trade deal with the United States as an alternative to Confederation. Following the Fenian aggression on Indian Island on 14 April 1866, however, New Brunswickers reconsidered the Confederation deal and re-elected Tilley's government to continue pursuing Confederation. When Tilley returned home in March 1867 from negotiating the final terms of union in London, England, he was received as a hero. After Confederation, Tilley oversaw the Customs Department as a cabinet minister, and subsequently served as the Minister of Finance in 1873 and 1878 as well as the fourth Lieutenant Governor of New Brunswick from 1873 to 1879.



Image held by Library and Archives Canada.



Primary Source: Samuel Leonard Tilley's Views on Confederation

When the New Brunswick legislatures debated Confederation between 1865 and 1867, Samuel Leonard Tilley said the following points:

CONFEDERATION IN GENERAL

“The hon. Ex-President¹ came down to Saint John, and told the people that it arose out of the troubles and necessities of Canada, and asked them not to speak too hastily, but to assist the other countries in the defeat of the Scheme. But, sir, the question was not new to the Government of this country. As early as 1858, a proposition was made to us to go into a Union with the other Provinces. It was not deemed advisable on certain grounds, and even though of late it may be that, as the hon. member observes, the renewed proposal for Union grew out of the dead lock which had taken place in the government of Canada, was the mere fact of her necessities urging her to make the renewed offer any ground why it should be rejected?”

Debates of the New Brunswick House of Assembly, 27 June 1866, pgs. 29–30.

“It is impossible to satisfy some of the opponents of Union. Previous to the former election the cry was, you are going to force the question through the House and not appeal to the people; then when we did appeal to the people they said it was very wrong to dissolve the House at such an inclement² season of the year how very delicate the people got all at once.”

Debates of the New Brunswick House of Assembly, 29 June 1866, pg. 31.

“Some are opposed to the Quebec Scheme who have never read it.”

Debates of the New Brunswick House of Assembly, 27 June 1866, pg. 31.

REPRESENTATION BY POPULATION

“No arrangement can be made except on the principle of representation by population. Have we heard any objection to representation by population on the floors of this House. The members for Kings asked for an increase of representation because the population of their county is greater

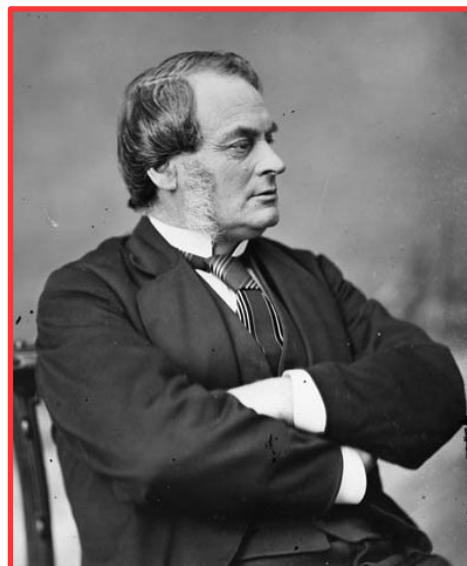


Image held by Library and Archives Canada.

¹ The hon. Ex-President = Albert Smith

² Inclement season = bad weather

than the population of some other Counties, but you never saw the members for Queen's rising and saying, because Westmorland had four members Queen's should have four. Governments generally try to do justice to all parties in order to hold on to their power, for they know that members will come out in opposition if they do not. In this Union let any injustice be perceived and no Government that permits it will be able to stand, for a very few members going into the Opposition can generally oust³ a Government, and in this lies our safety."

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 34.

THE SENATE AND REPRESENTATION BY POPULATION

"Let us look at some of the points which the late Attorney General [Smith] considers objectionable. He says we have not a sufficient number of representatives in the upper branch of the Legislature. There might be some concessions made to us in this. When the arrangement was made, and representation by population was conceded, it was considered that there was a great protection given to the Maritime Provinces, for New Brunswick was to have one representative for every 25,000 of her population, Lower Canada one to over 50,000, and Upper Canada one to every 75,000. That was twenty-four representatives for Upper and twenty-four for Lower Canada, and twenty-four for the Maritime Provinces, and Newfoundland was to have four. In every case the interests of the Maritime Provinces are nearly identical and there is scarcely an important question that can come up in which Lower Canada would not be with us."

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 33.

PROVINCIAL AUTONOMY

"The hon. member [Smith] stated that it was probable our Local Legislature would be left without any powers, and dwindle⁴ down so low that its action would be a mere farce. Now, whatever may be the opinion of the hon. member with regard to this Legislature, or of Mr. Brown in reference to the Local Government of Upper Canada, I believe that our Constitution will remain just as it is. It is a fact that out of the whole number of Bills passed by this Legislature in 1864, all but seven would have come before us in Confederation, and all but three during the last Session. No, the work to be performed will not dwindle down to insignificance."

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 32.

TRADE

"I have taken up the finances and shown that in Union with a uniform tariff New Brunswick will not pay more, if as much, duties as other parts of British North America because we do not consume as many dutiable goods. It will give us more money for local purposes. It will secure the construction of the Intercolonial Railway."

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 36.

"I have stated that in my humble opinion we would not pay as much, or no more, into the revenues of Canada, according to population, than we have paid in the average of the last seven years. I stated distinctly that in Confederation, speaking for the present, future and all time to come, the inhabitants of New Brunswick would not pay more per head than the average of the last seven years, and after they arrive at a certain number the amount per head will be

³ Oust = get rid of

⁴ Dwindle = make smaller

diminished. In illustration of this we will take the great population of the neighboring Republic. Before the war the people of that country—whether they paid it in the shape of revenue or imports upon the population—paid only \$1.90 a head, and they supported an army and navy, and had ambassadors in every port in the world. So it will be in this case, and while our population increases our expenditure will not increase in like ratio.”

Debates of the New Brunswick House of Assembly, 20 May 1867, pg. 53.

“He [Mr. Smith] seems to take every opportunity day and night, in the House and out of it, to alarm the people as to the future prospects of this country, which he characterizes as dark and gloomy and perilous, and all that. It is true the state of trade is dull at present, but we are looking to the Union to aid in a material degree, in relieving the distress which at present is felt in certain quarters, and there is no necessity at all to picture out the future as all darkness and ruin.”

Debates of the New Brunswick House of Assembly, 3 June 1867, pg. 124.

“What has Confederation done thus far? He [Mr. Smith] says the people are poor and the times are bad. We have not yet entered into Confederation, and therefore it cannot be expected to have done much for us, but thus far even it has had the effect of giving confidence in the capabilities and resources of the country to be developed under Confederation to persons who would otherwise have left the country.”

Debates of the New Brunswick House of Assembly, 3 June 1867, pg. 126.

“Those who have been engaged in negotiating for the extension of the trade of British North America, know that peculiar difficulties exist when negotiating out of Union, compared with the facilities which would exist in negotiating when united.”

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 38.

INTERCOLONIAL RAILWAY

“Can there be any doubt about the construction of the Intercolonial Railway that under the arrangement of 1862 we would have to pay 3 and 1/2 twelfths, whereas if we go into Union we will have to pay but one-thirteenth?”

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 33.

DEFENCE AND THE FENIANS

“We are not as likely to have difficulties with the Fenians ... because if we had gone against Union, the opinion of the people of the United States would have been that we were in favor of annexation, and we would have had hordes of men down here, and had difficulties which will not now exist, because the moral effect of this Union is, that both the whole power of the British Government and the whole force of the nation will be put forth to maintain our integrity.”

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 37.

Albert James Smith in Brief



This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir Albert James Smith was born in 1822 in New Brunswick and was a successful commercial lawyer. Smith was elected to the Legislative Assembly on 18 May 1852 on a platform that advocated limited public spending, voting by ballot, biennial elections, an elected legislative council and the removal of the provincial capital from Fredericton so that an oligarchy of families would not dominate it. Smith was unique in the assembly as he fought against the privileges of the establishment, such as King’s College in Fredericton.

In 1854, Smith became a part of Charles Fisher’s Executive Council. Amongst this Liberal cabinet, Smith was considered to be a radical who maintained advocacy for the reorganization of government departments, voter registration, diminution of the powers of the lieutenant governor and the nationalization of the European and North American Railway. Smith debated the practicality of Tilley’s prohibitory liquor bill of 1855, which he opposed on the basis of refusing to compromise civil liberties. When Lieutenant Governor John Henry Thomas Manners-Sutton dismissed the Reform government on 1 January 1856 as a result of the failures of the prohibition bill, Smith opposed the centralization of power that allowed for Manners-Sutton to form a government with John Hamilton Gray. Smith was aggressive in his critique of Gray, which contributed to Grays defeat in 1857. After Fisher was caught up in a crown land scandal, Samuel Leonard Tilley became the new premier, with Smith as his chief lieutenant and attorney general. There, he often accused of bullying his opponents; one incident involved him attempting to assault Lestock DesBrisay with a fireplace iron.



Image held by Library and Archives Canada.

In 1861, Arthur Hamilton Gordon, who disliked Smith, succeeded Manners-Sutton. During Tilley’s absence, Smith conflicted with Gordon when militia appointments were made without Smith and Tilley’s involvement. In 1862, while out of office, Smith showed that he could organize support and undermined Tilley by opposing Gordon being paid in sterling over colonial pounds, which would have cost the provincial treasury an additional £600. During the 1864 North American Federation movement, Tilley organized former opponents like Gray, discarded colleagues like Fisher, but excluded Smith as a result of his consistent opposition to union schemes and the Intercolonial Railway. In November 1864, Smith publicly called the steps towards Confederation as prioritizing Canada over New Brunswick. In the 1865 election, Smith carried on his anti-Confederation rhetoric and won 26 seats out of 41 in the Assembly. Smith then selected an Executive Council which ended up including individuals who supported Confederation. By 1866, Smith’s council was fragmented, as several members began to openly support Confederation. Gordon accepted a pro-Confederation reply from the British Legislative Council, undermining Smith’s stagnant government. Smith resigned and was not able carry New Brunswick in the May and June 1866 elections. Gordon’s confederate team was successful in portraying Smith as anti-confederation and as an annexationist. All motions proposed by Smith were rejected in June 1866, and he accepted his defeat and stated that he was “anxious to assist in working out the measure.”

After being elected to Canada’s first parliament in 1867, Smith advocated for provincial rights and reduced tariffs on New Brunswick. In 1870, federal policies created dissatisfaction with Canada, and Smith could have led an annexationist movement but refrained. Smith was even offered a lieutenant governorship of New Brunswick under John A. Macdonald, which he declined in order to keep his seat in the House of Commons.



Primary Source: Albert James Smith's Views on Confederation

When the New Brunswick legislatures debated Confederation between 1865 and 1867, Albert Smith said the following points:

MAJORITY VS. MINORITY RIGHTS

“... the objections to the Bill seemed to be narrowing down to the details. Judges Parker and Ritchie, whose only motives could be to bring juvenile offenders from the paths of vice and iniquity¹ into those of virtue, had taken great interest in this matter, and he thought the House should take hold with them and do something to assist in carrying out so laudable² an object. The training in this school would be sectarian³ and he thought it should be; he did not see how such an Institution could be carried on if it were not sectarian. As to the grant the Governor and Council were not compelled to take action, and give towards its support. All denominations could organize under this law, and amounts could be granted to each as required.”



Image held by Library and Archives Canada.

Debates of the New Brunswick House of Assembly, 22 May 1865, pg. 86.

“From the position he occupied as the leader of the Government, he was called upon to answer the speech of the mover of the amendment. He had not been at all surprised at the course pursued by that gentleman, because he had heard of the way he had vilified and traduced⁴ the members of the Government at the time of the last election in York. He had waited to hear it on member was prepared to make the same statements on the floor of the House as he had made on the hustings. He had waited to hear if he would dare say now as he said then, that the Government was a disreputable and disloyal Government, and that the traitor Anglin, the Roman Catholic, was its dictator. Would he dare make those statements now? He wondered how he (Mr. Fisher) had dared to make them; he wondered that he could reconcile them with his conscience. What had been the course that gentleman had pursued? It was said, and he believed it, that he had his emissaries⁵ out, and that from hamlet to hamlet, village to village, from school-house to school house, they went, sowing the seeds of strife, awakening the elements of religious discord in the breasts of the people, stirring up sect against sect. What had been the political canvas throughout the country? How had he tried to frighten the people, excite hostility against him, (Attorney General), and poison their minds against the Government? What was the cry raised? Why, if the Government, if was said, was allowed to stand, if the men who held the reins

¹ Iniquity = unfairness

² Laudable = deserving praise

³ Sectarian = religious prejudice

⁴ Traduced = told lies to

⁵ Emissaries = people sent on a special mission

were not ousted⁶ from power, the seat of Government would be removed, Fredericton and York would be ruined: unless Smith was crushed, the seat of Government would be lost. It might be thought that from the position the hon member had assumed it denouncing the Government, that he was one of the most extraordinary and immaculate⁷ men that ever lived."

Debates of the New Brunswick House of Assembly, 14 March 1866, pgs. 13–14.

REPRESENTATION BY POPULATION

"Mr. George Brown, through the consummation⁸ of this Scheme, will accomplish the object of this Scheme, will accomplish the object which he has advocated all his life—that is, representation by population, which will give Canada, by the rapid increase of her population, the controlling power of this whole Confederacy. By adopting this Scheme we surrender our independence, and become dependent upon Canada, for this Federal Government will have the veto power upon our legislation."

Debates of the New Brunswick House of Assembly, 1 June 1865, pg. 118.

"In seventeen years Upper Canada—taking the ratio of increase for the last twenty years—would have a numerical majority of representatives over all the rest, whereas we get no increase, but are liable to decrease; because if Lower Canada increases faster than we do, our number will be reduced. Numerical strength is power, and they will use that power whether it is for our advantage or disadvantage."

Debates of the New Brunswick House of Assembly, 1 June 1865, pg. 119.

"... I will venture to prophesy that in a few years Upper Canada will have a numerical majority of representatives, not only over Lower Canada, but over the Lower Provinces, too, and we will be at her mercy. They should have agreed upon a certain number of representatives and not increased them."

Debates of the New Brunswick House of Assembly, 22 May 1867, pg. 63.

THE SENATE

"I stated distinctly my views in regard to the principle of representation by population, as contained in the Quebec Scheme. I would never consent to it, unless there are other protections to counterbalance it, I attempted to explain the effects of representation by population, as contained in the Scheme, but I do not know how to provide checks, and if checks cannot be provided, I never will give my consent to representation by population."

Debates of the New Brunswick House of Assembly, 16 March 1865, pg. 28.

"Thus Canada is not only to have the great majority in the Lower House, but in the Legislative Council she is to be represented by 48 members, whilst all the Lower Provinces will only have 24. We are told that Canada sympathises with us, that the men in power there have no desire to override us, or infringe⁹ on our rights. Even were this the case, we must remember, Mr. Speaker,

⁶ Reins were not ousted = power was not taken away

⁷ Immaculate = perfect

⁸ Consummation = completion

⁹ Override or infringe = cancel or weaken

that men pass away, that they are transitory, and men may arise in the future who will abuse the power they possess to our ruin. Let us then see what we have conceded,¹⁰ not as an indulgence but as a right, the proper checks in the Upper Branch. New Brunswick has by this arrangement but ten members to their 24 each. It may be asked why we should have an equal number with them in the second branch? I say because they have full power and control in the Lower House."

Debates of the New Brunswick House of Assembly, 29 June 1866, pg. 24.

"He says we have not a sufficient number of representatives in the upper branch¹¹ of the Legislature. There might be concessions made to us in this. When the arrangement was made, and representation by population was conceded, it was considered that there was a great protection given to the Maritime Provinces, for New Brunswick was to have one representative for every 25,000 of her population, Lower Canada one for every 50,000, and Upper Canada one for every 75,000. That was twenty-four representatives for Upper and twenty-four for Lower Canada, and twenty-four for the Maritime Provinces, and Newfoundland was to have four. In every case the interests of the Maritime Provinces are nearly identical, and there is scarcely an important question that can come up in which Lower Canada would not be with us.... Is there not some protection in this?"

Debates of the New Brunswick House of Assembly, 28 June 1866, pg. 33.

PROVINCIAL AUTONOMY

"We come now to the Sea and Inland fisheries, and on this subject, the Local and General Governments come in conflict, for they both have the power to legislate upon them. The 17th section of the 29th resolution gives it to the General Government, whilst the 8th section of the 43rd resolution gives it to the local government. Now how are differences and controversies on this subject settled? Have they a Superior Court to which the matter can be carried as in the United States, where differences between States and the General Government can be carried and settled? No, there is nothing of the kind provided. Is it not important that there should be some tribunal where disputes of this nature may be settled; and I ask the Attorney General to look into the matter and provide for some means of appeal. But even then there is the other power they possess of vetoing any action of the Local Legislatures. Should we submit that Canada should have the power to abrogate and nullify¹² all or any of our legislation, with no power to which to appeal? They have also left us the power of managing our own private or local affairs, but the question may be raised what is private and local, and then who is to determine?"

Debates of the New Brunswick House of Assembly, 29 June 1866, pg. 26.

"We make appropriations¹³ for our schools, but even though the sum required may not be in the treasury, the warrants issue just the same. But if the money in the general treasury runs out, it will be for them to say whether the grant of eighty cents a head shall issue for any year, and then what redress have we? None whatever, for we, under this arrangement, became subject to the whim and caprice¹⁴ of Canada."

Debates of the New Brunswick House of Assembly, 29 June 1866, pg. 28.

¹⁰ Conceded = decided

¹¹ Upper Branch = the Senate

¹² Abrogate and nullify = cancel

¹³ Appropriations = government money set aside for a specific purpose

¹⁴ Whim and caprice = unpredictable desire



Arthur Hill Gillmor in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Arthur Hill Gillmor was born on 12 March 1824 in St. George, New Brunswick. He was educated in local schools and worked with his father and brothers. In 1854, he entered provincial political life as a Liberal in one of four seats for Charlotte, and was subsequently re-elected in 1856, 1857 and 1861. Gillmor earned a political reputation for being very principled.

In 1865, when election was called on the issue of Confederation, Gillmor supported the anti-Confederate movement led by Albert James Smith, which won the election. Smith rewarded Gillmor with the cabinet post of provincial secretary, where he oversaw the government’s budget. The Smith government, however, was defeated the following year by Samuel Leonard Tilley’s pro-Confederation candidates and Gillmor, who was tired and depressed after the loss of his father a few weeks before polling, also lost his seat.

Although he continued to oppose Confederation, Gillmor left politics for a while to focus on his business and personal life after the death of his father. However, in 1872 he unsuccessfully stood for election to the House of Commons. Gillmor was elected to this position in 1874 and remained until 1896. In 1890, Gillmor identified his principles of politics to include free education, manhood suffrage and free trade. In 1896, at the age of 72, he lost his seat. Gillmor was appointed to Senate on 2 April 1900. However, shortly afterward, at the age of 79, he became suddenly ill and died.

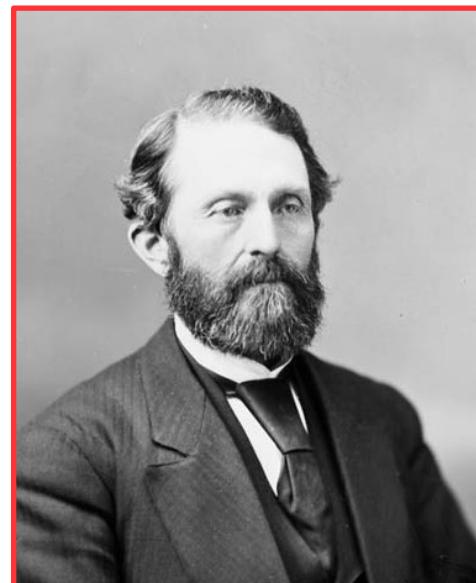


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Primary Source: Arthur Hill Gillmor's Views on Confederation

When the New Brunswick legislatures debated Confederation between 1865 and 1867, Arthur Gillmor said the following points:

ON CONFEDERATION IN GENERAL

"This scheme had its origin in Canada; their necessities called for it, not ours. An idea of this scheme was communicated to the leading politicians of the Lower Provinces¹ and they went to Quebec and held the Conference. I shall make no reference to the constitutionality of this delegation,² but I do know that the people did not send them. Now, if there is any class of persons that are calculated to impose upon the people more than another, it is the makers and vendors of quack medicine. These doctors went there, and in the space of seventeen days they prepared what I call a quack medicine; having got it prepared, they next had to return and make the people feel that they were sick. They might have labelled it, 'health and comfort for all;' so they told them that they were financially distressed and commercially depressed; that they could not get along or expand unless they took this medicine. So they went to work recommending the panacea,³ and some of the people soon began to feel sick, but many began to ask how much the medicine was going to cost. If you look into the scheme, you will see a medicine fixed up for all the politicians; they had certain ends to work out, and so they put into this medicine a large amount of *Soothing Syrup*, and this was especially intended for the *House of Lords*; and it had its effect as forcibly upon men as it does upon children, as recent events have proved, and they expected it would so operate upon all people."

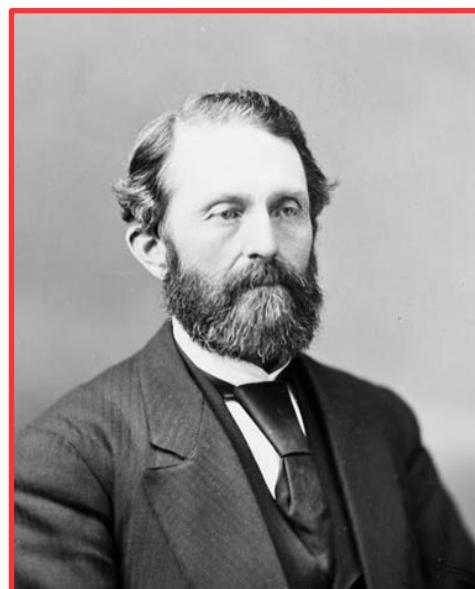


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Debates of the New Brunswick House of Assembly, 5 June 1865, pg. 137.

"The arguments in favour of the scheme were vague and indefinite.⁴ They said our young men were going away, and this was going to keep them all at home; adopt this, and no fond mother was ever to weep for an absent son, and no tender lover was ever again to part from his sweetheart. The people, however, had no idea it was going to produce such results.... Now if this Confederation scheme was so old and so good, why was it never discussed upon the floors of this House; during that long term they had not discovered that we were such an insignificant people

¹ Lower Provinces = Maritime provinces

² Delegation = group of representatives

³ Panacea = a single solution that fixes every problem imaginable

⁴ Vague and indefinite = unclear

and that our resources were so limited. On the contrary, they were continually telling us that we had vast resources, and were all right, both politically and financially, and it was a favorite expression of one of the delegates, ‘that we had an abiding faith in the people.’”

Debates of the New Brunswick House of Assembly, 5 June 1865, pg. 138.

“The British Government, I regret to say, favors it, and as much as I regard our connection with the Mother Country and prize the relation, I do not choose that they shall decide our destinies in this matter; and it is because that I think matters have been wrongly represented, that I think it important a Delegation should go home. There is no reason why this Union should be entered into, but there are strong reasons why it should not the time may come when a Federal Union will be necessary.”

Debates of the New Brunswick House of Assembly, 5 June 1865, pg. 139.

REPRESENTATION BY POPULATION

“This Confederate Parliament was to be conducted by men of the first talent from all the Colonies. Our fifteen representative would have little influence there, even if they were all united; these fifteen gentlemen could do a great deal more for New Brunswick in our own Parliament, and would be quite as well able to consider these general matters here as there. I have never known this Assembly to decline the consideration of any question on account of its magnitude, particularly the late Government; and we have no right to suppose that our fifteen members would be united in their politics, they would represent both political parties. Human nature would not be changed, and party feelings would not be removed by the new order of things.”

Debates of the New Brunswick House of Assembly, 5 June 1865, pg. 138.

REPRESENTATION BY POPULATION

“That hon. member [John McMillan] said the Conference had tried to copy after both the Constitution of Britain and the United States. They have succeeded in getting a good deal of what is not perfect in both, and not a great deal of the good qualities of either. The truth is, Mr. Chairman, that so long as we remain Colonies of England, we do not want any such expensive establishment: we want no such power between the Colonial Legislatures and the Crown. If we are to become separate, then we may copy after the Federal Union, and perhaps improve some upon their system; but until we are separate, we do not want this fifth wheel to our coach, I think there is not a desire in this Province to become independent of England. There may be a desire in Canada West. It has been urged that this arrangement was to bind us more closely to the Mother Country. I think it would have an entirely opposite effect. Union they say is strength. They have had for twenty-five years a union of Upper and Lower Canada. They have had great difficulties, and at last come almost to a stand still. And this Union of the Colonies was the only remedy the politicians of Canada could think of, and it was their troubles, and not ours that suggested it.”

Debates of the New Brunswick House of Assembly, 5 June 1865, pg. 138.

MAJORITY VS. MINORITY RIGHTS

“This great Confederation was to amalgamate⁵ the whole; all races and creeds were to be united. Certain exceptions as to education are provided for in Canada, the ministers there are provided

⁵ Amalgamate = bring together

for in the arrangement. Why not provide for Catholic or Protestant ministers in other Colonies, if necessary in Canada? Why not in New Brunswick, Nova Scotia, and all the other Provinces? The Delegates look with favor upon this scheme; but so far as the people have had a chance to speak out it has been condemned."

Debates of the New Brunswick House of Assembly, 5 June 1865, pgs. 138–139.



Timothy Warren Anglin in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Timothy Warren Anglin was born in 1822 to a wealthy Irish-Catholic family but migrated to New Brunswick as a result of the 1845 Great Famine in Ireland. Shortly after arriving, he founded the *Saint John Weekly Freeman* and began espousing his Irish-Catholic religious and political views through his newspaper. It was very popular and Anglin soon became one of the leading voices for Irish Catholics in New Brunswick. People of Irish-Catholic heritage were a minority in New Brunswick who were often accused of being a depraved burden to society, and Anglin regularly defended his peers from discrimination by promoting self-respect, discouraging rowdyism, supporting ethno-religious activities and advocating religiously informed self-improvement.

The discrimination Irish Catholics faced made partisanship difficult, and the *Freeman* shifted its political allegiance during the 1850s while attempting to secure greater acceptance of Irish Catholics. Despite Anglin’s public prominence, he did not secure public office until 1861, and then as an Independent candidate.

In 1864, Anglin and the *Freeman* opposed the Quebec Resolutions. Although he acknowledged that British North American Union might be necessary at a later date, he concluded that union would benefit Central Canadian politicians and businessmen, rather than average New Brunswickers. He also doubted that a federal system would protect New Brunswick autonomy. During the 1865 New Brunswick general election, Anglin and the *Freeman* became strong anti-confederate voices and contributed to the Tilley government’s defeat.

Once elected, however, the Smith-Wilmot anti-Confederation government struggled to unite behind an alternative platform.

Anglin became a main target for accusations of disloyalty from Confederation supporters. As the Fenian movement grew across the border, Anglin critics increasingly described the Confederation movement as Protestant and loyal and Anglin as a Fenian-sympathizing disloyal Catholic. Frustrated with this discrimination, and after the government failed to satisfy Anglin’s expectations for the construction of a railway from Saint John to Portland, Maine, he resigned from the cabinet. From his seat in the legislature, he continued to oppose Confederation, and rejected suggestions that compromise was necessary.

Once Confederation passed, however, Anglin agreed to give it a try, and successfully ran for the mainly Acadian Catholic seat of Gloucester in the House of Commons. From his seat, he continued to critique Confederation, but mainly focused on leading Irish Catholics after Thomas D’Arcy McGee’s assassination in April 1868. His speeches during his next fifteen years of public office were generally less vociferous than in the past because he believed the condition of Irish Catholics was generally improving. In 1872, he became an integral part of Alexander Mackenzie’s Liberal party and, from 1874 to 1879, he was the Speaker of the House of Commons. During the 1880s, however, Anglin’s fortunes changed. The *Freeman* went under and Anglin and his family became destitute. He did not secure steady work again until 1895, and then died the following year of a blood clot on the brain.



Image held by Library and Archives Canada.



Primary Source: Timothy Warren Anglin's Views on Confederation

When the New Brunswick legislatures debated Confederation between 1865 and 1867, Timothy Anglin said the following points:

ON CONFEDERATION IN GENERAL

"I do not believe at the present time a political union of any kind can be formed with Canada which would be a benefit to the people of this Province. I do not know of any one opposed to union in the abstract, but my impression is that the time has not arrived for any kind of union, and I will oppose it to the last. At present the Provinces are distinct communities with conflicting interests, and the Quebec Scheme does not reconcile them, and the difficulties can only be overcome by sacrificing the Lower Provinces altogether. If any new scheme comes up, it will be for the people to decide upon its merits,¹ and I trust they will retain the power in their own hands to finally settle the destiny of this Province."

Debates of the New Brunswick House of Assembly, 7 April 1866, pg. 105.

REPRESENTATION BY POPULATION

"Politically, we should have to start in this Scheme with fifteen members in a House of 194. Our increase is somewhat greater than in Lower Canada, but so little that many years must elapse before we should get any increase of members. Nova Scotia does not increase quite as fast as Lower Canada, and so she would gradually lose, while Prince Edward Island would soon dwindle down to one while Canada West should increase so rapidly that in twenty-five years the number would be equal, if not superior, to all the rest. The interest of what is now called Central Canada—and which it is probable will become a province of itself—is identical with that of Canada West, and would go with them in any matter affecting them. Montreal is the natural centre of trade, and that is in direct communication with Portland. Then conflicting with that port on one hand and with Halifax on the other, what a contemptible² position we should be in. Talk about our fifteen members being able to do anything; they could do just nothing at all."

Debates of the New Brunswick House of Assembly, 31 May 1865, pg. 114.



Image held by Library and Archives Canada.

¹ Merits = benefits

² Contemptible = difficult

REPRESENTATION BY POPULATION AND PROVINCIAL AUTONOMY

"It is said that you, the people of New Brunswick, must abandon everything—sacrifice your independence—throw away your property, and place yourselves completely under the control of Canada, because Mr. Cardwell³ says you ought to do so. That would be an unreasonable, slavish⁴ loyalty. We say we object to that scheme, more particularly to the principle of representation by population; but we are told that the people of Upper Canada have fought for that for twenty-five years, and they will never give it up. Some people say that they object to the federal principle; but the people of Lower Canada say they can only be protected by that, and they never will consent to any other scheme. All our objections go for nothing; we must consent to anything Upper or Lower Canada may demand. They may refuse to consent to this or that, but if we refuse to accept any of the terms which they choose to give us, we are denounced⁵ as being disloyal."

Debates of the New Brunswick House of Assembly, 7 April 1866, pg. 102.

EXPENSE OF CONFEDERATION

"It is said that Canada would reduce her tariff, that there were to be two additional Legislatures and two additional Governments; were to have the Inter Colonial Railway built, and were to buy out the North Pole; we were to open up the canals, and the Northwest territory; we were to support a great army and navy; we were to keep up bridges, schools and all additional expenses, and do it for a smaller sum than we now require. To prove this, they pile figures together until ordinary minds cannot distinguish falsehood from truth. It is perfectly absurd, and insulting to the intelligence of the people, to tell them that all this can be done for a less sum of money than is now expended. Under the tariff as it stood last year, we pay to the General Government \$700,000, and we receive for local purposes only \$201,000. In thirty years our population is likely to be doubled and of course our revenue will be increased in proportion, but it will all have to be absorbed to the maelstrom⁶ at Ottawa, while we will receive only \$201,000, notwithstanding our increased expense."

Debates of the New Brunswick House of Assembly, 7 April 1866, pg. 104.

"Since 1863 the Canadians have had to impose a much higher tariff, and yet in spite of all, their deficit is larger than ever before. This was the people we were asked to unite with to become prosperous. The hon. member says that they were to assume the interest of our debt, but then they were also to take all our revenues except our Crown Lands. They too were to take the liability of all our Railway works under the Facility Bill, and well they might, for they never imagined it would amount to anything, and knew that nothing would ever have been paid."

Debates of the New Brunswick House of Assembly, 31 May 1865, pg. 114.

³ Mr. Cardwell = the British Colonial Secretary in charge of overseeing colonies like British North America

⁴ Slavish = unthinking

⁵ Denounced = told to be wrong

⁶ Maelstrom = confusion

TRADE AND REPRESENTATION BY POPULATION

"I have heard lectures on this subject, and as I have heard them talk about free trade with Canada, I have asked myself are these people such fools as not to know that if Canada wants to get coal from Pictou they are as free to do it as they can possibly be. People forget that there is perfect free trade between us and Canada. This cry about free trade is not the reason why Confederation is wanted, but an hon. member of the Canadian Legislature has explained the whole matter, when he alleged as one of the advantages of Union to Canada, that they would be able to say to the States, we will not only close the St. Lawrence against you, but prevent you from sending down your flour and beef and pork to St. John, and the other ports of the Lower Provinces, unless you come to our terms. Are we thus to be made the cats-paw⁷ for Canada? are we to be mere make-weights between Canada and the United States? Are we to have all these articles shut out from us just that Canada may make us consume her corn and pork at immensely higher prices? Great Britain makes treaties with the United States, but she always asks our opinion about them, and whether they will affect us. When the Reciprocity Treaty was signed, Parliament was called together to deliberate on it, but here we are to have no voice at all. Just think of our 15 men standing up among the 194; suppose they all stand together for their rights, and against a great wrong, I think I hear the Canadians saying, "you came into this great union of your own free will, you have reaped the advantages of the alliance, and now when difficulties come you must hear them or do the best you can." It is said that union is strength, and we had it illustrated in different ways down in St. John at the last elections, but I think we already have a union that is strong enough; we are united to Great Britain, and I do not think they desire to sever the band that unites us."

Debates of the New Brunswick House of Assembly, 31 May 1865, pg. 114.

MAJORITY VS. MINORITY RIGHTS

"Hon. Mr. ANGLIN moved the House into Committee on a Bill to promote and regulate a Reformatory School for juvenile offender.

"With regard to the sectarian character of the instruction to be imparted in the School, the gentlemen who had framed the Bill did not believe in any religion which was not sectarian. They regarded it as having no existence—as a nonentity.⁸ No injustice was done to any denomination, for all could under this Bill get up just such an institution. If hon. members thought best, he was willing to submit it to a Select Committee to alter and amend it, if they thought necessary, and report to the House upon it.

"... the Sessions had had it under their consideration, but had not been able to agree upon any plan by which it could be carried on. It was well to have everything plain and above board, and he would say that this Bill emanates from the Catholic body of St. John. The hon. member for Carleton seemed to be afraid that a build which had been erected in St. John was to be used for this purpose. He could assure him that no such thing was contemplated. There was one provision in the Bill which he had forgotten to mention, and that was, the parents of those children placed in the School would be liable for a certain portion of their support, and could be sued if they refused to pay. The Bill in its character was not local, but provincial; but it was denominational, as without a course of religious instruction, it was believed no improvement could be looked for."

Debates of the New Brunswick House of Assembly, 31 May 1865, pg. 85.

⁷ Cats-paw = a person who is used by another

⁸ Nonentity = a nothing

"So far as the instruction was concerned this school would be denominational; but it was neither sectarian nor sectional that we should have one murderer, or one thief, or one felon the less, and the community one good citizen more. He was opposed to even the smallest denomination have anything but fair play, and he asked for no more for the denomination to which he belonged than he would willingly grant Protestant Episcopalians, or Presbyterians, or Baptists."

Debates of the New Brunswick House of Assembly, 31 May 1865, pg. 86.

DEFENCE AND THE FENIANS

"It is much to be regretted that this Fenian association exists in the United States. We here can do nothing to interfere in any way to lessen its power. There are various opinions in regard to the object of that association. Some people may think they are the greatest scoundrels that ever disgraced the face of the earth others may consider them mistaken men who, goaded by the remembrance of bitter wrongs, are led into foolish paths. It is hard for anyone who has witnessed the famine of 1848 to speak harshly of them. At that time, hundreds of my countrymen died on the streets of starvation.... Those who have witnessed such scenes can hardly speak harshly of those men, whatever they may think of their present undertaking. If this body of men should come and attempt to conquer this Province, their project would not only be foolish but most wicked for these provinces have never given them cause of offence, but have always offered an asylum and a home to their fellow countrymen. No hope of redressing⁹ the wrongs of their native country can justify them in invading this Province; and if they did, they would find the Irish people of this Province ready to take the foremost rank to meet and repel such invasion. If there was danger, at the time of the York election, that these parties would come down upon us like wolves in the fold, was that the time to create jealousy in the country, by setting race against race, man against man. Can any man who really values the peace and welfare of his country, think of such proceedings without horror?"

Debates of the New Brunswick House of Assembly, 24 March 1866, pg. 39.

⁹ Redressing = remedying



John Costigan in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

John Costigan was born in Saint-Nicolas, Lower Canada, in 1835. His mother and father had emigrated to the town in 1830, where the latter worked as an agent for Sir John Caldwell. John Costigan subsequently attended Collège de Sainte-Anne-de-la-Pocatière in Lower Canada and then worked in Grand Falls, New Brunswick, where he became a registrar of deeds and wills for Victoria and then a judge for the Inferior Court of Common Pleas. In 1861, he decided to run for political office as a Conservative representative for Victoria.

In the 1865 general election, Costigan opposed Confederation and campaigned against Samuel Leonard Tilley’s government. The new premier, Albert James Smith, invited Costigan into the cabinet, where the latter began a long rivalry with Timothy Warren Anglin for leadership of New Brunswick’s Irish Catholic community. When the governor forced an election the following year, and raids from the Fenian brotherhood during the ensuing campaign led voters to re-elect Tilley’s government.

In 1867, Costigan won a seat for Victoria in the House of Commons as a Conservative, and pushed to become the leader of Canada’s Irish Catholic community, especially after the previous leader, Thomas D’Arcy McGee, was assassinated in 1868. Costigan worked with Catholic bishops to oppose the New Brunswick Common Schools Act of 1871, which made schools non-sectarian, and rebuffed every compromise suggested by Prime Minister Sir John Alexander Macdonald. Costigan’s constant dissent earned him the support of New Brunswick’s bishops over Anglin, even though it hindered his influence within the Conservative Party.

In 1873, Costigan continued to openly oppose Macdonald when his government introduced a bill that forced New Brunswick Catholics to pay for a public school system that they did not support. His continued opposition cost him a seat in Macdonald’s cabinet in 1878, and it was only after he turned his back on John Lawrence Power O’Hanly and Home Rule for Ireland that Macdonald made him the Minister of Inland Revenue in 1882. From that point on, Costigan acted as an intermediary between Irish Canadians and Macdonald and helped Macdonald to secure the Irish Catholic vote. Costigan formally left the Conservative party in 1899 after concluding that it had moved away from Macdonald’s nation-building and inclusive platform. In 1907, Costigan was appointed to the Senate on the advice of Sir Wilfrid Laurier’s government. He served there until his death in 1916.

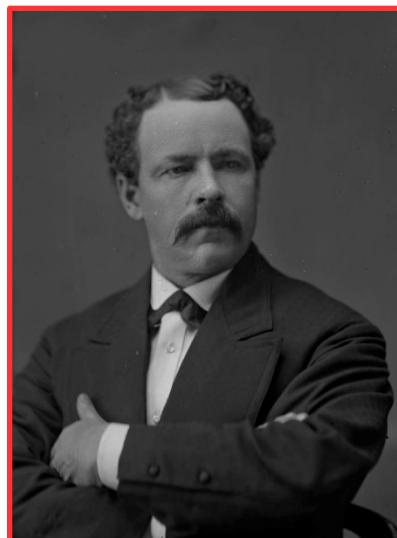


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Primary Source: John Costigan's Views on Confederation

When the New Brunswick legislatures debated Confederation between 1865 and 1867, John Costigan said the following points:



THE INTERCOLONIAL RAILWAY

"Then the question of the Intercolonial Railway⁵³⁶ was brought up, and it was said under Confederation we could have the Railway wherever we wished it; but my opinion is, that if the people of Canada⁵³⁷ really desire the railway, the same facilities for building the road exist without Confederation as with it."

Debates of the New Brunswick House of Assembly, 26 May 1865, pg. 110.

PROVINCIAL AUTONOMY

"This was one of the grand⁵³⁸ reasons which induced⁵³⁹ the Canadians to advocate Confederation. They were involved in difficulties in regard to the Union with Lower Canada and in regard to their finances, and they really required an additional field—not for public expenditure⁵⁴⁰ in improvement—but an additional field for taxation and revenue; that was the reason why they were so anxious⁵⁴¹ to secure the Union of these Colonies. The Canadians would have no reason to complain if they were taxed, because it would be expended and circulated among themselves, and would bear easily upon them, but would bear hard upon the people of this country, because they would have to pay this money which would never be returned again. It was said that the Government of each Province should have a certain sum to expend for local purposes; this was true enough, we had to provide for our own local expenditure, and so had the other Provinces except Canada, who had the additional advantage of having the general revenue expended on her public works,⁵⁴² and it, therefore, became local expenditure, and we would have to pay for that from which we would derive⁵⁴³ no benefit."

Debates of the New Brunswick House of Assembly, 26 May 1865, pg. 110.

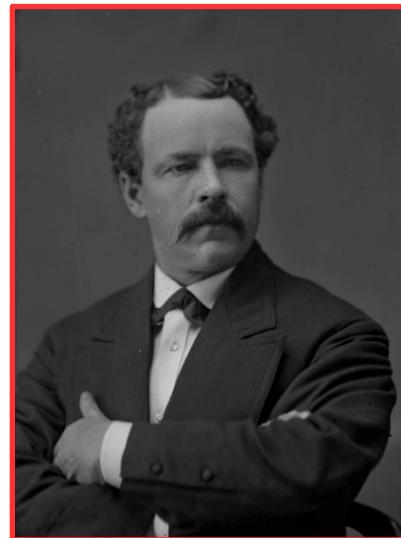


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⁵³⁶ Intercolonial Railway = a railway linking Nova Scotia, New Brunswick, Quebec and Ontario

⁵³⁷ Canada = Upper and Lower Canada. These are the provinces we know today as Ontario and Quebec.

⁵³⁸ Grand = supposedly great

⁵³⁹ Induced = to have made happen

⁵⁴⁰ Expenditure = cost

⁵⁴¹ Anxious = eager

⁵⁴² Public works = projects funded by the government

⁵⁴³ Derive = get

REPRESENTATION BY POPULATION AND PROVINCIAL AUTONOMY

"We were three distinct people, but were to be governed [in Confederation] by one general Government, and that was to be carried on by a majority vote; that majority wins to rule the country and tax the people as they saw fit. According to the construction of Government we would be represented by fifteen representatives, and these would have to fight against 145. Although I might have much respect for the ability of our representatives, yet I would not have much reason to expect that they would have much success in anything they undertook for the benefit of the Province."

Debates of the New Brunswick House of Assembly, 26 May 1865, pg. 110.

REPRESENTATION BY POPULATION

"Now in regard to representation by population. There is one Section of the Scheme which provides for the readjustment⁵⁴⁴ of the representation by population every ten years. In such readjustment Lower Canada is always to be assigned sixty-five members, and each of the other Provinces shall have the same number of members to which it will be entitled⁵⁴⁵ on the same ratio of representation as Lower Canada will then have. According to that in a few years, taking the increase of population according to the past as the nearest criterion to judge by, the representatives of Upper Canada in seventeen years would out-vote the whole of the other Provinces. It has been argued that if we had Confederation it would make a great change, and we would become a great country for capitalists, and emigrants would be induced to come here. Would it change the course of our rivers and give more facilities to manufacturers? The only change it would make would be to place at the disposal of the General Government in Canada the whole resources of the Colonies, and emigration would tend to that part of the Confederation, for we would be removed from any benefit arising from the construction of public works."

Debates of the New Brunswick House of Assembly, 26 May 1865, pg. 110.

REPRESENTATION BY POPULATION AND THE SENATE

"There have been questions which have from time to time come before the country, upon which Governments have been defeated and Governments formed. But there has never been a question before the country involving the same amount of interest as this. It is not only a question that affects our rights for to-day but it affects our rights for all time to come, and the rights of those who come after us. If that scheme is adopted, the time will come when it will be looked upon with horror, and then they will think of those who tried to ward off the blow. No Government introducing a scheme for the union of the Colonies under the system of representation by population would advance the interests of this country. There could be improvements made in that scheme, if a scheme was absolutely necessary, but I do not say it is necessary. I will throw out these suggestions which will have the effect of showing how inconsistent that scheme is regarding representation by population. I contend that upon entering into union with another country we should secure equal rights and privileges, and have equal power to maintain them. We cannot go into an Assembly with fifteen votes against one hundred and forty-seven which Canada has, and obtain equal rights there. Suppose a union of these Colonies was decided upon, and the details of that union had to be considered, the first steps which should be taken, in order to give fair play, would be to blot out all lines of distinction between these Colonies, and bring them together as one Province. Then we might be in a position to say to Canada, we will go into union, but give us equal representation. They contend they have done this in giving the Maritime Provinces a fair

⁵⁴⁴ Readjustment = the changing of a situation

⁵⁴⁵ Entitled = having a legal right to something

proportion in the Legislative Council. But have they not left the division lines, and taken us as three or four small Colonies, each with our representation in the Legislative Council. If we could have equal representation in the Legislature at Ottawa, we might be in a position to advocate our interests; but with fifteen members it is perfectly absurd."

Debates of the New Brunswick House of Assembly, 15 March 1866, pg. 26.

"I read in a Canadian newspaper the opinion of a leading man in that country on a Union of the Maritime Provinces before this Scheme was brought up. He said in case a Union of the Maritime Provinces took place, Nova Scotia would absorb [sic] the influence of New Brunswick. If that would be the case in this smaller union, how much more would this influence be absorbed in this greater majority of this grand Union? Is it reasonable to suppose that a better feeling will exist between New Brunswick and Canada than among the people of New Brunswick themselves? I remember when a Bill was brought in to increase the representation of certain Counties, there was a strong feeling in the House to support it, because it had especial reference to the County of Carleton, as it was thought it ought to be entitled to one additional representative. When the vote was taken on that question, the principle part of the members of the North were against it. That feeling of antagonism has always existed between the two sections of the Province, and they are afraid to extend the power on either side. In view of this, are we prepared to give an overwhelming majority to Upper Canada and trust to their liberality in dealing with us?"

Debates of the New Brunswick House of Assembly, 26 May 1865, pg. 115.

INDIGENOUS PEOPLES

"The hon. member for King's⁵⁴⁶ has stated that the Indians⁵⁴⁷ never kill more than they can take care of, and don't allow the carcass to lie in the woods to be destroyed. I know the Indians do kill large quantities and leave their carcasses to be destroyed in the woods. Within a few miles of the camp where I was working, two Indians had killed seventy moose. I asked one of them if he did not think it was wrong to kill those moose and leave the meat to be destroyed. The Indian pointed to a large pine tree, and said, the white man will come and cut down that tree, take a certain portion and leave the rest to rot in the woods because it is no use to them; we do the same as the white man, we take the hides because we can turn them into money, but the rest we leave to rot on the ground. I would like to go for a Bill to prohibit killing them at all, others want the Indians excepted. It might be done in this way. The Bill could prohibit all persons from killing them for three years, except the Indians, and no traffic allowed in the hides. Then the Indians would have no inducement to kill more than they wanted for their own use, but if you simply prohibit killing, and except the Indians, you leave the traffic entirely in their hands."

Debates of the New Brunswick House of Assembly, 25 May 1865, pg. 87.

⁵⁴⁶ The hon. member for King's = George Otty (another MLA,) who spoke right before Costigan

⁵⁴⁷ Indians = an archaic term for First Nations Peoples

SECTION 1: NOVA SCOTIA



William Annand in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

William Annand was born in 1808 in Halifax, Nova Scotia, where he entered the agriculture industry and bred cattle in the Musquodoboit River Valley. In 1836, he secured a seat in the Assembly and developed a reputation as a Reformer by following Joseph Howe, but he was dropped from their ticket in 1843 after he began opposing further public financial support for sectarian colleges. Howe subsequently offered Annand a loan to purchase and edit the *Novascotian*, which was Halifax’s most popular newspaper. Annand accepted, and also founded his own newspaper, the *Morning Chronicle*, which championed the cause of responsible government. Annand re-entered the Assembly in 1851, and his loyalty to Howe allowed him to secure the post of financial secretary in 1860. Despite accusations that Annand was engaged in improper land speculations, he retained his seat in Assembly even after the Liberal government fell during the 1863 general election.

Annand opposed the Confederation scheme worked out at Quebec and published Howe’s “Botheration” letters, which argued against Nova Scotia’s union with the Province of Canada. However, since Annand allowed pro-union editorials in the *Morning Chronicle*, his anti-Confederation stance lacked conviction. Annand urged his anti-Confederation peers to support a new conference on colonial union, but ambiguity on whether he really opposed union of the colonies or merely wanted better terms negatively affected the anti-Confederation movement. Annand consequently led a weak minority in the legislature, which lost to Charles Tupper’s pro-Confederation resolution in April 1866. Annand and Howe then went to London in July 1866 and March 1868 to argue against Nova Scotia’s inclusion in Confederation. To appease his assembly, Annand opposed union even when Howe opened up to the idea.

After Confederation in 1867, Annand held a seat in Nova Scotia’s Legislative Council and became premier of Nova Scotia, commanding the anti-Confederation representatives. His government, however, was divided among several factions and Annand was temperamentally unsuited to bold leadership. Fearing further divisions, he continued to advocate repealing the union, but simultaneously engaged in negotiations with Sir. John A. Macdonald’s government for better terms. Late that year, he suggested that Nova Scotia would pursue annexation to the United States if it did not secure these terms, which created a rift with the pro-Imperial Howe. The latter subsequently negotiated better terms with Macdonald while refusing to allow Annand to join the talks. When Howe joined John A. Macdonald’s cabinet in 1869, Annand campaigned to destroy Howe’s career. In 1871, Annand’s government was re-elected but its majority reduced, and Annand subsequently aligned himself with Alexander Mackenzie’s Liberal party, which came to power in 1873.

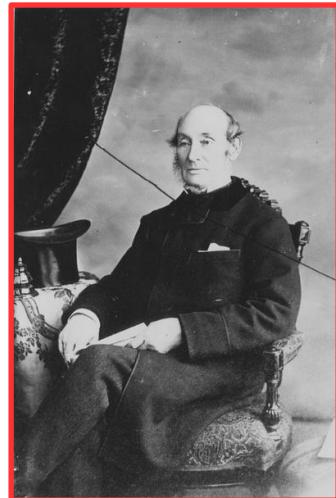


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Primary Source: William Annand's Views on Confederation

When Nova Scotia's legislature debated Confederation between 1865 and 1867, William Annand said the following points:

SUMMARY STATEMENTS

"Nature evidently formed the island, now England and Scotland to be under one government, but with a narrow strip of land connecting the Maritime Provinces with Canada, in many places not more than twenty-six to thirty miles wide, it is not evident that geography protests against the union of Provinces, whose railways and telegraphs in time of war could be severed in fifty places, and all communication intercepted.¹ We are asked to be united to a country which is frozen up five months in the year, which has no trade to offer us of which we cannot avail ourselves now. More than that, Scotland went into the union with the advantage in a pecuniary² point of view, and we go into Confederation with the money part of the arrangement all in favour of Canada—so that the cases instead of being parallel, are entirely opposite. We being a maritime and consuming³ people, will consume, man for man, \$3 for every \$1 consumed by Lower Canadians, and more than even the better class of Upper Canadians. In the face of these facts I think the hon. gentleman has not shown that the measure is desirable from a commercial⁴ point of view, nor yet in relation to defence."

*Debates of the Nova Scotia House of Assembly, 19 March 1867,
pg 45.*

"We are to remain, in future, a dependency,⁵ not of the mother country,⁶ because direct communication with the Crown is cut off,⁷ but of Canada, and we are to be subjected to her taxation, and to be drawn into her broils and her isolation. That word isolation has been used in reference to Nova Scotia, but Nova Scotia can never be isolated as long as she remains beside the sea, forming a part of the magnificent Empire to which I am proud to belong, and commanding the ports to which every Englishman sailing from the Mersey or the Thames resorts. We are to become a dependency of Canada—to submit to new trade regulations imposed by a country cut off from the rest of the world, whose policy is protection, and to share

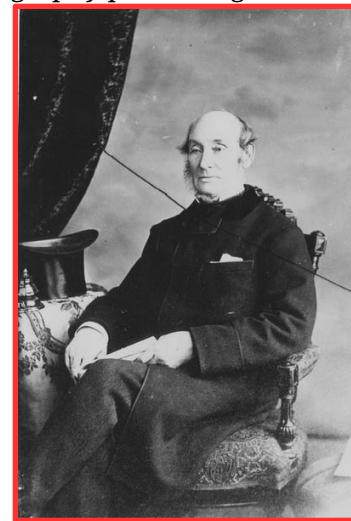


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¹ Intercepted = taken away

² Pecuniary = something relating to money

³ Consuming = buying things

⁴ Commercial = selling things

⁵ Dependency = a province reliant upon Canada

⁶ Mother country = the British Empire

⁷ Is out off = this appears to have been a typo in the original text. This sort of problem sometimes happens with primary documents.

in her isolation; and our people, peaceful, prosperous and happy, are to be identified with the factions, and I might almost say, the bankruptcy of Canada."

Debates of the Nova Scotia House of Assembly, 26 April 1867, pg. 193.

"To those gentlemen who are urging a political Union, for defence and free trade, for the purpose of assimilating⁸ our currency and our postal arrangements, I say that all these things can be obtained without Confederation."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 231.

REPRESENTATION BY POPULATION

"But Representation by population, says the Provincial Secretary, is a sound⁹ principle as applied to the Confederation of the British American Provinces. He has said—and he argued the question at considerable length—that 19 members were as many as Nova Scotia, and 47 as many as all the Maritime Provinces were entitled to, in a House of 194. It must be recollected, however, that under Confederation you have separate interests if you retain¹⁰ separate Provinces, and whilst this is the case, you must expect difficulties to arise."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 233.

NOVA SCOTIA'S INFLUENCE WITHIN CONFEDERATION

"Now, a few words with respect to the Legislative Council, which, we are told, is to be composed of three divisions. Upper Canada has 24, Lower Canada 24, and the Maritime Provinces 24, or 72 in all. It has been said that it was a great concession to give us 24. What the Maritime Provinces require in the central Parliament is protection, and how are they going to get it, when they have but 24 Representatives to 48 Canadians in the Legislative Council...."

"If we are to have protection in the Legislative Council, the only way we can get it, is to imitate the example of the United States. Under their system, the smallest State has the same number of Representatives in the Senate as the largest. Little Rhode Island has as many voices as the Empire State New York. But suppose in the event of Union, Canada had 12, and each of the Maritime Provinces the same number of members—Prince Edward Island as many as Canada, then, if any injustice was attempted to be done to these Provinces in the Lower House, their Representatives in the Legislative Council, by combining together, could prevent it."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 233.

INTERCOLONIAL RAILWAY

"...we are told we cannot defend ourselves unless Confederated. I admit the potency of the argument in reference to the Intercolonial Railway as a means of defence, and I believe that that road will be exceedingly¹¹ useful in time of war, but it might be cut in two or three places in the event of hostilities.¹² Any one reading the history of Sherman's campaign¹³ knows how easy it is to cut a railway, and how easily these Provinces could be separated."

Debates of the Nova Scotia House of Assembly, 13 April 1866, pg. 231.

⁸ Assimilating = merging cultures

⁹ Sound = good

¹⁰ Retain = keep

¹¹ Exceedingly = very

¹² Hostilities = war

¹³ Sherman's campaign = a battle during Civil War

“One reason why I have a strong feeling against this Union with Canada is, because I have no faith in Canadian statesmen. I remember the way we were treated with respect to the Intercolonial Railway—how the Canadian government agreed to the scheme,¹⁴ and put it in the form of a treaty engagement—how they went to England and violated the promises they made to the delegates from the Maritime Provinces—how they attempted to persuade the British government to look upon their share in the cost of the Intercolonial Railway as a contribution towards local defences.”

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 234.

“...the Canadians on two occasions shipwrecked the great scheme. These gentlemen would now give us an Intercolonial Railway, provided that they can couple it with Confederation? Does it follow that a union of the Provinces is necessary before the Railway can be built! We know it is not. We know that the sense of the people is against all union with Canada. We all know the character of the public men that have been dominant in that country for very many years. We know that the money of the country has been corruptly squandered by hundreds of thousands—that, they have proved themselves unworthy of all confidence by their action in respect to the Intercolonial Railway.”

Debates of the Nova Scotia House of Assembly, 5 April 1866, pg. 205.

DEFENCE

“We all know how the American Colonies were lost to England, which probably never would have happened had the sage advice of such men as Adam Smith been taken, and a voice given to the old Colonies in the imposition of taxes and the making of laws. These States would now have been a part of the British Empire, and that Empire would now be invincible¹⁵ against the entire universe. What power would dare to assail the Empire if these, the now two greatest nations in the world, were one. Our true policy I contend, and our duty as British subjects are not to dissever¹⁶ the Empire, but to share the fortunes of England, to cling to, and, if need be, to defend her. I differ entirely from those who advocate the dismemberment of the Empire, and I believe this Confederation scheme to be the beginning of the decline and fall of that great country of which we are all so fond. How long will the West Indies be retained when we are gone? And will not the cry then come up for new nationalities and independence from the Australian Colonies and the Cape. New Zealand and the smaller Colonies will catch the infection, and when all is gone this new powerful and noble Empire will be reduced to two small islands. Against this fatal policy, the inevitable result as I believe of this Confederation scheme, I sincerely and solemnly protest. It is said that in twenty years our population will be eight or ten millions, enough to maintain our independence as a nation, but we may be assured that by that time the population of the United States, recruited from the old world, most of whom prefer to go there, will more likely be sixty-eight or eighty million, making the discrepancy between that country and ours greater instead of less than now. I repeat what I said last night, that these Maritime Provinces must belong to either England or the United States—we cannot belong to Canada, nor can we form a new nation. You may call the Confederation, that is to be, monarchical, with a Governor-General at its head, but it must become a Republic.”

Debates of the Nova Scotia House of Assembly, 19 March 1867, pg. 46.

“Would any union of the people of these Provinces—would any union of our means, unaided by the British Government, save us in the event of the Americans being determined to invade our country and possess it? I say no.”

¹⁴ Scheme = plan

¹⁵ Invincible = too powerful to overcome

¹⁶ Dissever = take apart

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 231.

"If the Confederation was formed tomorrow, I don't believe it would last 10 years. It has not the elements of strength. At one extremity¹⁷ you have Vancouver's Island and British Columbia, and at the other, Nova Scotia and New Brunswick—inhabited by people of the Anglo-Saxon race with their, indomitable¹⁸ spirit. Then between these, in the very heart of the Confederacy, we find the French population, cherishing opinions adverse to those of the Anglo-Saxon, and it is out of such discordant materials as these that you propose to found a powerful and united Confederation."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 233.

"I admit that it is our duty in the case of hostilities to assist our brethren in Canada and New Brunswick, but under the existing state of our law you cannot move a single regiment of militia across the frontier. But does it require Confederation to do that? Cannot you, by a simple act of the Legislature, give the Governor the power to march out as many militiamen as you choose?"

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 230.

"When we are confederated the Commander-in-Chief would have his head-quarters at Ottawa; and we will find that if Canada is attacked and these Provinces threatened, the Executive Government at Ottawa will naturally prefer the protection of their own home-steads to our security, and will withdraw our men for their defence."

Debates of the Nova Scotia House of Assembly, 13 April 1866, pg. 231.

TRADE

"The Provincial Secretary says, if our trade is ever expanded, it must be with British America. I would be much obliged to the hon. gentleman if he would show how that is to arrive under Confederation. We have now free trade with all British America in everything except manufactures. Have we not a right to exchange every article we produce—the products of the soil, the forest, the mine, the sea—free of duty. Would Confederation make one more customer than you have now without it. I admit, that with a population of four millions, there would be much greater temptation to embark in manufactures than there is; but I challenge hon. gentlemen to show me how we could compete with Canada. Can you show the place where the coal, iron, and limestone are found together in the position to be manufactured on the seaboard.... Although they have no coal in Canada, yet at the present day coal can be obtained at a cheaper rate in Montreal than in Halifax. Perhaps at some future time iron works may be established at Sydney, where there are large deposits of coal; but I fear, the period is yet far off. But if you think you can compete with the manufactures of Canada, who have so much the start of us, you can make arrangements for free trade now just as well as under Confederation. All that the Government has to do, is to introduce a resolution for a Conference at Quebec, and I will guarantee that the Canadians will be only too happy to second your wishes.... We took from the United States four millions worth, or 100 times our imports from Canada. We sent to them \$2,445,770, or 80 times our exports to Canada. Yet these gentlemen tell you that we are to have a great expansion of trade with Canada in the event of Confederation."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 233.

¹⁷ Extremity = extreme

¹⁸ Indomitable = impossible to subdue

Charles Tupper in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Sir Charles Tupper was born on 21 July 1821 near Amherst, Nova Scotia. After being home-schooled in a Baptist family, Tupper earned his diploma in medicine from the Royal College of Surgeons of Edinburgh in 1843. He would go on to become a highly esteemed physician as well as the first president of the Canadian Medical Association.

Tupper first entered politics in 1855 when, under the guidance of Conservative leader James William Johnston, he defeated the Liberal leader Joseph Howe. Tupper influenced the Conservatives to embrace the Catholic minority in Nova Scotia as well as government construction of railways. Over the next few years, leadership of the Conservatives gradually shifted from Johnston to Tupper, who regularly delivered charismatic speeches in the House of Assembly. Tupper encouraged defections to the Conservative Party and, on 24 February 1857, the Liberal government fell and Tupper became Provincial Secretary.

The Conservatives focused on developing an intercolonial railway to ensure Nova Scotia's prosperity. In September 1858, Tupper took an intercolonial railway proposal to London which failed, in part, because the Province of Canada's delegation was more interested in forming a British North American federation. He returned to Nova Scotia convinced that the Imperial authorities did not fully understand Nova Scotia's interests, and he began to believe that Nova Scotia would benefit from closer ties with its neighbouring colonies. After resigning his seat in 1860 due to losing a vote of no confidence, Tupper subsequently became Premier of Nova Scotia in May 1864.

A few months later, Tupper gathered with other Maritime leaders at Charlottetown and then in Quebec City to discuss the future of British North America. At the conference, Tupper worked with New Brunswick's Leonard Tilley to negotiate the details. While Tupper personally preferred a legislative union, he recognized that this arrangement would not be acceptable to Quebec, and instead worked with the Canadians to propose a highly centralized federal union. Yet Tupper was also keen to preserve local autonomy within certain fields, so he opposed attempts to alter the local legislatures, fought for their right to levy duties on natural resources, and secured what he believed to be adequate representation for the Maritimes in the Senate. He claimed that Nova Scotia would have sufficient revenues under Confederation, but his decision to forgo compensation for customs duties would prove to be short-sighted.

Upon returning to Nova Scotia, however, Tupper faced fierce opposition to Confederation. Instead of asking the legislature to support the Quebec Resolutions, he asked it to instead approve them with the understanding that further changes would later be made. The resolutions passed by a vote of 31 to 19. While negotiating these additional terms in London, he wrote a series of pamphlets and letters to newspapers to counteract Joseph Howe's anti-Confederation letters.

After the 1867 federal election, Tupper was the only pro-Confederation MP from Nova Scotia to keep his seat. He would go on to become Canada's High Commissioner (ambassador) in London and subsequently became Prime Minister for a few months in 1896, before Wilfrid Laurier's Liberals began their reign.

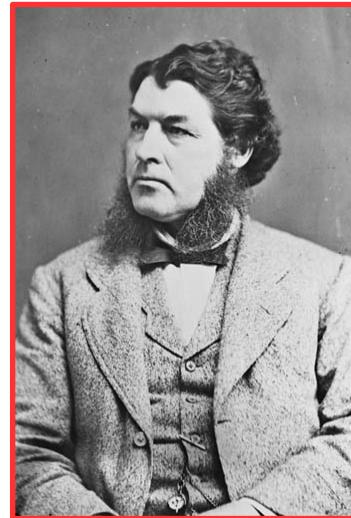


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Primary Source: Charles Tupper's Views on Confederation

When Nova Scotia's legislature debated Confederation between 1865 and 1867, Charles Tupper said the following points:

SUMMARY STATEMENT

"The fact is, if we are known at all across the Atlantic, notwithstanding the immense resources of these Maritime Provinces, it is because we happen to be contiguous to Canada. Everything connected without interests tell us of the insignificance of our position. Therefore it is not a matter of surprise, in view of these facts, and of the position we occupy, that the intelligent men of these Provinces have long since come to the conclusion that, if these comparatively small countries are to have any future whatever in connection with the crown of England, it must be found in a consolidation¹ of all British North America. I regret that this harmony does not exist down to the present moment, but I am dealing with the position the question occupied at the time these negotiations were going on."

*Debates of the Nova Scotia House of Assembly, 22 March 1865,
pg. 211.*



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PROVINCIAL AUTONOMY

"To the local governments were reserved powers of an important character, though of a local interest, which could be exercised without any interference whatever with the unity and strength of the central government. The construction of the local governments was to be left to the local legislatures themselves. The establishment and tenure of Local Offices, and appointment and payment of Local Officers; Education; Sale and Management of Public Lands; Local Works; The Administration of Justice, Property and Civil Rights. I have only referred to some of the more important powers that would be given to the local and general governments respectively. The local governments would not interfere with the powers of the general government, or weaken its strength and unity of action, but would be able to deal with such questions as touch the local interests of the country—the construction of roads and bridges, public works, civil jurisdiction, &c. "

Debates of the Nova Scotia House of Assembly, 22 March 1865, pg. 208.

REPRESENTATION BY POPULATION AND NOVA SCOTIA'S INFLUENCE WITHIN CONFEDERATION

"I ask any public man to show me, although the scheme has been rigidly examined a single statement in the press of England, or of any other country, calling into question the soundness of the principle of representation by population, as applied to British North America. I have examined all the criticisms I could have access to, and I have yet to find a single press that has

¹ Consolidation = unification

objected to the application of that principle. It has been said that, assuming the principle to be right, it would nevertheless place these provinces in a position that would jeopardise the interests of the people in connection with this scheme of government. I would ask this house to consider that, in the first place, under the principle Nova Scotia would be entitled to 19 representatives in all in a parliament of 19+ members. I would ask this house, when any man ventures to question whether the 19 members or the 47, would not have a fair share of influence in the united parliament, to look at the only criterion by which it is possible to come to any conclusion on the subject. Look across the Atlantic at the parliament of England—at the House of Commons of 600 members—where the parties into which the country are divided, the Liberals and Conservatives, are separated by lines less strong than those which divide Upper and Lower Canada, and must divide them for a century to come. There you will see a dozen independent men controlling parties and influencing the destinies of the country. Is not this evidence that in a British American parliament of 196 members the representatives of the Maritime Provinces would render it impossible for their interests to be ignored or set aside. It may be said they would not be united—personal antagonism² would arise to keep them divided. I grant it. But the moment that parliament would attempt to touch the interests of any part of these Maritime Provinces; would you not see them forced into such a combination as would enable them to dictate to any party that would attempt to override them. Go to Canada and take your illustration there. Not 19, but three or four members only, for years, have dictated which party should control the government of the country....

"I confess I would have been ashamed to say in the conference that Nova Scotia's position was such that in order to have influence and control in a parliament of 194 members she would require to send more than 19 men. Mr. Howe told the people of this country ten years ago that all that he required would be two men in the British Parliament in order to have the mining monopoly broken down in a single night's discussion. Ten years after he made the statement, I would feel that I was occupying a position that my countrymen would never forgive if I said that the intellect of this Province was at so low an ebb³ that she could not send 19 members that in point of weight and energy and ability would not protect our interests in the general parliament of united British America."

Debates of the Nova Scotia House of Assembly, 22 March 1865, pgs. 209–210.

ANNEXATION/MANIFEST DESTINY⁴

"I am not wrong in assuming that the desire of every British American is to remain in connection with the people of Great Britain. If there is any sentiment that was ever strong in the breast of our people, it is a disinclination⁵ to be separated in any way whatever from the British empire, or to be connected in any manner with the United States of America. But what is our present position? Isolated and separated as we are now, I ask the house whether all the protection we have is not that which the crawling worm enjoys—and that is its insignificance is such as to prevent the foot being placed upon it? Does it comport⁶ with the position and dignity of freemen, that we should have our only guarantee of security and protection in our insignificance? I feel in our present isolated position, standing in the presence of a power so gigantic and unfriendly⁷ that we must take speedy and prompt measures for security. I may be told that four millions of people would still stand in the presence of thirty millions, and that we would be unable to make any resistance that would ensure our safety; but I would ask the house to consider the fact that we have every reason to know—for no one can doubt the declaration of the ministry of England—that the

² Antagonism = opposition

³ Ebb = when water is low (people felt low)

⁴ Manifest Destiny = the belief that the United States would eventually include Canada and Mexico

⁵ Disinclination = not wanting to do something

⁶ Comport = agree

⁷ Tupper is referring to the United States.

resolve on the part of Great Britain is to stand in all her integrity by British America, provided these provinces assume such an attitude as would make the power of the parent state to be put forth with a reasonable prospect of success. Although our numbers may be comparatively small still while we have the good fortune to be a part of the British empire, and know that all that is necessary is for us, by union and consolidation, to take such a position as would give England the guarantee that we are prepared to do our duty, and her power would not be put forth in vain, we need not fear the future. Every man who wishes to keep the liberties and rights he now possesses as subject to the Crown of England—who values the institutions he now enjoys, must see the necessity of our taking such a course as would guarantee us security in the case of conflict with any power in the world, and what would be even better, the avoidance of conflict which our attitude would accomplish.”

Debates of the Nova Scotia House of Assembly, 10 April 1865, pg. 213.

“The hon. member now tells you that the United States do not want these Provinces. I do not require to labour that question. He tells you himself that the United States, if they could grasp this Province, would become the first Naval Power in the world—able to dictate terms to the world. Does he think that eludes the scrutiny of the keenest statesmen to be found in that Country—whose policy is to grasp where they can gain a foothold⁸ and extend their dominion. Therefore I ask the hon. member if he has not himself shown you that there is sufficient inducement⁹ for the United States to obtain these Colonies; and I do—not require to take up your time with showing that the only means we have of resisting their encroachments¹⁰ is Union.”

Debates of the Nova Scotia House of Assembly, 5 April 1866 pg. 203.

DEFENCE

“Assuming that you are to reject a union on the ground that we are defenceless, what is our position? You are likely to be overwhelmed without a struggle, or, in the language of Mr. Howe,—without an Intercolonial Railway, or the means of communication with Quebec, the inhabitants of Nova Scotia would have to beg permission to haul down¹¹ their own flag. Humiliating as is such a statement every man knows that it is true, and how useless it would be for Nova Scotia to undertake any resistance. At the present, those who assail¹² Nova Scotia in its isolated position, would only attack 350,000 but, with British America united, whoever put a hostile foot upon our 1000 miles of sea coast would assail nearly four millions of freemen, sustained by the mightiest power in the world.”

Debates of the Nova Scotia House of Assembly, 10 April 1865, pg. 214.

⁸ Gain a foothold = to get a small hold on something with the intention of getting more of it

⁹ Inducement = influence to do something

¹⁰ Encroachments = intrusions

¹¹ To haul down = to bring down

¹² Assail = criticize

"It is only last night the Lieu-Governor¹³ received a despatch that two hundred Fenians¹⁴ had arrived at Portland; and there is deep apprehension that St John or Yarmouth may be the first object of attack. In the presence of a common danger like that, the duty of a patriot and statesman would be to sink all differences and combine for the purpose of protecting the rights and liberties of British North America. Let the aegis¹⁵ of British protection be withdrawn and what can Nova Scotia do in the face of such danger as Mr. Howe depicts? Simply nothing. The hon. member for Halifax told us that the United States of America are looking to British North America, feeling that if they only possessed these Provinces they would become the first Naval Power in the world and able to dictate their terms of all nations."

Debates of the Nova Scotia House of Assembly, 10 April 1866, pg. 221.

"The hon. member [Annand] has referred to a question which is at this moment engaging the attention not only of the Legislature, but of the best minds not only in this Province, but in the whole Empire, and that is, the defence of the country. He felt, in view of the prominence this question has now assumed, that it was necessary that he should show to the House how he proposed to deal with it. He says we would be exposed to simultaneous attack, and therefore Union would be of no avail,¹⁶ in as-much as New Brunswick, Nova Scotia and Canada would have each to defend themselves. The Government of which he was a member, the delegates and representatives of that Government, did not state that the Union of British North America would be of no avail for the security of Nova Scotia. Is he not bound by the public record of his views, given as a member of the Government, that the citadel of Halifax was insecure without an Intercolonial Railway, which would enable Canada at the hour of need to come to the rescue of this Province?... I would ask the hon. member when he comes here with his story of simultaneous attack, whether 250,000 souls in New Brunswick and 350,000 in Nova Scotia are as secure from the possibility of invasion as four millions of people sustained by the mightiest Empire in the world? Is not his story of simultaneous attack then swept away?"

Debates of the Nova Scotia House of Assembly, 5 April 1866, pg. 199.

¹³ Lieu-Governor = Lieutenant Governor

¹⁴ Fenians = A group of Irish-Catholic nationalists who believed that they could invade British North America from the United States and use it to force the British Empire to give Ireland its independence. Between 1866 and 1871, they mounted 5 unsuccessful raids into present-day New Brunswick (1866), Ontario (1866), Quebec (1866, 1870) and Manitoba (1871).

¹⁵ Aegis = shield

¹⁶ Of no avail = without success

Joseph Howe in Brief



This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Born in 1804, Joseph Howe was raised in a loyalist household and was largely self-educated. By the age of 13, Howe helped his father with his duties as Postmaster General and King’s Printer. By 1827, Howe purchased the *Weekly Chronicle* and published it as the *Acadian*. Later that same year, he acquired the *Novascotian*, and went on to build it into the colony’s most influential newspaper.

He was elected to the Assembly as a Reform representative for the county of Halifax in 1836 and pursued reforms to make government more responsible to the people.

In 1840, he joined the request for Britain to remove Lieutenant Governor Colin Campbell after the latter refused to accept radical Reformers into his cabinet despite their significant numbers in the Assembly. This led to Howe’s entry into the coalition Executive Council as Speaker of the Assembly in 1841 and Collector of Excise at Halifax in 1842. He resigned the following year and subsequently shifted his focus to reviving partisanship and the Reform Party though the *Novascotian* as well as the *Morning Chronicle*. In 1847, the Reform Party won the general election and Nova Scotia became the first colony in North America to achieve responsible government. Howe was the Provincial Secretary. He advocated the construction of a railroad from Halifax to Windsor, Nova Scotia and, in 1854, resigned as Provincial Secretary to become Chief Commissioner of a bipartisan railway board.

In 1855, Howe lost to Charles Tupper during the general election when he mishandled relations between Nova Scotian Catholics and Protestants. He returned to the Assembly in 1859, and soon became Provincial Secretary under the leadership of William Young. In 1860, Howe became premier and dealt with Canada’s political obstacles towards the construction of the Intercolonial Railway (ICR). In 1863, Howe accepted appointment as Imperial Fishery Commissioner, and the leaderless Liberals lost the election to the Conservatives.

Howe did not sit in the Assembly during the Confederation debate, nor was he present at the Charlottetown and Quebec constitutional conferences. Instead, he anonymously published a series of “Botheration Letters” in the *Morning Chronicle* between 11 January and 2 March 1865 critiquing the proposed union. Howe opposed the union on several grounds. He worried that the union would distance Nova Scotia from the British Empire and contended that the deal served and empowered central Canada at the expense of Nova Scotia’s prosperity and autonomy. His strongest objection, however, was Premier Charles Tupper’s willingness to approve Confederation without asking voters to validate it at the polls. When the Assembly approved Tupper’s motion to pursue further negotiations towards union in England, Howe took up a speaking tour and then spent nearly a year in London fruitlessly lobbying against the union deal.

After Confederation, Howe negotiated better terms for Nova Scotia within the union and entered the federal cabinet as Secretary of State in 1869, where he oversaw Manitoba’s entry into Confederation. In 1873, Howe became Lieutenant Governor of Nova Scotia and died three weeks later on 1 June 1873.

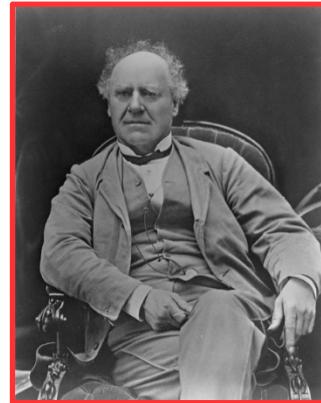


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Primary Source: Joseph Howe's Views on Confederation

Joseph Howe did not sit in the Nova Scotia House of Assembly when it debated the 72 Resolutions, but he published his critiques of Confederation in a series of editorials entitled the “Botheration Letters” in the Halifax Morning Chronicle. You can read snippets from these editorials below.

REPRESENTATION BY POPULATION AND PARLIAMENTARY INFLUENCE

“When they go to Ottawa they will be merged into the General Legislature.¹ If they all hang together and always support the Government of the day, they may be largely consulted and very influential in the management of their own Province; but should they act together and go into opposition, who then will manage Nova Scotia? Some wily Canadian, who will have this own correspondence and servile² creature here, and who will so make his appointments as to mortify³ and weaken the influence of the Novascotian [sic] delegation. Men that no Novascotian likes—that no man trusts—that all our members disapprove—may and will be appointed in spite of their unanimity,⁴ so sure as they dare oppose the Government.

“But will they be unanimous? Who believes it? Dr. Tupper and Mr. McCully may be friends from the teeth outwards,⁵ just so long as it necessary to carry this scheme, but when once it is carried and they met on the floor of the Parliament House at Ottawa, they will be rivals, perhaps enemies again. Our members will be no longer unanimous, but split into two factions each following the fortunes of its leader, and each trying to bargain with the minister for the patronage⁶ and control of Nova Scotia. No matter which succeeds, the Province will be at the mercy of either, with a following of three, five or ten members, as the case may be. Is this what Novascotians desire to see? Is this the kind of Responsible Government⁷ which any sane man would desire to substitute for the wholesome⁸ control which the two Branches now exercise over nine gentlemen, discharging Executive functions in presence of the people, and day by day liable to be questioned or displaced by a Parliamentary majority? We think not.”

Halifax Morning Chronicle, 11 January 1865

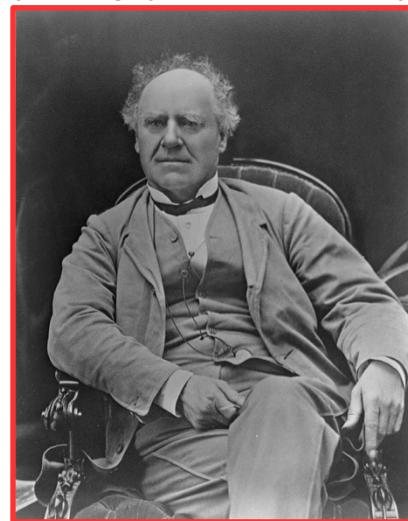


Image held by Library and Archives Canada.

¹ General Legislature = the parliament in Ottawa

² Servile = bowing to another's will

³ Mortify = to cause shame or embarrassment

⁴ Unanimity = when everyone in a group agrees to something

⁵ From the teeth outwards = in appearance only

⁶ Patronage = government jobs and favours

⁷ Responsible Government = when the Crown is responsible to the people's elected political representatives

⁸ Wholesome = full

"... Now that the Upper Province⁹ has increased her numbers, regardless of the principle she enforced upon the French, and of which for years she enjoyed the advantage, she demands representation by population, has made Parliamentary Government impossible in order that she may obtain it, and seeks to destroy the union by enforcing a principle the very opposite to that upon which, at her own instance, it was framed. Such conduct may well excite suspicion, and ought to warn us not to surrender the management of our affairs to a people who can so readily combine for selfish objects, whenever it suits their interest. Besides, if your population, who lives in the same Province, cannot work in one Parliament, being divided by adverse nationalities or incompatibility of temper, so striking that Government is impossible, what security have we, that, when we have broken down our constitutions, and adopted the one you offer, we shall not always be in hot water?¹⁰ We wish you well, but we are very happy and very well off, and we cannot consent to peril all in a rather hope-less attempt to reconcile elements so conflicting and incongruous."¹¹

Halifax Morning Chronicle, 14 January 1865.

PROVINCIAL AUTONOMY

"....We are still open to negotiation upon all questions of intercolonial¹² importance, but as to surrendering to you the control of our revenues,¹³ the appointment of our officers, and the management of our affairs, pardon our sincerity, but there is nothing in your past history, of in your dealing with intercolonial questions to justify such confidence."

Halifax Morning Chronicle, 14 January 1865.

NOVA SCOTIA'S INFLUENCE WITHIN CONFEDERATION

"But see how carefully, in the United States, the authority and the interests of the smallest Provinces were guarded, in framing the national Constitution. Every State had an equal representation in the Senate. In that body the small states of Rhode Island and Delaware had the same weight and influence as the Empire States of New York and Pennsylvania. We are to be content with a proportionate vote, the numbers being so arranged as always to leave in the hands of the Canadians the power to do as they please. In surrendering their revenues, these small States reserved to themselves substantial power over their appropriation.¹⁴ Our delegates have stipulated¹⁵ for no such checks and guards. By our system, the upper branch¹⁶ may accept or reject a bill of supply, but cannot strike out a single vote. The Senate of the United States revises every appropriation, so that no wasteful or improper expenditure of the public money can take place without the smallest State having the opportunity and the power to check it as effectually as the largest State in the Union....

"Will the Maritime Provinces have any analogous powers, or change of self-protection, when this crude scheme has been adopted? None whatever. Mr. Brown or Mr. Galt may select for governor, or councilor, or collector, the most obnoxious, profligate,¹⁷ or distasteful person in either

⁹ Upper Province = Ontario

¹⁰ Hot water = trouble

¹¹ Incongruous = do not match

¹² Intercolonial = matters between multiple colonies (future provinces)

¹³ Revenues = tax money

¹⁴ Appropriation = the spending of tax money

¹⁵ Stipulated = decided

¹⁶ Upper branch = Senate

¹⁷ Profligate = wasteful

Province, and there is no revision or redress. Secure of the support of his Canadian majority, he may laugh at our complaints, and regard even our criticism as an impertinence.”¹⁸

Halifax Morning Chronicle, 10 February 1865.

NATIONAL UNITY

“England and Scotland were united *because they were near neighbors, forming parts of the same Island*. They had fought for centuries, mutually wasting each others¹⁹ territories, exhausting each others treasures, and slaughtering each others people by hundreds of thousands. The boundary which separated them had been for ages unsettled and undefined. Predatory²⁰ bands crossed it with or without provocation,²¹ carrying fire and sword into all the adjoining²² settlements. Cattle were nowhere secure, life was nowhere safe, and men kept their houses only by the strong hand. *To obtain peace, was therefore, in both countries the great motive to induce the two populations to unite.*”

“Now Nova Scotia and Upper Canada are not the same island, but are 800 miles apart—they have no disturbed boundary, and have never been at war. They can never, by any possibility come into collision, or inflict nay injury upon each other. It is clear then that the reasons which induced Scotland to unite with England do not apply to the case of Nova Scotia and Canada.

“But did anybody ever propose to unite Scotland with Poland or Hungary, inland countries eight hundred miles off in the very heart of Europe? Any Scotchman who had proposed a union of that kind would have been sent to a lunatic asylum—and certainly would have lost his head had he attempted to bring it about. Yet Nova Scotians, who passed for sane men, propose not merely to unite us a country as far from us as Poland and Hungary are from Scotland, but to hand over our revenues to a people who have about as much knowledge of our affairs as the Poles ever had or have of the affairs of Scotland.”

Halifax Morning Chronicle, 20 January 1865.

“We have a notable illustration, in the abuse in Nova Scotia, of late, of the three words ‘Union is Strength.’ This phrase has been used by the Botheration people in all circles and in all arguments, with a confidence so profound as occasionally to impose upon the weak-minded, who have not the shrewdness²³ to perceive that nothing can be made to lie so completely as a proverb,²⁴ except perhaps it be a calculation. Is union always strength?...”

“Ask the shareholders if it was. We need not wait for the answer, but may go forward and assume, that *where there are no cohesive [illegible]²⁵ in the material, no skill in the design, no prudence in the management, unite what you will and there is no strength.*”

“Was there strength when the new wine was united to the old bottle, or the new cloth to the old garment? Are two dogs stronger when they are coupled against their will? How would Newfoundlanders and Pointers work together... Is union strength when a gentleman’s daughter runs off with the footman, or when a quiet man marries a shrew? Is union strength when a prudent man, doing a snug business, is tempted into partnership with a wild speculator?...”

¹⁸ Impertinence = lack of respect

¹⁹ Others = this should read other’s, but we have reproduced the typo from the primary document

²⁰ Predatory = exploitative

²¹ Provocation = cause

²² Adjoining = nearby

²³ Shrewdness = good judgment

²⁴ Proverb = a well-known expression that illustrates a general truth

²⁵ Illegible = there was a word in the primary document that is now too blurry to read

"The editor of the *Montreal Witness* has put the case very prettily, when he says that the Provinces, if united, would not have the strength of the bundle of sticks,²⁶ because no skill can give them the compactness of a bundle; their union would be that of a fishing rod—strong enough, when linked together, to catch trout or gudgeon, but for all purposes of defence, only a reed shaken by the wind.

"Here are lines of 'progress' distinctly marked, that we may advance upon without peril or impediment; with no distant authority to control us—with no outward drain upon our public and private resources; and we say in all sincerity to our people, let us work out our destiny upon these lines, without running away, above tide-water, after the will-of-the-wisp²⁷ at Ottawa, which will land us in a Slough of Despond."²⁸

Halifax Morning Chronicle, 8 February 1865.

TRADE

"As respects free trade, we have it now in everything but manufactures. Mr. Wier can send fish, and oil, coal and cordwood, plaster and grindstones, and we have nothing else to send, as freely to Canada as he can to the United States under the Reciprocity Treaty."

Halifax Morning Chronicle, 14 January 1865.

INTERCOLONIAL RAILWAY

"We admit that if the Intercolonial Railroad was built, there might be some inducement²⁹ to an interchange of productions with Canada that now does not exist; but, even then, *we should take care that we did not burthen³⁰ our commerce with three or four hundred millions of people*, that our exchange of commodities with *three millions* might be facilitated. If the thing can be done without such a sacrifice, we would be willing to run the risk; *but, [illegible] it can only be done by adding [illegible], three or five per cent. on our trade with all the world, then we are content to purchase manufactures from the Mother Country*, and let Canada keep up her high duties if she prefers that system."

Halifax Morning Chronicle, 14 January 1865.

"As respects this road,³¹ we will only say that we have always regarded it as a great improvement, tending towards social and commercial intercourse, out of which some sort of Zollverein³² or political Union might ultimately grow, when the populations of British America had rubbed out their divisional lines by familiar intercourse,³³ and were prepared to unite in *one free Parliament, and under one Government*. But we never dreamed of the railroad coming after the Union, or of our *paying anything but money for it*. Had we been asked, at any hour of our lives, if we would pay for it our personal honor, the freedom of our fireside, or the Constitution of our Country, we should have spurned³⁴ the offer as promptly as we do now."

Halifax Morning Chronicle, 14 January 1865.

²⁶ A bundle of sticks tied together is very hard to snap in half.

²⁷ Will-of-the-wisp = difficult to determine

²⁸ Slough of Despond = hopeless depression

²⁹ Inducement = incentive

³⁰ Burthen = burden

³¹ Road = railway

³² Zollverein = an economic (as opposed to political) union

³³ Intercourse = interaction

³⁴ Spurned = reject

DEMOCRACY

"No Parliament, elected by a free people to maintain their constitution, and to legislate within its limits, have the right to destroy what they were expressly chosen to guard. Would the Parliament of England venture, without the expressed sanction³⁵ of the people, to vote itself out of existence, and propose to send a limited representation to the Parliament of Paris, or to the Congress of the United States? The idea is absurd. For nearly two hundred years no important change in the constitution of the mother country—no limitation of the prerogative³⁶—no extension even of the suffrage³⁷—no important relaxation of restrictive commercial policy—has been adopted by the Parliament of England, without having been debated for several sessions, and referred to the people at the hustings³⁸—once at least, and some of them have been so referred two or three times; and we believe that if an attempt were made, by the strongest government, to abolish³⁹ the House of Commons, the answer would be a revolution, and the minister would lose his head....

"Yet we are told that three Novascotian gentlemen, one of them who passes for a Conservative—one who claims to be an advanced Liberal, and the third, who ought to be a sound Constitutional Lawyer, meditate, by a surprise, by treachery unheard of in any free State, to destroy our Constitution without the sanction of their fellow countrymen, though every elector has in it a right as sacred and as dear as either of the three. They may do this, but we will not believe it. It is yet very uncertain if they have the power. Let us, in God's name, trust that they have not the disposition.⁴⁰ We have personally no unkind feeling to either of these gentlemen. On the contrary, few people know them better, admire their talents more, or would more gladly see them rise, by honorable means, and the confidence of our countrymen, to the highest distinctions in the Province, or the Empire. But, more in sorrow than in anger, we tell them plainly, that if they do this thing, or attempt to do it, they will do an act almost without parallel, for meanness and atrocity, in all history, since the days of Cataline. Nova Scotia may be a small country, but her voice can be heard far and wide over the world, and down the stream of time; and as long as she has a headland breasting the ocean surges, or a river rushing to the sea, the memory of this act of treason will never pass from the souls of those who tread her seacoasts or labor in her vallies [sic]."

Halifax Morning Chronicle, 1 February 1865.

³⁵ Sanction = approval

³⁶ Prerogative = power

³⁷ Suffrage = voting eligibility

³⁸ Hustings = a political debate

³⁹ Abolish = end

⁴⁰ Disposition = willingness

Adams George Archibald in Brief



This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

The second son of Samuel and Elizabeth Archibald, Adams George Archibald was born on 3 May 1843 in Truro, Nova Scotia. He began a career in law as a notary public in 1836 and became an attorney after being called to the bar of Prince Edward Island in June 1836 and to the Nova Scotia bar seven months later. From there, Archibald became commissioner of schools in 1841, registrar in 1842 and judge in 1848.

Following the family tradition, Archibald successfully ran as a Liberal candidate for Colchester County during the 1851 general election. Thereafter, he proved to be especially effective in committees, often speaking quietly and offering well-structured arguments. He strove for consensus, but stubbornly fought for or against particular causes, and even broke with party lines when he believed it to be necessary. (Archibald, for example, consistently opposed universal male suffrage.) In 1852, he advocated reciprocity with the United States and, in 1854, supported an agreement worked out in Washington between the British North American colonies and the United States. Archibald also supported railway construction in Nova Scotia.

On 14 August 1856, Archibald was appointed solicitor general, but this position ended with the resignation of Premier Young the following February. In 1859, he became attorney general despite allegations of corruption during the by-election ratifying his appointment.

Archibald became the Liberal leader in 1862, after Joseph Howe became the imperial fisheries commissioner. By 1864, his attempts to curtail universal male suffrage led to his government’s defeat.

Archibald had not previously shown much interest in the Maritimes becoming part of the British North American union, but he became a strong proponent of Confederation after the 1864 Charlottetown and Quebec conferences both because he believed that it would likely secure the Intercolonial Railway for Nova Scotia and because Confederation offered him liberation from provincial politics. As sole Nova Scotian Liberal Confederation supporter, he was selected to also attend the 1866 London Conference. Despite conjectures that the financial terms of union disadvantaged Nova Scotia, he contended that additional concessions had been made at London, and that further adjustments could be made after 1867.

In 1867, John A. Macdonald appointed Archibald as Secretary of State in the first post-Confederation cabinet. In the resulting by-election, however, Archibald lost his seat and resigned from the cabinet in April 1868. He was re-elected in another by-election the following year and subsequently became the first lieutenant governor of Manitoba and the North-West Territories.

After his time in Manitoba, Archibald briefly served on the Supreme Court of Nova Scotia before becoming the province’s lieutenant governor from 1873 to 1883. In 1888, the federal Conservatives asked Archibald to stand in the Colchester County by-election. Archibald agreed and won the seat, but subsequently made no speeches in the House of Commons. In 1891 he was too ill to stand for re-election and passed away the following year.

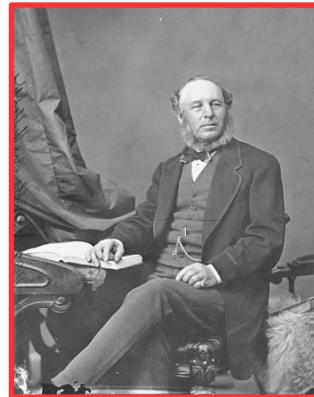


Image held by Library and Archives Canada.



Primary Source: Adams George Archibald's Views on Confederation

When Nova Scotia's legislature debated Confederation between 1865 and 1867, Adams George Archibald said the following points:

DEFENCE

"I have heard it stated over and over again that England may forsake¹ Canada and retain Nova Scotia. This I consider a perfect fallacy,² and I defy anybody to produce proof in corroboration³ of such an idea, either from documents emanating from any English statesman, or from any speech delivered by any public man in Parliament."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 226.

TRADE

"I am not prepared to say—it would be absurd to suppose—that by a union with Canada we will arrive at the same commercial prosperity as the United States have attained, but I do say that just as the union of those States has contributed to that result, so will our union produce corresponding advantages on a smaller scale....

"Well, the union ultimately took place, and what was the result? A degree of prosperity which has astonished the whole civilized world. And well do the people of the United States appreciate it. What is it that now stirs the heart of that great nation to its inmost depths? Is it not their attachment to union?—their consciousness that upon union depends, to a large extent, their character, their prestige in the world, their national position? Is it not this which has plunged them into the most sanguinary⁴ war which history records? Is it, then, all a chimera⁵ they are fighting for? I do not suppose—I am not desirous of conveying the absurd idea, that all that union has done for them it will do for us; but what I do contend⁶ is, that it will largely improve our trade, our industry, our manufactures; that on a small scale, to be sure, but, to a large extent, it will develope [sic] every resource we have, and improve our prosperity."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 227.



Image held by Library and Archives Canada.

¹ Forsake = abandon

² Fallacy = invalid reason

³ Corroboration = confirmation of a decision

⁴ Sanguinary = causing bloodshed

⁵ Chimera = illusion; unattainable dream

⁶ Contend = believe; claim

"I believe that is only by means of Confederation that we can prevent our Provinces from being absorbed in the American Union, I have more faith in the opinions of the ally of the hon. member for East Halifax than I have in his own. I believe that by the establishment of a large country on this continent, within which labor shall be free and untaxed, we shall present a field for industry which will contrast most favourably with that other field alongside of us in which labor is pressed down by enormous taxation....

"As it is with shipping, so it will be with other industries, and the new Confederation may look forward to a future in which the growth and increase of every industrial pursuit will bring into play the vast and varied resources which are scattered profusely⁷ over the country.

"A brilliant prospect is before us, and when we shall have become a country with our sister colonies in the West, and have fairly entered on our new course, I believe there will be nothing at which some of those who now view the prospect with timidity or apprehension will be more amazed than at the recollection of the doubts and fears that they honestly entertained at this crisis of our history. The men who sit around those benches have a deep stake in the country. They represent not only the intelligence and public spirit—but they fairly represent the wealth and prosperity of the country. If in what they are now about to do they mistake the true interests of the country, they will themselves be the sufferers from the mistake. But there is a feeling dearer to a public man than any considerations of a material interest. It is the desire to enjoy the esteem and respect of those among whom his life is to be spent. If in the course we are now taking, we have misapprehended⁸ the true interests of the country, if it shall turn out that the Confederation we advocate shall be what its opponents declare it will, we shall pay the penalty of our rash act by a lifelong exclusion from the esteem and respect of our fellow country men. But, if it be otherwise—and if it shall turn out that we saw what was not only for the interests and prosperity, but what was absolutely necessary for the safety of the people, then we shall see that we have done right to fix our eyes steadily on what was for the permanent benefit of our common country, and to pursue it regardless of the temporary passions and prejudices which may beset⁹ us."

Debates of the Nova Scotia House of Assembly, 19 March 1867, pg. 38.

INTERCOLONIAL RAILWAY

"The merest tyro¹⁰ in history knows that the United Provinces of the Old World combined only under the iron heel of Spanish despotism. It was the hostile legions of Alva that created a union which peace and prosperity would never have produced. All the other unions of independent States, that have had any permanence, are those which have been cemented under the pressure of urgent necessities. The Prov. Sec. has referred to a letter which has recently appeared, and which will have great influence. I will not undertake to say that I consider the picture of our dangers from Fenian¹¹ invasion rather overdrawn, but this I do say that if I were addressing this house, and desired to make the strongest appeal on behalf of Union, I would have tested it on the very premises which that letter contains. I should have drawn conclusions from it the very opposite of these of the very able and eloquent author. There are certain considerations connected with the dangers so powerfully descanted on in that letter, which should press upon us with great force. Our position is this: We stand alongside a country which has suddenly developed

⁷ Profusely = in large amounts

⁸ Misapprehended = misunderstood

⁹ Beset = constantly trouble

¹⁰ Tyro = a beginner

¹¹ Fenians = A group of Irish-Catholic nationalists who believed that they could invade British North America from the United States and use it to force the British Empire to give Ireland its independence. Between 1866 and 1871, they mounted 5 unsuccessful raids into present-day New Brunswick (1866), Ontario (1866), Quebec (1866, 1870) and Manitoba (1871).

itself into the greatest military power in the world. It contains large numbers of armed and trained men, at this moment hordes of them are threatening an inroad upon our territory. We have opposed to us not merely the irradicable¹² hatred of British power which distinguishes the descendants of Ireland who have emigrated to the United States, and who compose the Fenian element, but we have that hatred sympathised in by the great body of the American people, and no man can tell at what moment our soil may be invaded. Let us, then, look at England and see how she stands. England fought for seven years to subjugate the rebellious States, and yet with only three million to fight with, she was obliged to retire unsuccessful. Now thirty millions of people occupy the place of the three."

Debates of the Nova Scotia House of Assembly, 10 April 1866, pg. 223.

"No British statesman can fail to see that of all the points at which the Imperial power can be assailed, this presents the elements which make a war most to be dreaded. Do we wonder, then, that despatch¹³ after despatch has been sent by the home authorities, requiring us to put ourselves in such a position that England, if called upon to defend us, can do so successfully. Is it any wonder that we find the Colonial Secretary, time after time, almost imploring us, if we have any desire to retain our allegiance to the Crown, to put ourselves in such an attitude that the Crown can protect us? I feel that if there were no commercial advantages to be derived from striking down an agonistic barriers; if our material interests even were not promoted by Union, we could not gracefully resist the expression of such desire on the part of those to whom we are indebted for protection, and of whom we are even now imploring aid. For they say, 'we are ready to place the whole resources of the Empire at your back, we will defend you as long as you desire to remain with us; but we claim it a right which our position gives us to offer you advice as to the attitude you shall assume, and in which, we think, you can best be defended.' Even admitting that there were no commercial advantages in the proposed Union, admitting even that we did not agree that the British government were right in the belief that Union would aid our defence, is there a man in the country who could look a British statesman in the face and say 'we will accept your protection, but we decline your advice?' This argument alone, the deference which is due from our position as the protected and defended, to those who protect and defend, I feel to be irresistible. I have never hesitated in this assembly from the first hour when the proposition for Colonial Union was mo'ed,¹⁴ from giving it my support."

Debates of the Nova Scotia House of Assembly, 10 April 1866, pg. 224.

"I was not surprised when the Prov. Sec. rose and stated that he was not in a position to give an answer to the question because he can hardly be said to represent even Nova Scotia, for he was but one of those who represented this Province— It is not very agreeable to gentlemen interested in the Quebec scheme to hear the allusions¹⁵ that have been made; I am prepared to advocate that scheme as conferring upon these Provinces everything that they should ask. At the same time, no one would be more pleased than I if further concessions could be obtained; but any such concession must be obtained at the expense of some other Province. I agree with the hon. member for Richmond that no new scheme would place us in a worse position. The reticence¹⁶ with which the Prov. Sec. approached the question was due to the gentlemen, in this country and beyond, who were connected with the formation of the present scheme of union."

Debates of the Nova Scotia House of Assembly, 3 April 1866, pg. 193.

¹² Irradicable = a feeling that cannot be destroyed

¹³ Despatch= dispatch; message

¹⁴ Moo'ed = moved a resolution for vote by the legislature

¹⁵ Allusions = references

¹⁶ Reticence = showing of no emotion

NOVA SCOTIA'S INFLEUNCE WITHIN CONFEDERATION

"...many might suppose that it would be too great a shock to our social framework, if at the same moment we were to construct the Union of the Lower Provinces by an amalgamation¹⁷ of our Legislature, and erect a central machinery at the headquarters of the Federation. There is, therefore, much to be said in favor of the smaller Union, when the action of New Brunswick has rendered the discussion of the other question not a practical discussion. In the Lower Provinces at all events there are no distinctions of race, of creed, of commercial or territorial interest to separate us—united, we should have a broader field; a larger revenue, a less proportionate¹⁸ burden in the maintenance of civil government. If the time should come when we enter into Confederation, the Maritime Colonies, united, will form a more solid phalanx¹⁹ in the United Legislature—would be governed by a more united sentiment—would wield powerful influence. Therefore, whether this Union should end with the Lower Colonies or should expand to Confederation, it will be alike useful to us—and I have great pleasure, therefore, in seconding the resolution introduced by the Provincial Secretary."

Debates of the Nova Scotia House of Assembly, 12 April 1865, pg. 227.

"Need we fear that in Confederation the party which shall be supported by the Maritime Provinces—which shall owe its power very largely to their adhesion²⁰—will be in a position to refuse to the Provinces whose aid is so essential to them any fair advantage which they are entitled to ask? No, sir, I have no fears on that point. If there is any portion of the Confederacy which may be in a position to ask more than its fair share from the public funds, that portion is not either of the Canadas,— and we may rest assured that the Maritime Provinces will receive, as they will be in a position to demand, the most ample justice. More than what is fair and right, it would be a reflection on our character to suppose we should ask. Less than that, it would be a reflection on our patriotism, if we did not obtain."

Debates of the Nova Scotia House of Assembly, 19 March 1867, pg. 35.

¹⁷ Amalgamation = combination or union

¹⁸ Proportionate = matching in size

¹⁹ Phalanx = body of troops standing in close formation

²⁰ Adhesion = attachment to a surface

SECTION 1: PRINCE EDWARD ISLAND



James Colledge Pope in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

James Colledge Pope was a land proprietor born in 1826 in Prince Edward Island (PEI). After going to California during the gold rush of 1849, he returned to the island and worked as a ship construction contractor for his father’s shipyard at Bedeque. In subsequent years, he diversified his investments into a host of fields including agriculture, fishing and real estate to the extent that virtually every merchant or entrepreneur in Summerside was indebted to him at some point. In 1857, he won a by-election against William Warren Lord’s Liberals, and the Conservative immediately adopted a reputation for belligerence during debates. In 1859, Pope was elected to the Executive Council under Edward Palmer’s Tory government.

In 1864, James Pope and his older brother William Henry Pope disagreed on Confederation. William favored Maritime and British North American union, while James contended that PEI would not benefit from either arrangement. Ultimately, James’s views triumphed for a time. Despite focusing primarily on his business interests, a political battle between John Hamilton Gray and Edward Palmer temporarily made James the most suitable leader, and he became premier on 7 January 1865. While James Pope was not entirely against union, he believed that the Quebec Resolutions were unfavourable to the Island, and that public opinion was strongly against union. So, the following year, James presented his famous “No Terms Resolution,” declaring that union would never benefit PEI. His brother William resigned from the cabinet in protest, but James remained committed to productive discussions and continued to seek better terms in subsequent negotiations.

In 1867, the Tories lost the election following Pope’s use of troops to suppress the 1865 Tenant League. While Pope’s views against Confederation continued to soften, the general consensus on the island remained against Confederation, so Pope used the denominational school question to secure the support of Catholic Liberals regain power the following year. In 1871, he championed the construction of the PEI Railway, which quickly threatened to bankrupt the government. This hurt Pope’s credibility and he was defeated by the Liberals, who alleged that the railway was a scheme to bring PEI into Confederation (a point that was never proven). In February 1873, the Liberal administration negotiated terms of Confederation, which included Canadian assumption of PEI’s debts and the cost of the railway, as well as the establishment of continuous communication with the mainland and an annual subsidy. In the general election that followed, Pope claimed that the terms were inadequate, promised that he could do better, and won 20 of the Island’s 30 seats. After securing an increase of \$25,500 to the subsidy, his government consented to Confederation and PEI became a part of Canada on 1 July 1873.

After PEI’s entrance into Canada, Pope lost his seat in the provincial election in 1876 over the denominational school question. In 1878, when the federal Tories returned to power, Pope joined the cabinet as Minister of Marine and Fisheries under Sir John A. Macdonald, but ill health led him to leave politics a few years later. Pope died in 1885.

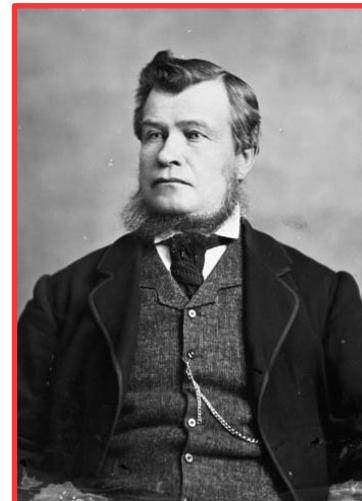


Image held by Library and Archives Canada.



Primary Source: James Colledge Pope's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, James Pope spoke on Confederation. His position shifted over time from anti-Confederate to pro-Confederate, so pay careful attention to whether Pope said each quote before 1873, or during 1873.

SUMMARY STATEMENTS

"I regret that I must oppose the measure, for the reason that the details, as adopted by the Quebec Conference, do not offer, in my opinion, fair terms to the people of the Island. It must be remembered, in the discussion of this question, that our insular¹ position, the absence from our soil of minerals, and the difficulty, I might almost say, impossibility, of communication without sister Colonies during half the year, place us, in dealing with this question, in a position totally different from Nova Scotia or New Brunswick. These Provinces are geographically connected with Canada, and have, within themselves, the materials requisite² to constitute³ them manufacturing countries."

PEI Legislative Assembly Debates, 24 March 1865, pg. 45.

"RESOLVED... even if a Union of the Continental Provinces of British North America should have the effect of strengthening and binding more closely together those Provinces, or advancing their material and commercial interests, this House cannot admit that a Federal Union of the North American Provinces and Colonies, which would include Prince Edward Island, could ever be accomplished upon terms that would prove advantageous to the interests and well-being of the people of this Island, cut off and separated as it is, and must ever remain, from the neighboring Provinces, by an immovable barrier of ice for many months in the year; and this House deems it to be its sacred and imperative duty to declare and record its conviction, as it now does, that any Federal Union of the North American Colonies, that would embrace this Island, would be as hostile⁴ to the feelings and wishes, as it would be opposed to the best and most vital interests, of its people."

PEI Legislative Assembly Debates, 4 May 1866, pg. 52.



Image held by Library and Archives Canada.

¹ Insular = isolated

² Materials requisite = required materials

³ Constitute = make

⁴ Hostile = contrary

"First, I will say a word respecting myself in so far as I have had publicly to do with this matter. For years I have been in favor of Confederation, providing we could obtain terms just to this Island. The Quebec Scheme I did not regard as such."

PEI Legislative Assembly Debates, 28 April 1873, pg. 58.

"Now while I have been represented as a Confederate, my political associates have been strong Anti-Confederates, and whilst they are accused of changing their views, it is due to them to say, that necessity, not choice, causes them now to look forward to a union with the Dominion."

PEI Legislative Assembly Debates, 28 April 1873, pg. 58.

TRADE

"1. Resolved, That Prince Edward Island, be entirely dependant on its Agriculture and Fisheries, has nothing to export for which Canada can furnish⁵ a market. That while such is, and ever must be relative commercial position of this Island and Canada, the product of our soil Fisheries find in the extensive markets of our parent country, the United States and the West Indies, ready and profitable customers. The proposed Union, while admitting the produce and manufactures of Canada into this Island free, would by assimilation of taxes enormously increase the duty to which those of Great Britain and the United States are at present subject, thereby compelling this Island to take a large portion of its imports from Canada, making payment therefor in money instead of procuring them from countries which would receive our product in exchange,—an arrangement so inconsistent with the fundamental principles of commerce must greatly curtail⁶ our commercial intercourse with the United States, and would, in the opinion of this House, materially diminish⁷ our Exports to that country, and prove most injurious to the agricultural and commercial interests of this Island."

PEI Legislative Assembly Debates, 24 March 1865, pg. 44.

"As to the argument that our trade would be increased by the Union with Canada, I cannot recognize its force, for we produce the same description of articles as that country can or could supply us with. Our trade must naturally be with Great Britain, the United States, and the West Indies, the products and manufactures of which we require. The high tariff of Canada would raise the cost to the consumer of goods from these countries much higher than it is at present on the Island, and firmly believing that the true principle of trade is to buy in the cheapest, and sell in the dearest, market, I should be doing violence⁸ to my own convictions, if I affirmed by my vote any other rule."

PEI Legislative Assembly Debates, 24 March 1865, pg. 45.

"It is not to be supposed that the increased taxation which, it is not denied, the Canadian tariff imposes, will have any other effect than that of driving from our shores those who would naturally seek in enlarged fields of action more ample returns of their labor, and greater means of meeting the liabilities imposed upon them."

PEI Legislative Assembly Debates, 24 March 1865, pg. 45.

⁵ Furnish = provide

⁶ Curtail = limit or reduce

⁷ Materially diminish = reduce

⁸ Doing violence = violating

TAXATION

[RESOLVED] 3. That the old Imperial error in granting all the lands in large tracts⁹ to absentees, which deprives this Island of the Revenue drawn by the sister Colonies from these sources, our insular position and numerous harbor, furnishing cheap and convenient water communication which render expensive Public Works here unnecessary, the Revenue to be drawn by the proposed Federal Government from this Island, and expended among the people of Canada and the other Colonies in constructing Railways and other Public Works, thereby creating a trade which would build up cities and enhance the value of property in various localities there—advantages in which this Island could enjoy a very small participation. Our complete isolation during five months of the year, when ice interrupts our trade and communication with the Mainland, and during which period the Island could derive no possible benefit from the Railroads and other Public Works which they would be (equally with the people of those Colonies) taxed to construct; these and many other considerations, but which seem to have been entirely ignored, ought, in the opinion of this House, to have produced an offer of a financial arrangement for this Island very different in its terms from that contained in the Report of the Convention."

PEI Legislative Assembly Debates, 24 March 1865, pg. 44.

"This Island occupies an entirely different position from that of any of the other Colonies, as the latter have many great sources of revenue which we have not. Ontario derives a revenue from her Crown lands, amounting to a million dollars per year; New Brunswick has her Crown lands and forests, and Nova Scotia lands and mines. Although this Province is the most fertile and productive in British America, it is dependent upon the products of its soil and fisheries, and has no Crown lands or forests as sources of revenue, as have the other Provinces. Owing to our isolated position, we could not expect to successfully carry on manufacturing operations or anything of that kind, while the other Provinces are not cut off from each other during half the year, and have four millions of customers for their manufactured goods. I, therefore, looked upon this Island as occupying an exceptional position, and in giving up the power of self-government and taxation, I felt that we should receive a sum sufficient to enable us to meet our requirements, as we have hitherto¹⁰ done."

PEI Legislative Assembly Debates, 23 May 1873, pgs. 167–168.

"Now, I believe that the statesmen of Canada are liberal¹¹ enough not to ask us to place ourselves in a ruinous position, in which we would be compelled to resort to local taxation, immediately after accepting Confederation, and becoming a portion of the Dominion. It would be far better and more conducive to their interests, as well as our own, to give us sufficient to make our people contented, prosperous, and happy. I do not intend to go over the whole ground again; but I believe we shall have no difficulty in obtaining better Terms."

PEI Legislative Assembly Debates, 30 April 1873, pg. 128.

RAILWAY

"The hon. member the Leader of the Opposition said, when the Railway Bill, was passed he thought our liberties were gone. Now I never looked at it in that way. When the Railway Bill was carried it was also said, that it was introduced for the purpose of forcing us into Confederation... I can assure this hon. House such was not the intention. I for one, believed it would with proper management be found to be a public benefit and believe so still. I will look for a moment at the career of the late government, and see if their conduct was consistent with their professions, and

⁹ Tracts = sections

¹⁰ Hitherto = previously

¹¹ Liberal = generous

whether they sacrificed the interests of the country or their own, for the purpose of keeping themselves in power... On the 19th of June when the measure was before the House, I considered the government had no excuse for going on with the branch lines¹²...I opposed them in every way I could... Yet in the face of all reasonable remonstrance,¹³ they introduced and carried the branch Bill and strange to say, without making any provision for raising the interest which the cost of their construction would entail upon the country. Was it possible for the government to take a more effectual way to destroy the public credit of the colony? But they were in power, and to retain.... their positions were prepared to sacrifice the country."

PEI Legislative Assembly Debates, 28 April 1873, pgs. 58–60.

"Baring Brothers¹⁴ will not take one of our Bonds, therefore it is, that union with Canada will place our public securities on a par with those of the Dominion, and our public position will be better. Feeling as we all do that all side issues should give way in order that the public credit may be maintained, and if Confederation will do this. I believe that in view of all the difficulties entailed¹⁵ upon the country, this side of the House feels constrained¹⁶ to overcome their scruples¹⁷ against Confederation, and for the common good, seek to obtain better terms with a view to unite our destinies with those of the people of the other Provinces in the Dominion."

PEI Legislative Assembly Debates, 29 April 1873, pg. 62.

"True they [the federal government] take our Railway, but that consideration aside, I consider it my duty to look at the matter fairly, and in doing so, do not hesitate to say that this amount would be insufficient, Again, by the way matters have been managed of late it is beyond our power to put the credit of the colony on a good footing. If our public securities¹⁸ were offered in the Stock exchange, and the credit of the colony through the sale of our Debentures¹⁹ and Warrants.²⁰

"Brought down, we would soon find ourselves in a position that x²¹ to us. I do not charge the late government with doing any act for the purpose of injuring our position. They no doubt did the best they knew how; but at the same time, it cannot be denied, but that they did a great deal to destroy the public credit. Nor do I hesitate frankly to affirm, that I see but one way to restore this, and that is through Confederation which on fair terms will, in every way, place us in a better position than we occupy at present."

PEI Legislative Assembly Debates, 28 April 1873, pg. 64.

¹² Branch line = a small section of railway that is connected to a main line

¹³ Remonstrance = complaints

¹⁴ Baring Brothers = an extremely large British bank that governments frequently approached when in need of funds for public projects

¹⁵ Entailed = involved

¹⁶ Constrained = limited

¹⁷ Scruples = biases

¹⁸ Public securities = bonds

¹⁹ Debentures= loans protected by a general guarantee rather than specific assets

²⁰ Warrants = documents that prove an individual or corporation's right to receive funds

²¹ Creditable = complimentary

REPRESENTATION BY POPULATION AND THE ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"[RESOLVED] 2. That if the relative circumstance of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Convention would prevent their being ratified²² by the Legislature of this Island. Without alluding²³ to all, it is proper to notice some of the objectionable features of the Report. Without admitting the principle of Representation according to Population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island of connection with Canada, taking into consideration that the number of our inhabitants is, and must continue comparatively small, owing to the fact that we have no Crown Lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become any extent a manufacturing people, in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped. Under this principles, the City of Montreal alone would, at the present time, have a representation greater than the whole Province of Prince Edward Island, and under the provisions of the Convention which regulate the mode of re-adjusting the relative representation of the various Provinces at each decennial census²⁴ looking at the rapid increase of the population of Upper and Lower Canada heretofore—particularly the former,—and the certainty of a still greater increase therein in the future, over that of the population of this Island, it follows as a certain and inevitable consequences, if a Federation of the Provinces were consummated²⁵ upon the basis of the said Convention, that the number of our Representatives would, in the course of a comparatively short number of years, be diminished to a still smaller number than that allotted at the onset to us."

PEI Legislative Assembly Debates, 24 March 1865, pg. 44.

"The people should take care to return²⁶ gentlemen able to exercise a pretty strong influence in the Dominion Parliament, in order that their interests may be served in the best possible manner. The only battle that will be fought by our representatives in the House of Commons will be to obtain, each for his own district, as large a share of the monies granted for local improvements, as possible. In our representation in the Dominion Parliament, there will be no sectional²⁷ interests, and probably no party lines. He hoped to see our representatives in the House of Commons stand shoulder to shoulder for the interests of this Island and those of the Maritime Provinces as well. If this principle is fully carried out, we shall secure our share of the monies granted for local works. The Parliament and people of Canada have a large, rich country, full of resources, and not half developed, and, therefore, look upon this Island as a very small place, still they earnestly desire to have us united with them, as we are a thriving people, and possess a fertile and prosperous country. Numbers of Canadians will find their way down here in the summer season, as they take a deep interest in our little Island, and have always manifested a disposition to deal liberally with us. He was satisfied we should have our full share of influence in the Dominion Parliament, and that we should receive justice at its hands."

PEI Legislative Assembly Debates, 26 May 1873, pg. 204.

²² Ratified = approved

²³ Alluding = referring

²⁴ Decennial census = Every ten years, each colony counted all of its inhabitants, its residences, and other professional statistics.

²⁵ Consummated = joined

²⁶ Return = elect

²⁷ Sectional = religious

DEFENCE

"The military phase of the question is not worth of much consideration, for if an invasion of Canada by the people of the United States should take place, it would involve, as a matter of course, the necessity of retaining all available strength in each of the other Provinces for the defence of their respective territories. While I admit, as cordially²⁸ as any, that it is the duty of every man to contribute, as far as in him lies, to the defence of the country in which he lives, and that it is not fair to the taxpayers of Britain that they should be at the exclusive cost of our protection, I am willing to trust a reasonable portion of that duty to the Mother Country, the army and navy of which must keep somewhere; and her experience shows that nowhere can they be maintained as cheaply as the Colonies."

PEI Legislative Assembly Debates, 24 March 1865, pg. 45.

²⁸ Cordially = politely

William Henry Pope in Brief



This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

William Henry Pope was born on 29 May 1825 in Bedeque, Prince Edward Island, to Joseph Pope and Lucy Colledge. Initially educated on the Island, he went to England to pursue higher education in law. He then returned to PEI to article, and was called to the bar in 1847. He then married Helen DesBrisay in 1851 and they went on to have eight children.

In 1854, William and his extended family took advantage of the government’s attempts to resolve the absentee landlord problem. After purchasing a large estate for £14,000, his family resold it to the government for £24,100. The government paid this exorbitant sum because the Popes threatened to take its tenants to court for payment of arrears in rent—an action which would have provoked riots. When this profiteering became public, it tarnished William’s reputation and it never fully recovered.

As the decade progressed, William and his younger brother James Colledge Pope became increasingly active in the Conservative party. When that party came to power in 1859, William became Colonial Secretary even though he did not hold office in either legislature. That same year, William also became the editor of the *Islander* newspaper and regularly exchanged barbs with rival Liberal papers. When considering the land question, for example, the *Islander* contended that the leasehold tenure system was “obnoxious” and “injurious,” but insisted that it had to be resolved in a way that did not infringe on the rights of the proprietors because it would call their property rights into question. Although Pope, a Methodist, initially tried to build bridges between Protestants and Catholics of sectarian education questions, these efforts failed and threats to mobilize Catholics against Protestants led him to publish a vicious series of editorials in the *Islander* pitting Protestants against Catholics. These eighteen months of editorial exchanges raised Pope’s political profile, but made him something of a *bête noire* to the Liberals.



Image held by Library and Archives Canada.

When the question of forming a Maritime or larger political union arose, William Pope was one of a very small group to support the idea. As a delegate to the Charlottetown and Quebec conferences, he strongly supported the 72 Resolutions even though the colony’s voters overwhelming opposed union. When his brother James became Premier at the beginning of 1865, William remained Colonial Secretary, but his pro-Confederation views rendered him increasingly isolated within the cabinet. Later that year, when his brother was about to move a debate on Confederation, William pre-empted the debate by moving eight pro-Confederation resolutions before his brother could speak. James moved a series of counter-resolutions and Confederation’s widespread unpopularity with the colony’s voters ensured their defeat. James then cemented William’s isolation by passing a “No Terms Resolution” declaring Confederation a non-possibility for the foreseeable future in 1866 while William was away on a trade delegation in Brazil. This unambiguous anti-Confederation stance led William to resign in protest shortly after his return.

After his resignation from the cabinet, William Pope continued to push for PEI’s entry into Confederation. He did not win another election but continued to edit the *Islander* and wrote many pro-Confederation editorials. He also mended fences with the colony’s Catholic community, helping to propel the Conservatives back to power. His brother James then eventually sought better terms of union and PEI entered Confederation in 1873. From this date, until his death in 1879, William worked as the judge of the Prince County Court.



Primary Source: William Henry Pope's Views on Confederation

When Prince Edward Island's legislature debated Confederation in 1865, William Pope said the following points:

SUMMARY STATEMENTS

"It is well known, Sir, not only in this House, but from one end of the Island to the other, that the members of the Government, with two exceptions, are hostile to the proposed Confederation... but, Sir, in this House the number of those who advocate Confederation, which this Report¹ contemplates,² is so very small—consisting of some four or five only—that we cannot afford that even one should remain silent."

PEI Legislative Assembly Debates, 24 March 1865, pgs. 39–40.

I have been told, Sir, that by advocating the adoption of the principle of the Quebec Report, I am placing myself in antagonism to the people of this Island, and especially to my own constituents. I, Sir, should consider myself unworthy of the confidence reposed³ on me, as a Representative of the people, were I to shrink from the full expression of my opinion upon a great subject deeply affecting the interests of the Colony, simply because my constituents, or the people of the Colony, are supposed to entertain⁴ any question, can, in themselves, have no influence upon my opinion. In the present instance, I believe Confederation would promote the best interests of the Island. I may be aware that my constituents think otherwise, and are opposed to Confederation. My individual opinion may remain unchanged, but a knowledge of the views and wishes of my constituents, would most materially⁵ influence my conduct. Popular opinion is proverbially⁶ changeable, and I expect ere long⁷ to hear many of those who now denounce the Report of the Quebec Conference admit that after mature deliberation, they have come to the conclusion that its principles are just."

PEI Legislative Assembly Debates, 24 March 1865, pg. 43.

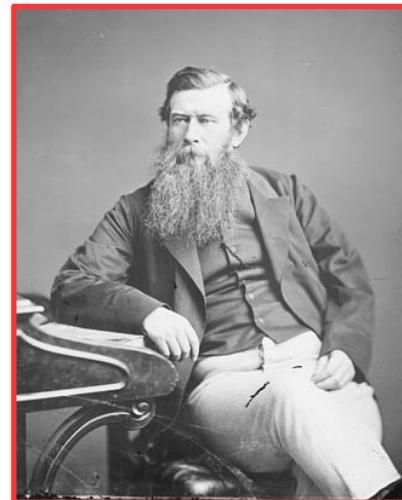


Image held by Library and Archives Canada.

¹ This report = a report from the PEI delegates summarizing the Quebec conference

² Contemplates = considers

³ Reposed = given to

⁴ Entertain = consider

⁵ Materially = substantially

⁶ Proverbially = known to be

⁷ Ere long = before long

“Mr. Speaker: with your permission I shall initiate the discussion of the important subject which is this evening to engage the attention of this House, by submitting the following Resolutions:

“1. *Resolved*, That the best interests, and present and future prosperity of British North America, would be promoted by a Federal Union, under the Crown of Great Britain, provided such Union could be effected on principles just to the several Provinces and Colonies...

“5. *Resolved*, That the Report of the Conference of Delegates from the British North American Provinces and Colonies held at Quebec in October last, taken as a whole, contains a declaration of principles—as the basis of a Federal Union—which this House considers just⁸ to the several Provinces and Colonies.

“6. *Resolved*, That this House, believing it is only by mutual concessions and compromises the several British North American Provinces and Colonies can ever agree upon those principles which shall form the basis of a Union, orders that the report of the Conference of Delegates from these several Provinces and Colonies held at Quebec in October last, be published throughout this Colony for the deliberate consideration of the people, on whom will devolve⁹ the acceptance or rejection of the proposed Union.”

PEI Legislative Assembly Debates, 24 March 1865, pg. 39.

TRADE

“4. *Resolved*, That a Federal Union of British North America, based upon the Resolutions adopted at the Conference of Delegates from the Provinces of Canada, Nova Scotia and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the City of Quebec, 10th October, 1864, as the basis of a proposed Confederation of those Provinces and Colonies, would, among other advantages, promote the development of the trade and manufacturing capabilities of these Provinces and Colonies, and advance the general prosperity, by inducing the substitution of a customs tariff,¹⁰ uniform and common to the Confederation, in lieu of¹¹ the various tariffs now in force in the several Provinces and Colonies.”

PEI Legislative Assembly Debates, 24 March 1865, pg. 39.

“The most effectual¹² means of advancing our prosperity would be found in a Union, such as is proposed in the Report of the Quebec Conference. A great deal has been said and written on the subject of the proposed Confederation by our Island statesmen, who have told the people of the disastrous effects the Union would exert upon our trade and manufactures. If the gentlemen, to whom I allude, have not instructed, they have, at least, amused the more intelligent of their hearers and readers. It is true, Sir, that our trade is chiefly in agricultural produce, that our manufactures are few, and that there are physical disabilities which will prevent us from becoming a great manufacturing country. For five months in the year we are cut off from communication with our neighbors, yet, Sir, our manufactures are capable of expansion, and under Union they would expand. At present the manufacturers of Leather and of Cloth are obliged to limit their operations. If they manufacture more than they can sell in this little Island they have to export, subject to a heavy duty.¹³ Yet even in the face of this duty we now export Island Manufactured Leather to New Brunswick. But, Sir, Union would develop the enormous manufacturing capabilities of Nova Scotia and New Brunswick. Great, Prince Edward Island never can become, her geographical position, her limited area, her small population, and the

⁸ Just = fair

⁹ Devolve = pass

¹⁰ Tariff = a tax on imports or exports

¹¹ In lieu of = instead of

¹² Effectual = effective

¹³ Duty = a tax on imports or exports

absence of all mineral deposits, preclude¹⁴ us from becoming a great country; but, Sir, the Provinces with which it is proposed that we should unite, contain every element of greatness; there is no reason, then, why they should not become a great and prosperous country, or why we should not share their greatness."

PEI Legislative Assembly Debates, 24 March 1865, pg. 42.

"It is argued that the Canadian Tariff would follow Union, and that the people of Prince Edward Island would, under its operation, be necessitated to pay an increased amount of duties. I do not believe such would be the case. It is true that the Canadian Tariff is very much higher than the Tariff of this Island. Tea and Sugar, imported under the Canadian Tariff, would probably cost higher than they cost at present; but, it is equally true that a variety of articles on which we now pay duty, would then, as the manufactures of the Confederation come to us duty free, and the saving which we should effect on these articles of Home Manufacture, would very materially exceed the excess of duty which we should pay upon foreign importations. It has been urged, that under Confederation, although we might obtain from within the Confederation many articles, the manufactures of Canada, Nova Scotia and New Brunswick, the Canadian Tariff would prevent such articles from being imported from Britain and the United States. But, Sir, if, under Confederation, the people of Prince Edward Island should be able to procure British Colonial Manufactures cheaper than they can now procure similar articles from the United States or Britain, they would evidently be gainers by Confederation."

PEI Legislative Assembly Debates, 24 March 1865, pg. 42.

"Why, I would ask, as a British American, do we not make an effort to develop [sic] our boundless manufacturing capabilities? Were you, Sir, to go to the enterprising people of the neighboring republic, and to enter their manufactories, you would there learn the fact that a large number of their most skillful mechanics are men from these British Provinces; this Island has contributed her proportion of these valuable men; they year after year leave their native country and never return to it, because, Sir, there is, at home, no employment for them. (Hear, hear.)¹⁵ The sooner the Colonists set to work to establish manufactories, the better will it be for all of us. But, Sir, to this, Confederation is requisite. Tariffs between the Provinces must be abolished.¹⁶ Unite the several Provinces, as proposed in the Report of the Quebec Conference, give to Nova Scotia to New Brunswick, to Prince Edward Island four millions of customers. If this should be done, our young men, who have become skillful artizans¹⁷ in the workshops of the United States, would find employment in their native¹⁸ Provinces... We may reasonably hope for the restoration of peace in the United States. Intercolonial free trade¹⁹ would in the words of the resolution promote the development of the trade and manufacturing capabilities of the Colonies and advance the great prosperity, but intercolonial free trade is impracticable²⁰ without Confederation."

PEI Legislative Assembly Debates, 24 March 1865, pg. 42.

TAXES

"I regard the terms of the Report of the Quebec Conference—so far as they relate to Prince Edward Island—to be, in a financial aspect, just and even liberal.²¹ The average indebtedness²² of

¹⁴ Preclude = prevent

¹⁵ (Hear, hear.) = other politicians agreeing with Pope

¹⁶ Abolished = ended

¹⁷ Artizans = tradesmen

¹⁸ Native = home

¹⁹ Free trade = trade without tariffs

²⁰ Impracticable = very unlikely

²¹ Liberal = generous

²² Indebtedness = debt load

the Provinces generally, is equal to \$25 per head of the population. The debt of Prince Edward Island is, in reality, but little in excess of \$2 per head. By the terms of the Report we should receive annually from the General Government the interest of an amount equivalent to \$25 per head of our population—less the interest of our actual indebtedness—or in other words we should receive annually £30,000 currency from the General Government, over and above the interest upon our public debt... In all the British North American Provinces, Revenue is derived chiefly,²³ from Customs and Excise. When the population of the Confederation shall be double what it now is, the consumption of articles paying duty will be vastly increased, and the revenue proportionally augmented.²⁴ Reduction of taxation would follow, as a matter of course. The great Public Works of Canada will by-and-bye²⁵ completed, her Strongholds fortified, her Canals widened and completed, and her Lakes and Rivers rendered navigable; and, Sir, I consider myself fully justified in assuming that the increase of population throughout the Confederation, and more especially in Canada, will be so rapid, the consumption of duty paying articles so great, that at no distant day the rate of taxation per head, required for the maintenance of the General Government, will be less than is now paid in Prince Edward Island, the least taxed of the Provinces.”

PEI Legislative Assembly Debates, 24 March 1865, pg. 43.

DEFENCE

“2. *Resolved*, That the existence of immense Military and Naval forces in the neighbouring Republic, renders it specially incumbent²⁶ on the people of British North America to take the most efficient precautionary measures by which their independence against Foreign aggression may be secured.

“3. *Resolved*, That a Union, such as in times of extraordinary danger would place the Militia, the Revenues, and the Resources of the several Provinces, at the disposal of a General Parliament, is necessary in order to maintain the independence of British North America against Foreign aggression, and to perpetuate²⁷ our connection with the Mother Country.”²⁸

PEI Legislative Assembly Debates, 24 March 1865, pg. 39.

“It has been urged against the Confederation of the Colonies, proposed in the Report of the Quebec Conference, that the scheme had its origin in the local difficulties of the Canadians. It is true that the sectional²⁹ difficulties of Canada during the last year occasioned a “deadlock.”³⁰ I cannot, however, discover any force³¹ in this objection. This crisis in the political affairs of Canada led the statesmen of that Province to consider their position, with a view³² to remedy evils³³ which were such as to render impracticable³⁴ the further government of the Province under the existing

²³ Chiefly = mainly

²⁴ Augmented = increased

²⁵ By-and-bye = over time

²⁶ Incumbent = necessary

²⁷ Perpetuate = make a situation continue indefinitely

²⁸ Mother Country = the British Empire

²⁹ Sectional = nineteenth century linguistic and religious divisions between politicians residing in the provinces that are today Ontario and Quebec

³⁰ Deadlock = a situation where neither side can win and everyone is stuck

³¹ Force = convincing point

³² A view = a desire

³³ Evils = problems

³⁴ Impracticable = undoable

constitution. I need not enumerate³⁵ the many reasons which induced those statesmen to propose a Confederation of all the Provinces. They realized, among other things, the position in which these Provinces stand in relation to the neighboring Republic, which, within the short space of our years, from being a purely commercial and agricultural people had become one of the greatest military and naval powers in existence. They had also received an intimation³⁶ from the Imperial Government to the effect that the people of the Colonies would be required to contribute largely to the cost of Fortifications, and other means of defence, as a condition of England's undertaking to co-operate in their defence. The Colonies have heretofore³⁷ left it to England to provide and maintain fleets and armies for the security of their country at the cost of the tax payers of Great Britain; and, Sir, I can see nothing unreasonable in the people of the Colonies being, at this day, called upon to contribute of their ability, to the cost of their defence. As subjects of the Crown of Great Britain, we have a right to demand the protection of the Mother Country; but if we have this right, we are most certainly under the obligation to contribute of our ability to the maintenance of those fleets and armies which are necessary for the defence of the Empire of which we form a part. If, Sir, the existence upon our borders of a vast military and naval power, rendering it prudent for the Colonies to prepare means for their defence, together with other reasons, can be adduced³⁸ to prove that Confederation is essential to the maintenance of our institutions, and that it will promote our common prosperity, it matters not what were the peculiar³⁹ circumstances in which the project of Confederation had its origin; whether it arose out of the political dissensions⁴⁰ between Upper and Lower Canada, or resulted from less important causes...

"If we neglect to discharge⁴¹ our duty in providing for our safety, we may reasonably expect that England will withdraw her military and naval forces, and leave us to our fate. But on the other hand, if we show ourselves anxious to maintain our connection with England, and do that which is reasonably required of us, England will defend us to the utmost. It is to my mind very evident that we must choose between consolidation⁴² of the different Provinces and Colonies, and absorption into the American Republic."

PEI Legislative Assembly Debates, 24 March 1865, pgs. 39–41.

"We have recently had a discussion in this House on the subject of our Militia. To train the Militia of this Island would require an annual outlay nearly equal to our entire Revenue; and were our Militia to be rendered efficient, of what service would they be unless they were available for the defence of the frontiers of Canada or of New Brunswick? That our sons would be required to shoulder arms and march to the frontiers of Canada has been urged as an argument against Confederation. This Island is of no importance in a military point of view. It will never be a battlefield. A Gunboat or a Privateer might enter into any one of our numerous harbors do a great deal of mischief, and depart before our defenders could be mustered.⁴³ Unless under a general organization our Militia will necessarily be useless. Although opposed to spending money uselessly upon our Militia, I am in favor of training every man in the Provinces capable of bearing arms, provided such training be conducted under a general organization, believing that readiness on our part for defence, would be our best protection against invasion."

PEI Legislative Assembly Debates, 24 March 1865, pgs. 41–42.

³⁵ Enumerate = list

³⁶ Intimation = indication or hint

³⁷ Heretofore = before now

³⁸ Adduced = cited as evidence

³⁹ Peculiar = unusual

⁴⁰ Dissentions = disagreements

⁴¹ Discharge = fulfill

⁴² Consolidation = union

⁴³ Mustered = gathered



George Coles in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

George Coles was born on 20 September 1810 in Prince Edward Island to the farming family of James Coles and Sarah Tally. His upbringing lacked the wealth that many of George’s future peers enjoyed, and the young Islander received little formal education. At the age of 19, he visited England and married Mercy Haine and the young couple returned to his hometown and began a family that would eventually include twelve children.

Coles subsequently became a successful farmland owner, merchant, brewer and distiller. In 1842, Coles contested the rural constituency of New London and became a member of the House of Assembly. He initially avoided partisan affiliations but initially tended to vote with the Tories. As a businessman, Coles was wanted Islanders to prosper and create local markets for his goods. He therefore desired the end of the absentee landlord system, but also recognized that radical solutions would not receive the Colonial Office’s support.

In the Assembly, Coles was a forceful speaker and did not avoid confrontation. Over the years, he challenged several rivals to duels, feuded with the Assembly’s Speaker Joseph Pope, and spent 31 days in the custody of the sergeant-at-arms. After Pope’s resignation in 1847, however, Coles joined the cabinet as a Reformer, resigned the following year, and then led the push for responsible government in the Assembly.

This latter campaign was hard fought, and the campaign catapulted him into the forefront of Reformers and Coles became Premier in 1851. After achieving responsible government, Coles rejected extreme solutions to the absentee landlord problem and instead implemented an estate-purchasing program. Under this program the government provided “fair compensation” to landlords who voluntarily resold their lands to the occupants at minimal rates. It also passed legislation to purchase larger estates and sell them to tenants and squatters at reduced rates. This latter measure, however, proved to be extremely expensive, and the Imperial government disallowed the Coles government’s bill to raise a further £100,000 loan for the purpose. His government survived until 1859 when it fell to Catholic-Protestant education tensions and the belief that its land policy was no longer effective.

When considering Confederation, Coles promised to support any plan that would lead to the liquidation of leasehold tenure. He pushed for this measure at the Charlottetown and Quebec conferences, but the Canadian delegates had already agreed to disproportionately high financial subsidies for the island, and rejected this large additional commitment. Coles subsequently led the Liberals in adamant opposition to the Quebec Resolutions.

The Tories, deeply divided over Confederation and other issues, fell to the unified Liberals in the 1867 election. Coles resumed his policy of voluntary land purchases but public unrest continued. Within a year, senility overtook him, and he resigned as premier in 1868 and left Liberal leadership to Joseph Hensley.



Image held by McCord Museum.



Primary Source: George Coles's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, George Coles said the following points:

SUMMARY STATEMENTS

"I stated at the Conference they refused my proposition with respect to the Land of Question of this Colony, that they might as well strike Prince Edward Island out of the constitution altogether."

PEI Legislative Assembly Debates, 2 March 1865, pg. 9.

"[On the accusation of being a traitor]... I deny these charges. I believe that Anti-unionists are just as loyal as any Unionist can be. I feel that my loyalty is equally as sincere as that of those who so zealously advocate the Quebec scheme, for I have yet to learn that Great Britain has aid we must go into Confederation. All that we have yet heard is the sanction of the Colonial Minister to the holding of a Conference in Canada, consisting of representatives from all the Provinces, to consider the large scheme of Union, and his opinion that the Report of the Conference upon the whole was creditable to the assembled delegates... What foundation, then, have those for their statements who tell us that we shall be compelled to go into Union? Who say that unless we enter the proposed Confederation we shall not get a single ship or man from the Mother Country to defend us? The Home Government has given no intimation of any kind. In fact it seems to be passive in regard to the Union movement. The Colonial Minister stated in effect in one of his despatches that if the people of the Colonies were desirous to enter into a Union, Her Majesty's Government would throw no obstacles in the way. This language conveys no such threat as has been held up by some hon members of this House."

PEI Legislative Assembly Debates, 31 March 1865, pgs. 65–66.

PRINCE EDWARD ISLAND'S POTENTIAL PROVINCIAL AUTONOMY

"Again with respect to our Local Legislature under the Confederation scheme, what would it amount to! We would be a laughing stock to the world. The City Council would be a king to such a Legislature. In this House scarcely anything would be left us to do, but to legislate about dog taxes and the running at large of swine."

PEI Legislative Assembly Debates, 31 March 1865, pg. 68.



Image held by McCord Museum.

MUSÉE McCORD MUSEUM

PRINCE EDWARD ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"The Union which I advocated was one that would give us inter-colonial free trade and a uniformity of currency. But here in this Report we have a constitution under which we may be taxed at any rate the Canadians think proper. At present we hold the power of taxation in our own hands; under Confederation, it would be placed almost entirely beyond our control, as well as the power to say what portion of these taxes imposed upon the people of the Colony should be expended for objects in which they are immediately interested... When the Canadian delegates came down to the Conference the chief points which they laid down were representation by population for the Lower House, and a nominated Upper House to consist of 60 members — 20 for Upper Canada, 20 for Canada East, and 20 for the Lower Provinces. Representation by population, however, appeared to be the leading principle for which they contended. I enquired what they would be willing to concede¹ to us for giving up the privilege of taxing ourselves, and for handing over our revenue; and they asked what I thought would be fair. I said 200,000, sterling, or 300,000, currency; and that this money should be placed into our land funds, entirely at the control of the Colony for the purchase of proprietors' estates. This proposition, I understood, was assented to. I had also private conversations afterwards with Hon Mr. Brown² and Hon. Mr. Cartier,³ and they admitted the justice of the claim. With the impression that a grant to the amount, and on the conditions which I have stated, was to be given to this Colony for the purchase of lands, I did not offer that opposition at Quebec to some of the first clauses of the Report, which I otherwise would have done."

PEI Legislative Assembly Debates, 31 March 1865, pg. 67.

"We had been in Conference only a few days when the question of representation in the Upper Branch⁴ came up for consideration. On account of the Newfoundland delegates taking part in the proceedings, and it being proposed to give that Colony 4 members in the Legislative Council,⁵ the Canadian ministers retired into their council chamber, and returned with the proposition that 24 members should be allowed to each of the two sections of that Province. Lower Canada⁶ stood out for equal representation in the Upper Branch as a security against the superior influence which the Upper Province⁷ would possess in the Lower House on the principle of representation by population. When the question of representation in the House of Commons came up for discussion, this principle was ably and strenuously contended for by the Hon. George Brown; and well it might, for he knew that it would enable Upper Canada to maintain the control of the General Legislature for ever. Representation by population will give the two Canadas 100 of a majority over all the Lower Provinces in the House of Commons and by each of the Canadas having as many members in the Legislative Council as the whole of their eastern sisters,⁸ they will together always command a majority there of 24 over us, so that the only principle of which we, in the Maritime Colonies, can expect justice will be through the quarrels of the two western Provinces.⁹ In view of this, I ask what prospect is there for us if we give up our revenue, but to put our hands in the pockets and pay our own expenses. We cannot hope to contend with the influence which will be brought to bear against us in Canada."

¹ Concede = give

² George Brown = the leader of Upper Canadian Reformers (present-day Ontario Liberals)

³ George Cartier = the leader of Lower Canadian Bleus

⁴ Upper Branch = Senate

⁵ Legislative Council = Senate

⁶ Lower Canada = present-day Quebec

⁷ Upper Province = present-day Ontario

⁸ Eastern sisters = the Maritime provinces

⁹ Western Provinces = present-day Ontario and Quebec

PEI Legislative Assembly Debates, 31 March 1865, pg. 67.

"Talk of our young men rising to judgeships, and to be premiers in Canada; why, Sir, they have far too many favors at their hands. The politicians in that Province are sometimes put to their wits ends how to provide snug berths¹⁰ for persons they wish to shelve out of their way. A little transaction of this kind occurred when the delegates were there. A member of the Legislature was appointed to a judge-ship under the Stamp Act, in order to make room for the Provincial Secretary, who had lost his election in the district her formerly represented. Under Confederation work would, not doubt, be carried on to a much greater extent, and amid the intriguing of Canadian office seekers on the spot, the young aspirants in the Lower Provinces would stand very little chance of success."

PEI Legislative Assembly Debates, 31 March 1865, pg. 69.

DEFENCE AND TAXATION

"Here we may see the pitiable¹¹ condition to which this Island would be reduced under Confederation, —our revenues taken away, scarcely enough allowed us to work the machinery of the local government, and should more money be required when our population increased, it would have to be raised by direct taxation. The people of this Colony were battling four years to gain responsible government, and since obtained, I believe it has given general satisfaction."

PEI Legislative Assembly Debates, 31 March 1865, pg. 66.

"But, Sir, were we to adopt this Report, it would deprive us of our constitution and leave us no corresponding benefit in return. It is urged that as a compensation for our loss we would become a part of a great union that in time would form a mighty nation. But I ask what greater nationality can we enjoy than that with which it is our pride and privilege at present to be connected? What greater flag can wave over us than the time-honored banner of Old England? I do not think that Great Britain wishes to throw us off; on the contrary I believe that her statesmen see that the separation of the Colonies from the parent state would cause trouble. Sir, I look upon this talk about the Mother Country casting us off from her apron strings, and this shaking of the stars and stripes in our face, as only stories to frighten the timid. Let us remain true to the Mother Country and she will stand by us. Separate as we are from the other Colonies, our hands are just as strong and our hearts as willing to aid in defence of the Empire, as they could be under any scheme of political union whatever."

PEI Legislative Assembly Debates, 31 March 1865, pgs. 66–67.

"I will now turn to the financial part of the Report....Besides having to tax ourselves for local improvements, we will have to bear a share of the expenses of Canada, as she is unable to meet them now, and will be less able to do so under Confederation, for they will be much heavier than at present. In the matter of defences alone the outlay will be enormous....About two million pounds, sterling, will be required to fortify, and of this sum Great Britain will only provide 200,000, leaving an amount to be raised by Canada, together with the armaments she will have to provide, equal to five dollars per head of her population. This sum would be more than enough; yet it is not all that would be required... does any person suppose that if the Americans are going to attack the Colonies they will wait until we are prepared? Sir, this whole talk about invasion from the United States I believe to be a will-o'-the wisp¹² got up to frighten us

¹⁰ Berths = beds

¹¹ Pitiable = sad

¹² Will-o'-the wisp = a false or unreachable goal

into Confederation. But let us proceed with the calculation of expenses. The Confederate Provinces would set out with a debt of \$25 per head; fortifications will add at least \$5 per head more, and gunboats and other naval armaments probably an equal sum. Then there is the Intercolonial railway, which will cost at least \$15,000,000, and add a further debt of \$5 per head of the population. The enlargement of the Canals is another project, requiring a draft on the finances, which is to be proceeded with as soon as practicable. This work will add not less than other \$5 per head to the general debt, and what with the opening of the North West Territory, and other expenses which I have not enumerated,¹³ will run up the debt to \$60 per head of the entire population of the Confederate Provinces. We have been informed during this debate that the debt of the United States now amounts to \$125 per head of her people. But this debt was caused by a protracted war. Our debt of \$60 per head would be incurred during peace; and should war break out with the States, even for a short time, our debt would soon be equal to theirs. I believe that few hundred pounds spent on a friendly delegation to Washington would save millions of dollars, and do much more to preserve peace between the two countries than all the fortifications which could be built. All these expenses to which I have referred, a large portion of which will have to be borne by the General Government¹⁴ should Union take place, show clearly that our taxation under Confederation must be very heavy indeed."

PEI Legislative Assembly Debates, 31 March 1865, pg. 69.

"I wish also to show that this Report, as a whole, does not place Nova Scotia and New Brunswick in such an unfavorable position as this Island. These Provinces have large local revenues, that of Nova Scotia in 1863, being, as shown by Mr. Galt in his speech at Sherbrooke, \$107,000, and that of New Brunswick in the same year \$89,000. He sets down the local revenues of this Colony at \$32,000; but I am at a loss to know how he made up that sum unless he included in the amount the instalments paid in during the year from the sales under the Land Purchase Act. This money, however, forms no part of our local revenues; it is all required to make up the price paid by the Government for the proprietors' estates which have been purchased. In this neighboring Provinces the case is different; their public lands are Crown lands,¹⁵ the sale which brings in a large revenue, that will be wholly available for sectional¹⁶ purposes. Taking into consideration also that these Provinces are to receive 80 cents per head for their local wants as well as this Island, and that New Brunswick is guaranteed a subsidy besides, they are tolerably well provided for. But Canada will far still better. Her local revenues in 1863, as given by Hon. Mr. Galt, were \$1,297,043; and the allowance of 80 cents per head of her population would yield her about \$2,000,000, which will be about 2,000,000 more than she now expends out of the public funds for local purposes. This Island hitherto¹⁷ has almost solely relied on her customs revenue, and therefore it is that with the small per capita allowance of 80 cents, we would be unable to carry on the local government without resorting to direct taxation. We are even prevented from levying an export duty on our produce, while this privilege is allowed Nova Scotia and New Brunswick on certain articles. Taking all these points into consideration, I think it is clear that the Report before us is not such as should be adopted by this House. To enter such a Confederation as is here proposed would evidently prove ruinous to the Colony. If a change is through desirable, I consider it would be more for our advantage to have a representation in the British Parliament, and to pay a percentage to the Imperial Government out of our revenue for the purpose they may think proper. I believe that one representative there would secure for us a greater share of justice than we are ever likely to receive from a federal legislature in Canada. Should Confederation take place, I believe that in a very few years the people under it will be as heavily taxed as the people of the United States are now at the termination of the civil war. I

¹³ Enumerated = listed

¹⁴ General Government = federal government

¹⁵ Crown lands = lands owned by the government

¹⁶ Sectional = religious denominations

¹⁷ Hitherto = previously

shall vote for the resolutions submitted by hon. leader of the Government, and trust they will receive the support of a larger majority of this House; also that an Address to Her Majesty will be passed, showing the true position of this Colony in regard to the Confederation scheme. (Prolonged cheers.)¹⁸

PEI Legislative Assembly Debates, 31 March 1865, pg. 70.

¹⁸ Cheers = applause from fellow politicians.

John Hamilton Gray in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

John Hamilton Gray was a soldier and politician who was born in Charlottetown, Prince Edward Island, in 1811. Gray's father was an American Revolution loyalist whose household settled in PEI after the Governor asked that he assume several official functions there. John Hamilton Gray was subsequently born into the colony's ruling upper class. During his teens, the family sent John Gray to England to complete his schooling, and he followed a longstanding desire to follow his father's footsteps into a military career, spending the next twenty-one years in the British Army's 7th Dragoon Guards, including significant time in India and South Africa. He retired from the Army with the rank of colonel in 1852, returning to his PEI, his “native land.”

Just two years later, Gray was appointed to the Legislative Council, but his tenure was short lived because he left the Island once again and returned to military life. While he did not reach the front lines, he spent most of the war's duration overseas. Shortly after returning to the Island, Gray faced the colony's intense religious conflicts. Gray agreed with Protestants that the Bible be taught in public schools. The colony's Catholics opposed this position because they feared that the lessons would have a Protestant slant. Gray outspoken advocacy of the Protestant position brought him additional prominence.

Gray also fought to resolve the colony's absentee landlord problem. He strongly supported the establishment of a commission to consider the problem and appears to have genuinely believed that the body would find a resolution. Imperial authorities, however, heeded the objections of landlords and ignored the government's 1862 legislation to resolve the impasse. His decades away from the Island, it appears, had led him to forget that British Imperial interests did not always align with the colony's. His political star, however, remained ascendant and he became Premier on 2 March 1863.

As Conservative Premier, Gray supported Confederation. Learning from the land commission's failure, for example, he expected that British North American colonies would better influence imperial authorities if they formed a common front. He therefore supported both Maritime and British North American union when most Islanders opposed these proposals. At the Quebec conference of 1864, Gray generally supported the proposed resolutions, though he joined his fellow delegates in complaining that the colony's representation in the House of Commons and Senate would be inadequate. Nevertheless, he continued to support the union as a means of growing British North American influence and publicly defended the proposals, claiming that they would eventually provide a permanent solution to the colony's land question. This stand put Gray at odds with his Attorney General Edward Palmer, who was championing the popular anti-Confederation cause. Feeling deserted, and possibly out of concern for his wife's failing health, Gray resigned as Premier on 20 December 1864, creating a leadership gap that was ultimately filled by James C. Pope, whose stance on Confederation remained ambiguous.

Gray tried to return to politics several times but failed to win an election during the years immediately following his resignation. After PEI joined Confederation in 1873, Gray returned to his first love—the military—by accepting a position as Deputy Adjutant General of the newly formed Military District No. 12. He died in Charlottetown in 1877.

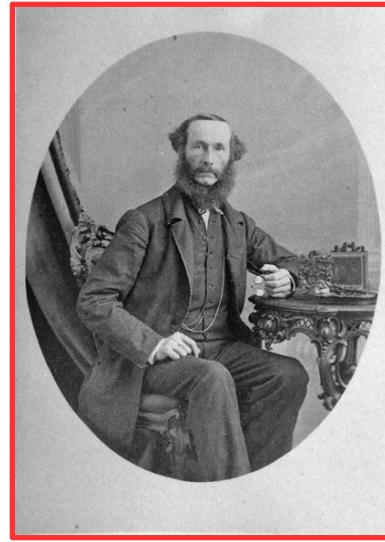


Image held by Library and Archives Canada.



Primary Source: John Hamilton Gray's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1865 and 1873, John Gray said the following points:

SUMMARY STATEMENTS

“...We talk of this Island being cut off and separated by an immovable barrier of ice from the neighbouring Provinces. Science and art may yet overcome the obstruction of that barrier. An unobstructed intercourse and communication with the Mainland, by properly fitted Steam-propellers may yet be secured to us in the winter season. What is the barrier which Britons cannot overleap? But, if the Island is to be bound by the Resolutions in question, it will indeed be more effectually cut off and separated from the Confederate Provinces — it will have little prospect for the future beyond a dwarfed existence, or ultimate absorption into the neighbouring Republic. The great burden of all the speeches which have been delivered in the Island, both in this House and out of it, against Confederation has been that the terms offered to us are not commensurate with our wants or such as our exceptional position demands that they should be — that they are not sufficiently favorable. But now, by these Resolutions, you shut yourselves out from the acceptance of any terms which may be offered, however, favourable they may be. In declaring that a Union of these Provinces can never be effected on terms favourable to Prince Edward Island, you arrogate to yourselves the power of Omnipotence.”

PEI Legislative Assembly Debates, 8 May 1866, pg. 111.

“For myself, I may say, solar as rewards in this world weigh with me, I know none greater than the approval of my fellow men, but, to obtain even this, I cannot condemn what I truly believe to be for the best interests of us all; nor can I, for any amount of popular applause, give utterance with my lips, to what, in my heart, I disapprove. Probably, as times go, I, too, might have acquired some quasi popularity, if, on my return from Canada, I had denied and repudiated all I had ever said in favor of Union and joined the cry against it; but then I would have lost what I value far more highly than popular applause — self-respect. The various details embodied in the Report of the Delegates¹ speak for themselves. Hon members need not to be told that delegates from six Provinces, each representing a diversity of interests, could only by mutual concessions obtain such a united whole as we could all agree in supporting and submitting to the people. That we had arrived at such a result I never for one moment doubted until my return here from Canada. Taken as a whole, I cannot come to any other conclusion than this, that the principles here set forth are well calculated to establish and consolidate a great nationality, and to be the means of elevating British America to a height of wealth, grandeur and prosperity, such as

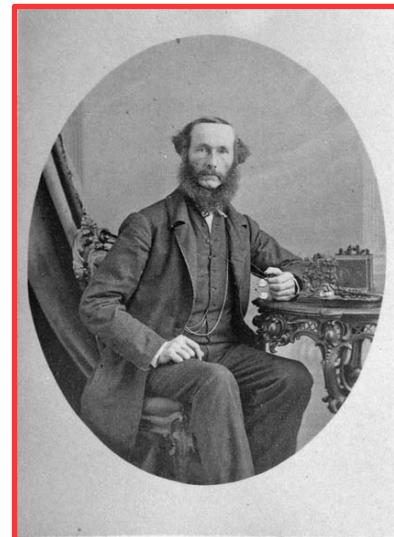


Image held by Library and Archives Canada.

¹ Report of the Delegates = a report from the PEI delegates on the 72 Resolutions and how the deal was made.

we can never in any other way attain to. And as far as this Island is concerned, as Confederation will bring prosperity to Halifax and St. John, whose rise will be ours, as it will bring us an influx of capital to develop the mines of wealth we possess in our fisheries; as it will build up harbors where needed for the interest of that trade; as it will give us manufactories in our own midst with constant employ to our youth of both sexes, summer and winter; the means of banishing the discontent of prosperity: a Government elected by four millions of people, which will be as formidable in its strength as ours ever has been impotent in its weakness; a Revenue amply sufficient for our local wants as heretofore; and instead of a Legislative Union, such as deprived Ireland other separate Parliament, we are secured all the advantage of having our own Island Parliament for the management of our local affairs."

PEI Legislative Assembly Debates, 25 March 1865, pg. 49.

TRADE AND PROSPERITY

"Mr. Speaker, we know that our free trade with the United States is about to cease. Already notice for the abrogation² of the Reciprocity Treaty been given by the American authorities, and, when this shall have been finally acted upon, we must look elsewhere for markets for our produce, or submit to a taxation on it in the ports of the United States which will almost prohibitory; there, as we are peculiarly³ an agricultural people, the great object of our solicitude⁴ should be to look around and enquire where we may best secure ready markets, and as near to our own doors as possible; for it is obvious that if we can have easy access to markets in rich and populous cities in our midst, we will receive far better returns than if driven to have recourse⁵ to places remotes, and only to be reached after long and tedious voyaging. Sir, I believe that we may safely assume that in a few years, when confederated, that Halifax and St John along will be ready to absorb all we can raise until every acre in this Island be cultivated like a kitchen garden. Let us consider the future of these two cities, for, great as their natural advantages now are, all pales before the contemplation of what they are destined ultimately to become. Let me instance the rise and progress of two place somewhat similarly situation, in the past — Singapore and Chicago. When that eminent man, Sir Stamford Raffles, first suggested the idea of founding that famous emporium for the China trade, how the enemies of progress lifted up their eyes in amazement! how they ridiculed the idea! how great the ruin which must ensue the adoption of the policy proposed! But what was the result? Soon he was enabled to write, (I quote from memory his own words), "From an insignificant fishing village, our town, in three years, has a population of ten thousand; our lands are rapidly rising in value, and we have every reason to expect, that, in a very few years, we shall have ten times our numbers." How truly prognostics of this great man have been fulfilled, this wonderful mart of commerce, with its hundred thousands of population, bears, at this day, ample witness. Look again at Chicago. In the year of 1833, it was a town of fifty inhabitants; twenty years after it had a population of eighty thousand."

PEI Legislative Assembly Debates, 25 March 1865, pg. 45.

REPRESENTATION BY POPULATION AND PRINCE EDWARD ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"The next point I would remark upon is our share in the Representation in the General Parliament, and the complaints of the objectors that we have too few members. When the revolted Provinces ordained and established their Constitution, it was provided that Representatives from any State might be sent to Parliament in the proportion of one member to

² Abrogated = cancelled

³ Peculiarly = unusually

⁴ Solitude = care or concern for someone or something

⁵ Recourse = alternative

every thirty thousand of the population. The State of Delaware, large and influential, as well as that Rhode Island, somewhat similar in extent to this Colony, did not think it against the interests of their people to enter their Union with one member each; this Island is invited to enter the proposed Confederation with five. We are also told that our four members in the Council will be no protection to our interests; and that the customer obtaining in the United States is far better. Now let us take this view of the question, and follow the United States' system. Vancouver, Columbia, Red River, Upper Canada, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island, each sends two members to the Upper Chamber. If a question arouses affecting our sectional rights, interests and privileges, do we imagine that our two members could carry the point against the other sixteen? But, I would ask has a case ever occurred in which such injustice was attempted or even hinted, at as the opponents of Confederation are so grievously afraid of? At the time of the Revolution, the white population of the whole thirteen States was less than that of Canada at this time. The population of Canada is now considerably more than thirty times that of this Island, and if we are to follow the plan of the United States to mete out the even-handed justice, we must first portion out Canada into thirteen sections, approximating to what the United States were at the time of their Union, not what they now are. But, I would ask, is it necessary that we should go into this Confederation with our hearts and minds filled with suspicions? Is it a foregone conclusion with us that all the other Provinces will unite to do injustice to one particular section of their common country? Yet we have all these dark surmisings,⁶ and much more freely enunciated⁷ by all parties who oppose the Confederation. 'Where will the interested of Upper Canada be,' cries Mr. Cameron [of Upper Canada], 'when the other Provinces hold a majority of thirty against here in the Lower, and fifty-two in the Upper Chamber?' Then Mr. Dorion cries out for poor Lower Canada. Then comes New Brunswick, Nova Scotia and Prince Edward Island. Let us say, 'away with such unworthy suspicions, they should not be held by liberal and enlightened men.' As I said before, such a case has never occurred in the history of nations, and is it not monstrous⁸ doctrine to pretend that it could ever occur with us in this age of reason? But the weapon which has been wielded with greatest success in setting our people against Confederation has been the cry of taxation."

PEI Legislative Assembly Debates, 25 March 1865, pg. 47.

TAXATION AND TARIFFS

"...surely, if the farmers of Upper Canada are willing to be taxed by their local boards, we, in this Island, are not going to begrudge⁹ their right to do so. It will be a long time, I dare say, before we will follow their example, and tax ourselves for local works as they do; but I would observe, it must be very obvious to those who choose to understand, that if people of Upper Canada have already heavily taxed themselves by their local boards, they are sure to send representatives into Parliament, pledged to economy, who will unite with the other Provinces to keep down any profuse expenditure of the public funds."

PEI Legislative Assembly Debates, 25 March 1865, pg. 47.

"I believe that many of our people do not rightly comprehend the meaning or bearing of the term Tariff.¹⁰ Some of them fancy that a Tariff is a direct tax, somewhat like our land tax, and quite as objectionable. Others again proclaim that if we go into the Union and the Tariff be increased five per cent, we must necessarily pay on-twentieth more for the articles of ordinary consumption than we now do. I will show the fallacy¹¹ of this. We are not a rich people, but those

⁶ Dark surmisings = worries

⁷ Enunciated = expressed

⁸ Monstrous = terrible

⁹ Begrudge = reluctantly give up

¹⁰ Tariff = a tax on imports or exports

¹¹ Fallacy = a lie

among us who can afford to purchase expensive articles of foreign manufacture, such as English carriages, harness, saddlery, silks, velvets, jewelry, broadcloths, and expensive wines, surely they should not object to pay one shilling in the pound more for these articles than they now do. But it is the bulk of the people with whose interested I would deal, and I maintain that, under the Canadian Tariff, we can have the articles of ordinary consumption at as low a rate as they are now sold for in Charlottetown; but before proving this I will quite, as germane¹² to the subject, a statement made in Halifax before a very large meeting, at which numbers of the wealthiest merchants were present, and we now how strongly many of them are opposed to Union. One of them alone, it is currently reported, has subscribed one thousand pounds to state a newspaper to help to write Confederation down! I am told that the mercantile establishment with which the gentleman referred to is connected, supplies many of the small dealers in this Island, and clears some sixteen or twenty thousands pounds a year by their transactions. No wonder such influences are brought to deceive our people."

PEI Legislative Assembly Debates, 25 March 1865, pgs. 47–48.

"It was only a short time ago since I was under the impression that, under the tariff of Canada, Tea and Sugar would be a trifle¹³ dearer¹⁴ than we now have them in Charlottetown, because these are some thousand miles further for the place of transit of these articles, but I find I was mistaken, and that they can be sold as low under the tariff of Canada as under our own; hence I maintain, if the people were truthfully informed, that they would see that it is clear as the sun at noonday, that if we become the consumers, duty free, of the various manufactures of four millions of people, possessing abundance of water-power, raw material and steadily increasing markets, the great bulk of the population of this Island could dispense with the consumption of dutiable¹⁵ articles, with the exception of tea, sugar, and molasses, the prices of which, I have shown, are not higher under the Canadian than our own tariff."

PEI Legislative Assembly Debates, 25 March 1865, pg. 48.

DEFENCE

"Mr. Speaker, we may rest assured that, in Confederation, or out of Confederation, the people of Great Britain will take care that they will not, in future, pay more towards the defence of these Colonies than what recollection of their past, and anticipation of their future, may satisfy them is right and just; and, Sir, if we prefer to remain outside the proposed Confederation, we will be under the necessity which must, sooner or later arrive, of taxing ourselves pretty heavily for this object of defence. The arms alone which we would require for the equipment of our sixteen thousand men would cost some eighty thousand pounds sterling, and material many thousands additional. The annual five days' drill of the Militia would be a heavy charge on the Treasury and individuals. Now, if we were in Confederation the General Government would furnish arms and material, and grant us an annual allowance for maintenance, &c.¹⁶ Again, all who are at all conversant with military matters know that there can be but one arm, one executive, as it were, to work where military matters are concerned; but, if our people prefer it, they will find out that it is no small matter. Yet it must be done in some shape. A few years ago we were in the presence of a neighbour with a standing army of eight thousand, now they have seven hundred thousand..."

"Yes, Mr. Speaker, federation or annexation is what we must regard as our future. And I would ask, have we considered the alternative? Do we imagine that it is remote, something to be thought upon at a future day? Already the warning notes have been sounded, and what steps have these Provinces taken to meet the reality! We know that the feeling in England has been, until very

¹² Germane = relevant to the subject under consideration

¹³ Trifle = little

¹⁴ Dearer = more expensive

¹⁵ Dutiable articles = goods that have tariffs

¹⁶ &c = etcetera

lately, most strongly excited against us, but since this question of Confederation has been agitated a more kindly spirit has been evoked, because, in Confederation, the Mother Country sees at length aroused a disposition heretofore¹⁷ dormant,¹⁸ an awakening to a sense of the duty we owe to ourselves and our posterity, and a determination on our part to unite as one people against the coming storm: and in this case they have promised to stand by us, but I know very little of the people of England, if we do not, before many weeks, hear that the late action of the people of New Brunswick has revived all the old distrust. If we are not, now, true to ourselves, in this great crisis. We may rest assured that England will not send a man to help us in our hour of need. We will find, to our cost that, on the very first outbreak, the Stars and Stripes will wave over us; what then will be the position in which our folly will have placed us!"

PEI Legislative Assembly Debates, 25 March 1865, pgs. 48–49.

¹⁷ Heretofore = previously

¹⁸ Dormant = asleep



Joseph Hensley in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Joseph Hensley was born on 12 June 1824 in Tottenham, England, to Charles Hensley and Louisa Margaretta—a naval family. He was the second son in a family of ten and received good education both privately and at Hackney Grammar School. The family moved to Prince Edward Island in 1841 and his father soon became part of the colony’s small group of elites as a successful landowner and businessman. Joseph subsequently studied law and was called to the bar in 1847. He went to marry his law mentor’s only daughter, Anne Dover Hodgson, in Charlottetown in 1853.

Hensley could have become a member of the Island’s “Family Compact,” but chose to follow the Reformers led by George Coles when entering politics in 1851 as Solicitor General, despite lacking a seat in either of the colony’s legislatures. In 1853, he was appointed to the Legislative Council, where his father also held political office and became Attorney General in Coles’s second government.

Hensley’s political career then temporarily took an unusual twist. He resigned from the Legislative Council in 1858 to run for the 3rd District of Kings’ seat for the Legislative Assembly, but lost. In 1860, the Tories then appointed him to a commission and his subsequent political career benefit from being identified as one of the few lawyers in the colony who held the confidence of the tenantry.

He returned to politics the following year and quickly rose in political prominence. Winning a by-election in the solidly liberal 1st District of Kings, he subsequently regained his position as Coles’s Attorney General. By 1868, Coles was the leader of the government in the Assembly and, when religious sectionalism forced Coles to resign, Hensley succeeded him as Premier in 1868.

As Premier, Hensley opposed Confederation with the new Dominion of Canada. He continued to use the Land Purchase Act of 1853 to buy out willing proprietors and lobbied the British government for additional loans to buyout the leasehold system. In this time of extreme religious sensitivity, he tried to reconcile the Catholic and Protestant parts of his party. These efforts were unsuccessful and after less than a year as Premier, Hensley was appointed assistant judge of the Supreme Court of Prince Edward Island and vice-chancellor in the Court of Chancery.

Hensley continued as a judge for the next quarter century. He also became the President of the Bank of Prince Edward Island, which failed in 1881. As he grew older, Hensley moved to England for health reasons but died in New York in 1894.

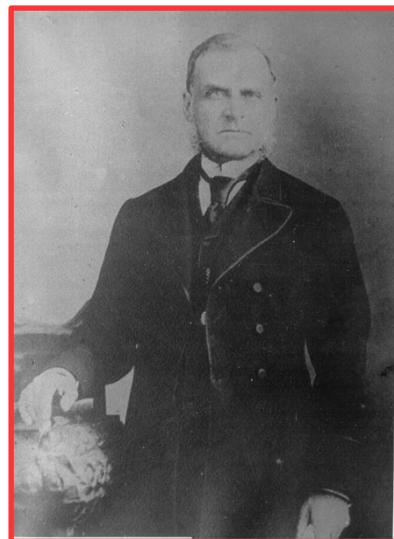


Image held by Prince Edward Island Archives.



Primary Source: Joseph Hensley's Views on Confederation

When Prince Edward Island's legislatures debated Confederation between 1864 and 1865, Joseph Hensley said the following points:

SUMMARY STATEMENTS

"I believe that the fact is that the Canadians finding a general Union of the Colonies would be of service to themselves, send Delegates here with the view of commanding¹ their project to the favorable consideration of the Legislatures of the Lower Provinces,² and I do not blame them for doing so. The terms of the Report before us are, in my opinion, very unfavorable to this Island."

PEI Legislative Assembly Debates, 27 March 1865, pg. 50.

REPRESENTATION BY POPULATION AND PRINCE EDWARD ISLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"When Dr. Tupper in Nova Scotia urged that union with Canada was not desirable, on the ground that his country would not have an equal number of Representatives in the Legislature, I would have liked to have asked him whether Nova Scotia or New Brunswick would be prepared to admit us to an equal voice in the deliberations of the associate Lower Colonies.³ Although the union between Upper and Lower Canada was arranged on the basis of each Colony having an equal number of Representatives, it is now sought by the latter to regulate representation according to population. In view of this fact, what guarantee have we that, after having cast in our lot with our neighbors on the principle of numerical equality of representation we may not thereafter have that principle abrogated?"⁴

PEI Legislative Assembly Debates, 18 April 1864, pg. 39.

"A question of this magnitude should be approached free from political or party bias. When the matter of Confederation was under discussion last Session the idea was express, and very generally acquiesced in, that united with only the Maritime Provinces, we would be absorbed, and quotations from speeches of Provincial Secretary of Nova Scotia, and others, as to the absorption of that Province in case of Union with Canada were adduced⁵ to warrant the opinion. Well, Sir, if such would probably be the effect of our connection with Nova Scotia and New Brunswick, I can

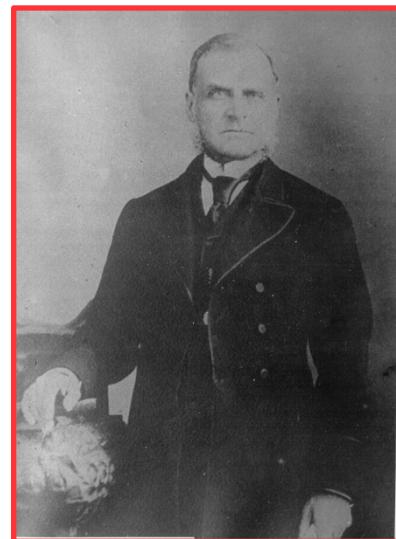


Image held by Prince Edward Island Archives.

¹ Commanding = trusting

² Lower Provinces = Maritime provinces

³ Lower Colonies = Maritime provinces

⁴ Abrogated = cancelled

⁵ Adduced = cited as evidence

only come to the conclusion that we would be entirely swamped if we cast in our great lot with Canada. No doubt the idea of forming part of a great country is very captivating, if we really were a separate and solitary people; but, I cannot recognize its force in our case when I call to mind that we are part and parcel of the great British Empire."

PEI Legislative Assembly Debates, 27 March 1865, pg. 50.

"On the scale of representation proposed, we would be without the slightest influence, we would be without the slightest influence in the United Parliament. It is true, that if we went into the proposed Union, we would have no right to expect a large number of representatives as either of the Lower Provinces, but then, if, or why should we throw away our independence which we now enjoy?"

PEI Legislative Assembly Debates, 27 March 1865, pg. 50.

TRADE

"There would, of necessity, be an increased tariff under the Union, and before I can admit the force of the argument that Canada and New Brunswick will supply us with boots, shoes, and spirits, and other articles of manufacture and at a lower rate than we can get at the present, I should like to be satisfied, as to their present ability, to supply themselves with those articles. Such returns of importations into these two Provinces, for the year 1863, as we have before us, seem to me rather to indicate an entirely different state of things in that respect. Now, Mr. Speaker, if the people of those two Colonies cannot, with a high protective tariff,⁶ furnish the articles I have specified in quantities sufficient for their own requirements, it is not to be supposed that they can supply them to us. Our chief, because most advantageous, trade is with the United States and Great Britain, and as long as we shall find it to our advantages that it should be so, it will naturally seek these channels; and if we come under the influence of a higher Tariff we shall be taxing our best customers and crippling our most profitable channels for commercial interchange.⁷ I cannot think that Great Britain will look favorably on a scheme which, so far, as these Lower Colonies are concerned, who will have the effect of placing heavier duties on the importation of her manufactured goods."

PEI Legislative Assembly Debates, 27 March 1865, pg. 50.

DEFENCE

"Without offering any observations upon the probable consequences to the Island of cessation of the civil war which has so long raged in the States, I see no special reason to apprehend⁸ a successful invasion of the Colony by the disengaged forces of the Republic. That subject, I am, however, willing to leave to the more qualified judgement of the hon. Leader of the Government and the Speaker, who are both military men. The extensive land frontier of Canada justified the Imperial authorities in urging upon its Government the propriety and necessity of that great dependency taking measures for its own protection against hostile incursions, but nothing has yet transpired as far as my knowledge extends, which is indicative of any intention on the part of the Mother country to abandon her Colonial possessions. The naval power of Great Britain is our best protection, and I believe that it would be as available in our defense as ever."

⁶ Tariff = a tax on imports or exports

⁷ Commercial interchange = trade

⁸ Apprehend = stop

PEI Legislative Assembly Debates, 18 April 1864, pg. 38.

“...But one of the principal points to which I did not refer last night was military defences. The argument advanced on this feature of the subject by those favorable of Union is that, in order to prepare for efficient military defence we require a central power. As long as we contribute our quota of men and mean, and the other Provinces do the same, I consider it would be quite as efficient as method of providing for defence as any organization into which we would enter. We are told that the General Government would take control of the general revenue and provide naval and military forces. In the event of war with the United States, however, we know full well that there will be no chance of success without the aid of Great Britain, and it is difficult to understand how Confederation would increase our ability of resistance. By late papers I observe that Colonial Minister, Mr. Cardwell, has introduced a bill into the Imperial Parliament providing for a Colonial naval force to be supported by Colonial funds, but to be at the command of the Imperial authorities. It was laid down in regard to the measure that commissions could not be granted by Colonial authorities; they must be issued by the Imperial Government to be valid. If this plan can be pursued in naval affairs why may not a similar scheme be adopted in military matters? All preparations for defence must be arranged under the superintendence of the Imperial Government, and under British commissioned officers; and since this is the case it is doubtful whether a central Colonial Government would be any advantage. We do not wish to shrink from our duty in regard to defence as subjects of the British Empire. Disagreeable as it might be to be taken away to fight in the neighboring Provinces, still if the order should come it is not at all probable that we would refuse. Whence the necessity of merging all Legislatures together to have a central power when we are already all organized under the Imperial Government of Great Britain? Another portion of the Report to which I object is that which provides that the expense of railways and canals connecting two Provinces shall be equally borne by all the Colonies. It was said by Mr. Galt the other day in Canada that it was necessary all their railways should have an outlet to the sea. This is what he terms a geographical necessity; but I do not think that this Island would benefit by these works. We have the same geographical necessity in the winter season that Canada has; our case is even worse, for we are surrounded by ice, and there is little prospect that anything can be done to improve our position, unless indeed we obtain steam communication over the Straits during the winter, as suggested by one of the delegates the other night. The intercolonial railway will confer very few commercial advantages on this Island. It will no doubt afford facilities for travelling; but its benefits to us will not compensate for the amount which we would have to contribute toward it by the terms of the Report. In view, then, of the nature of the Report, I am prepared to support the resolution submitted by the hon Leader of the Government. I do not say that I would be opposed to Union on any terms; but I think that such terms as are contained in this Report are very unfair to this Colony. If agreed to I consider that the interests of the Island would be altogether sacrificed. Our taxation would be greatly increased without corresponding advantages. Some maintain that we should not be alarmed at taxes; they would be no burden providing we had additional scope for trade. But what more scope do we require, as we have already facilities for commerce as extended as the bounds of the British Empire?”

PEI Legislative Assembly Debates, 27 March 1865, pg. 50.

SECTION 1: NEWFOUNDLAND AND LABRADOR

Charles James Fox Bennett in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Born in 1793, Charles James Fox Bennett was born in England and came to St. John’s in 1808—likely working as a clerk. Charles and his elder brother Thomas subsequently operated the C. F. Bennett and Company that engaged in general trade. Their business thrived, and Bennett was elected president of the Chamber of Commerce in 1836. Charles Bennett believed that Newfoundland had unexplored economic potential and invested in mining, agriculture, and fishing.

In 1842, Bennett announced his candidacy for St. John’s in the Amalgamated Legislature but, on the advice of Governor Sir John Harvey, instead ran for a seat in the Legislative Council. Bennett was a member of the Conservatives and, in 1846, he voted against resolutions for responsible government. Bennett lost his seat in 1848, but received a position in the Executive Council in 1850. In this latter office, he continued to passionately oppose responsible government, claiming that it would allow Newfoundland Catholics to consolidate their interests. As a staunch Anglican, Bennett found this possibility unacceptable, and he instead advocated for Anglican separate school rights. Bennett and his allies ultimately lost their battle against responsible government, which was granted to the colony in 1854. In the years that immediately followed, Bennett suffered for his outspoken opposition to responsible government. He lost his seat in the Legislative Council, and refocused on his business affairs.

Bennett subsequently returned to the political spotlight when the Quebec resolutions were published in St. John’s. Between 1864 and 1865, Bennett wrote a series of letters opposing the proposed terms of union, asserting that Canadian tariffs would damage Newfoundland’s trade. He also claimed that the new country would conscript Newfoundlanders to protect Canada’s mainland boundaries. Finding the union abhorrent, he even suggested returning to crown colony status over joining Canada. When Premier F. B. T. Carter announced the 1869 general election, Bennett used the summer to emerge as the leading anti-Confederate, purchasing the *Morning Chronicle* to spread his views. In these editorials, he persuaded many Newfoundlanders to believe that prosperous times were ahead and that they could remain independent without suffering financial consequences if they carefully managed their fishing, mineral and land resources. In fall of 1869, Bennett was elected for the Catholic district of Placentia-St. Mary’s and, in February of 1870, became Newfoundland’s premier.

The economic prosperity that Newfoundland experienced in the late 1860s allowed Bennett to reduce taxes, avoid borrowing and increase expenditure, which all worked to undermine the pro-Confederation position. Bennett’s policies were progressive, but his Anti-Confederate Party was a loose alliance, held together by their resistance to union. This alliance ultimately collapsed and Bennett resigned as Premier in 1874.

Once again out of public office, Bennett refocused on his businesses. He died in St. John’s in December 1883.



Image held by Library and Archives Canada.



Charles James Fox Bennett's Views on Confederation

Although Charles Bennett did not sit in Newfoundland's legislatures when the colony debate Confederation during the late 1860s, his newspaper, the Morning Chronicle, printed the editorial reproduced in nearly every one of its issues during the two months that preceded the 1869 election.

NO CONFEDERATION !

Reduced (not Increased) Taxation !!

Let us keep our Fisheries to Ourselves ! – Let us keep our Lands,
Mines and Minerals to Ourselves !! – Let us keep Our Revenue to Ourselves !!!
Newfoundland for the Newfoundlanders.

NO REWARDS FOR TRAITORS.

No Militia Laws for Our Young Men

NO DRAFTING FOR OUR SAILORS.

Let us Stick to our Old Mother Country, Great Britain, the TRUE Land of The Brave and Home of the Free! !

LET US NEVER CHANGE THE UNION JACK¹ FOR THE CANADIAN BEAVER !!

NEVER GIVE TO CANADA THE RIGHT OF TAXING US.

WHAT IS CONFEDERATION?

It is Taxation without limit upon our imports, our Exports, and upon all kinds of property, to be levied—not by our own people, but—by Canadians, residing more than a thousand miles from us, and who know nothing of our resources or requirements, and care less.

It is the giving up of all control over our valuable Fisheries, vesting² the management of them in the hands of the Canadians to be disposed of as they deem proper.

It is the giving up to Canada all our Lands, our Timber, our Mines and our Minerals, for a paltry³ and insufficient consideration.

It is the sending of our Revenue to Canada to aid people of that country in paying the interest of their Debt, in building Railroads,



Image held by Library and Archives Canada.

¹ Union Jack = the British flag, which was also used by Newfoundland and Labrador at the time

² Vesting = entrusting

³ Paltry = meager

Canals, and other Public Works,⁴ from which Newfoundland can drive no benefit. We should spend our money amongst ourselves, in giving employment to our people, in the making and repairing of our own roads, and other necessary improvements.

It is the appointment of Canadians to our public offices, instead of the people of the country.

It is the giving good fat berths⁵ to a few Lawyers and many loafers,⁶ who have by their bad Governments brought the people to the verge of starvation, and their children to nakedness and want.

It is the giving of fat offices, under the Canadian Government, to those who are endeavoring to sell the country and its people.

Under the Canadian Government the young men of the country will be subject to the Militia Laws of the Dominion, and our young Fishermen will be pressed to man their Ships of War.

It is the serving of our connection with Great Britain—the strongest, the most prosperous and most generous nation in the world. And for what? To join an incongruous⁷ and hybrid people, in whom we have no interests whatever, and never can have.

Under Confederation our shipping would have to hand down the proud old British Ensign⁸, and sail under the hybrid flag of Canada.

If the people of this Colony join the Dominion, they give to Canada the power of taxing them “by all and every mode or system of taxation.” [These are the words of the Act of Union.] Will our people consent to this?

Let it be understood that the ANTI-CONFEDERATES of the country are strong and mean to contest every District. Messrs.⁹ C. F. BENNETT, WALTER GRIEVE, and other Gentlemen, have been North and will shortly visit the South and Western Districts. Let the people make no promises until they hear what these gentlemen have to say on the subject.

The Elections will be held November 13th next and the people should remember that if the measure of Confederation be carried, they can NEVER afterwards retrace the step they take. If we go into Confederation, we go in not for one, ten, or a hundred years, but—FOREVER! No matter to what extent we may be taxed—once in we must stay.

It is the duty therefore of ever man to consider this matter carefully. If he values his liberty he will vote with the Anti-Confederates, against Increased Taxes and Irresponsible Government.

The price fixed by the Confederates on the people is four schillings per head—the price of a sheepskin—at which price they have offered to sell them to Canada. Are our people willing to be sold, with their Lands and Privilege of Self-Government, like the Negro or Russian serf, to their inferior neighbours the unprincipled and reckless political gamblers who conduct the government of Canada, and who have within the last ten years increased the debt of that country from Fifteen to One Hundred Millions of Dollars?

Are the[y] willing that any portion of their Revenue should be sent to Canada to be spent in that country, when it is so badly wanted here to feed our own poor, to provide for Education and our present half paid schoolmasters, to make and repair our own Roads and to encourage our own Agriculture? Let those who pay the taxes, our Fishermen and Planters, decide this question—for it

⁴ Public works = construction completed and owned by the government

⁵ Fat berths = exorbitant amounts of money

⁶ Loafers = lazy people

⁷ Incongruous = incompatible

⁸ British Ensign = British flag (the Union Jack)

⁹ Messrs. = masters

is the Fish which the fishermen catch and the planters cure that pay all the Taxes, and not the Lawyers and those other bloodsuckers who have been so long living and fattening on the vitals of the people. Their interest lies in completing the bargain sought to be made, so that they may pocket the price to be paid for them for their perfidy.¹⁰

Let the Electors remember the fact that should we go into Confederation, the act of Union gives the privilege to the Dominion Governments to alter any stipulations they may have made with us and the other Provinces; and that however disadvantageous those arrangements may be, we shall not have the power of releasing ourselves from them. Once is, as we before said, we are in for ever.

At this time there is scarcely one individual among us who cannot exercise some influence over the taxation, its approbation¹¹ and other Legislative affairs of the Colony, but when our Legislature has gone from us, and we are ruled by the Canadian Parliament let the people ask themselves what influence the most influential man among them could exercise over the Parliament of Canada, and what chance any Newfoundland would have of filling any public office in it.

¹⁰ Perfidy = deceitfulness

¹¹ Approbation = approval or praise



Joseph “Joey” Smallwood in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Born in 1900, Joseph “Joey” Roberts Smallwood is considered by some to be the “Last Father of Confederation.” After enrolling in local schools and enrolling for a time as a boarder at Bishop Field College, Smallwood worked as a journalist, writing mainly for left wing publications and publicly identifying himself as a socialist. He subsequently moved to New York, he wrote for a series of left-wing dailies, as well as *The New York Times*.

In 1926, upon returning to Newfoundland, Smallwood founded the *Humber Herald* and entered politics as a campaign manager for Sir Richard Squires in 1928. His first attempt to win office failed in 1932. He ran a pig farm near the American air base at Gander Newfoundland, and was then elected to the 1946 National Convention as a delegate for Newfoundland’s Bonavista Centre.

Smallwood soon dominated the National Convention debates by lobbying hard for Confederation. Smallwood believed that union with Canada would create the economic prosperity and bring social welfare and public services to Newfoundland. His frequent domination of the National Convention’s debates drew the ire of St. John’s merchants, who claimed Smallwood was betraying Newfoundland’s independence.

After the convention’s first delegation to Ottawa—which went to Ottawa in 1947—Smallwood ensured that the option to join Canada as a tenth province was included in a referendum that also included options to maintain Newfoundland’s governance under the Commission of Government as well as a return to responsible government.

Beginning on 21 February 1948, Smallwood worked as the campaign manager for the Confederate Association and edited the association’s newspaper: *The Confederate*. The association promised that joining Canada would bring employment insurance, family allowances (also known as the “baby bonus”), stronger pensions, and a lower cost of living to the colony. Smallwood and the Confederation cause won the second of two referenda on 22 July 22 1948. Given his leadership of the Confederation cause, his inclusion in the final delegation to negotiate the terms of union with Canada was a forgone conclusion.

On 1 April 1949, Smallwood was appointed as the premier of Newfoundland’s interim provincial government. He was subsequently elected the leader of the Liberal Party and the party won its first election in May of 1949. He would not be seriously challenged as premier for the next two decades. During his nearly 23 years in power, his government improved roads and social services in Newfoundland and Labrador. Smallwood also tried to promote industrialization by seeking foreign investment. It largely failed at accomplishing this latter goal, and his increasingly autocratic control of Newfoundland’s politics drew the ire of many rivals. He resigned as Liberal leader in 1972 and, after a couple of failed attempts to regain his leadership of politics in Newfoundland, he retired from politics in 1977. He later became an author of several books, and passed away in St. John’s just days before turning 91.



Image held by Library and Archives Canada.



Joseph "Joey" Smallwood's Views on Confederation

When Newfoundland and Labrador's National Convention debated Confederation between 1946 and 1948, Joey Smallwood said the following points:

SUMMARY STATEMENTS

"For the people of Newfoundland these confederation terms would mean a happier land, a land of hope and progress. The people would come at last into their own. For the country in general, these terms would mean hitching Newfoundland's wagon to the rising, shining star that we call the great British nation of Canada. It would mean linking our own dear Newfoundland to the third largest land in the world—a land where the common people get a break, where they get a decent chance to live and rear their families. For Newfoundland these terms mean security and political freedom. I support them with all my heart. I commend them to my fellow Newfoundlanders for their serious and solemn consideration. God guard thee Newfoundland."

National Convention, 14 January 1948, pg. 1187.

"We can, of course, persist in isolation, a dot on the shore of North America, the Funks¹ of the North American continent, struggling vainly to support ourselves and our greatly expanded public services. Reminded continually by radio, movie and visitor of greatly higher standards of living across the Gulf, we can shrug incredulously or dope ourselves into the hopeless belief that such things are not for us. By our isolation from the throbbing vitality and expansion of the continent we have been left far behind in the march of time, the 'sport of historic misfortune,' the 'Cinderella of the Empire.' Our choice now is to continue in blighting² isolation or seize the opportunity that may beckon us to the wider horizons and higher standards of unity with the progressive mainland of America.

"Confederation I will support if it means a lower cost of living for our people. Confederation I will support if it means a higher standard of life for our people. Confederation I will support if it means strength, stability and security for Newfoundland. I will support confederation if it gives us democratic government. I will support confederation if it rids us of Commission government. I will support confederation if it gives us responsible government under conditions that will give responsible government a real chance to succeed. Confederation I will support if it makes us a province enjoying privileges and rights no lower than any other province."

National Convention, 28 October 1946, pg. 95.

"Sir, you could bring Winston Churchill and Ernest Bevin and Herbert Morrison to Newfoundland, and along with them Mackenzie King and Franklin D. Roosevelt if he were alive,



Image held by Library and Archives Canada.

¹ the Funks = a depressed area

² Blighting = sickening

and Lloyd George³ too if he were alive, and you could put those men at the head of affairs in Newfoundland. They could do their best, and their best would not be good enough. They would fail. They would be licked⁴ before they started, because it's impossible to make things right for the people of this country so long as we hold out stubbornly against the one thing that can make a prosperous Newfoundland really possible. They would fail so long as they tried to run Newfoundland as a separate independent country pretending that it was a nation. They would fail so long as they failed to link Newfoundland onto a much greater, at much larger, a much more stable unit."

National Convention, 14 January 1948, pg. 1181.

RESPONSIBLE GOVERNMENT

"The general principle of responsible government is plain and simple. If a British colony is self-supporting,⁵ then it's entitled to responsible government if it wants it. But the very fact that a British colony has responsible government is taken as meaning that it is not entitled to financial help from the British government. If the colony gets financial help from the British government it has to give up responsible government, because no colony is supposed to have responsible government unless and until it is fully self-supporting: and if it is fully self-supporting then it does not need financial help from the British government. Financial help and responsible government are like oil and water—they just don't mix, and so it is not surprising that the British government tells us that you can have responsible government if the people vote for it, but if you have it don't count on financial help from us."

National Convention, 19 May 1947, pg. 537.

"Sir, I am against responsible government coming back to Newfoundland. In principle, I think responsible government is right, but in practice, I think it is wrong. I think if we went back to responsible government we would bring misery and suffering on our people. I think it would be a terrible gamble to take. When I say that responsible government is all right in principle,⁶ I mean that all people should have the right of self-government, all people should have power over the government—the power to elect it, and the power to put them out if they don't do right. But when I say that responsible government is all wrong in practice, what I mean is that I see no chance whatever that responsible government would be any better for us than it was those last 20 years that we had it."

National Convention, 19 January 1948, pg. 1245.

PROSPERITY

"Major Cashin says if we go into confederation, within three years our surplus will all be gone. No, it will not. It will not be gone within twice three years. But let me ask this question: if we do not go into confederation, how long will the surplus last? And especially, how long will it last if we should get the kind of government that the majority in this Convention want to get?..."

"Major Cashin tells us that under confederation if the people want work they will have to get out of the country to get it. What he forgot to tell us is where the people will get work if we do not have confederation. We have not got confederation now, but we have got 15,000-20,000 people on

³ Winston Churchill, Ernest Bevin and Herbert Morrison, Mackenzie King, Franklin D. Roosevelt = British, Canadian and American Prime Ministers, leading politicians and Presidents who were all considered successful.

⁴ Licked = beaten

⁵ Self-supporting = a colony that can raise enough tax revenues to pay for its government and public services (ex. road construction, schools)

⁶ In principle = a good idea

the dole.⁷ We have many hundreds of veterans of the late war⁸ out of work. Without confederation, where will these men get jobs? Major Cashin forgot to tell us. He tells us that with confederation they have to go out of the country to find jobs, but what our thousands of unemployed men would like to know is, where they are going to find jobs if we do not have confederation?”

National Convention, 28 January 1948, pgs. 1141–1142.

“Canada today is one of the two or three countries in the whole world that has a stable and sound economy. Her banking system is the soundest in the world. Her insurance companies are, to say the least, as sound as any in the world. Her industries are booming, her trade is increasing every day, employment is growing every day.”

National Convention, 14 January 1948, pg. 1167.

“The answer is this: at the very time that Newfoundland went on the rocks the Province of Saskatchewan also went broke, just about as badly as this country did. Newfoundland, as we all know, lost self-government because we went broke. Great Britain stepped in and took our government from us. In Saskatchewan the Government of Canada loaned the Government of Saskatchewan I think \$90 million. That was in the depression days of 1929–31. This year, in 1947, the federal government made a deal with Saskatchewan... They signed a deal giving them some 20-odd years to pay half of it, and the other half the federal government has forgiven altogether...⁹ Saskatchewan came out of it very well, and they did not lose their government as we did.”

National Convention, 20 October 1947, pg. 619.

“If we don’t get confederation, if our transportation system is not taken over by the Canadian National Railways, then hundreds of railroaders are doomed to layoffs and wage cuts. Confederation is their only hope of security, stability, steady wages and expanding opportunities.”

National Convention, 13 January 1948, pg. 1155.

THE PROMISE OF THE CANADIAN WELFARE STATE

“The first is clear enough. Special grant of \$3.5 million a year for the first three years; after that dropping by 10% each year. I would ask you to note why that grant is offered. It is in order to facilitate the adjustment of Newfoundland to the status of a province and to facilitate the development by Newfoundland of revenue producing services... But it is the next clause that is really important, because as they say there, it is a difficult thing to foretell with enough accuracy just what the financial consequences would be to Newfoundland in adjusting herself to the status of a province of Canada. So these subsidies¹⁰ offered, including the \$3.5 million may or may not be enough. Therefore the Government of Canada... says within eight years of our becoming a province they would appoint a royal commission¹¹ to review our financial position as it appeared at that time. In doing that, the royal commission would be bound to take two things into account in deciding whether we need a bigger subsidy or not. It would have to take into account whether the province at that time was taking in enough to pay its way — taking it in two cases, first, subsidies from the Government of Canada and taxes on the people of Newfoundland. Was it breaking even? Was it paying its way? Was it balancing its budget? Was the Government of Newfoundland getting enough subsidy to enable it to keep up its services to the public? And

⁷ The dole = welfare

⁸ The late war = the Second World War

⁹ Altogether = entirely

¹⁰ Subsidies = money paid each year by the federal government to Newfoundland and Labrador's provincial government

¹¹ Royal commission = a group of experts, appointed by a government, to study a problem and make recommendations on how to solve it

secondly, they have to have a yardstick¹² to measure that by, and the yardstick is the rate of provincial taxation in the Maritime Provinces, those provinces being most nearly similar to the conditions in Newfoundland. These would be the yardstick. However, it is agreed here that the Government of Canada in deciding whether to give more subsidy or not, and if so how much, would have to take into account what we were doing for ourselves; were we collecting a fair amount of taxes?... The yardstick is how would taxation in Newfoundland six or seven years from now compare with taxation in the Maritime Provinces. That is not all. They do not say you have to have the same burden of taxation in Newfoundland as in the Maritime Provinces. What they say is, having regard to your ability to pay..."

National Convention, 27 November 1947, pgs. 878–879.

"I will give Mr. Butt [another member of the National Convention] his point, I will keep him a bit ahead. If he wants to content himself to believe that even proportionately the Government of Newfoundland provides public services to the people of Newfoundland as Canada does for her people, he is entirely welcome to believe it. If he thinks for a moment that the people of Newfoundland will believe it, then he is welcome to his belief. I say now that if he has been in the government civil service for 18 years, for almost twice 18 years I have made a very close study of public and governmental affairs in this country, and I have travelled throughout the length and breadth of this island, and I know what the public services are in Newfoundland. I know what the government does for the people, few know it better, and anyone who is going to set out to persuade me that the Government of Canada does not provide far better and far more public services for its people than our government does for ours is tackling a job that is going to take him a long time to accomplish."

National Convention, 21 November, pg. 809.

"National Health and Welfare. Treatment of sick and injured mariners. We may treat them as citizens, but we have no particular scheme for treating sick and injured mariners in Newfoundland as in Canada. We will find out more about that as we go through these discussions. Food and Drug Standards—we have that. Public Health Engineering—I don't think we have much of that..."

"Oh no, it's more than a big word. Public health engineering means this: a government department that goes into a city or a farm area, or a fishing area, and plans out the actual engineering problems involved in controlling public health, and to prevent all infectious and contagious disease. It is a matter of placing central water supply in places that need it, disposal of sewage, and general public engineering in matters of public health. We have no such department in Newfoundland..."

"I will tell you the service and we will see if the Newfoundland government does for the Newfoundland people what the Canadian government does for the Canadian people. I will not say whether they have got a department, or a division, or a board, or a committee; we will just take the function. It is the Government of Canada that does it..."

National Convention, 21 November 1947, pgs. 808–809.

"In Newfoundland they have to live to be 75 before they get the pension, in Canada 70. In Newfoundland we pay two persons \$30 a quarter between them, in Canada they pay \$30 a month to each of them. What's the difference? The old people in Canada get \$60 a month between them, whereas two old people in Newfoundland get \$10 a month between them. The old couple in Canada are \$50 a month better off than our old couple, and that's \$600 a year."

National Convention, 14 January 1948, pg. 1183.

¹² Yardstick = an example to compare Newfoundland and Labrador to

TRADE

“...If it [Confederation] means anything, it means this, a government that will give us free trade, take off customs duties on things going into basic industry, bring down cost of production and bring down cost of living. That is what that means. The kind of government that will give us free trade and thereby help, not hinder sound development.”

National Convention, 20 November 1947, pg. 798.

“If we become a province of Canada, our trade is going to be different from what it is now and from what it has been in the past, as regards the source of our goods. We have imported in the past from the United Kingdom, from Canada, from the United States and roughly speaking, take the years 1900–1938... on the average this country imported roughly one-third of its goods from each of them. That is in normal times and under normal conditions, Newfoundland having her own customs tariffs¹³ and running her own affairs. Newfoundland as a province becomes an entirely different country from the standpoint of tariffs and consequently from the standpoint of where she buys her goods. With free trade between the mainland and Newfoundland, we will naturally buy from Canada duty free all that we need that she has to spare... If Newfoundland were a province and any importer... bought goods from the United Kingdom or the United States, he would pay the current rate of duty on them, if there was a Canadian rate of duty. If there was no duty, they would come into Newfoundland free of duty.”

National Convention, 2 December 1947, pgs. 935–936.

PROVINCIAL AUTONOMY

“The first point is this: that confederation does not mean that Canada would take Newfoundland over and run it, because Canada is a federal union of nine provinces—Newfoundland would make the tenth. A federal union, wherever it does exist in this world, means only a sharing or dividing of responsibilities and powers; so that confederation would mean that the powers which our government now has would be divided. We would have some powers, and the Government of Canada would have some, and the responsibilities and burdens our government now has would be divided. Our government would carry some of the burdens and the Government of Canada would carry some.”

National Convention, 8 December 1947, pg. 960.

“...from the time we would become part of the Canadian union, we would have the status of a province with all the rights, powers and privileges and responsibilities of a province. That means this: as I see it, Canada is a union of countries called provinces—there are nine of them. If we became a province, there would be ten provinces. Canada is a union of provinces or of countries. Each of these provinces has its own legislature which it elects itself. That House of Assembly or legislature governs the province in all matters that are laid down for it to govern it. The other matters are handled, of course, by the government of the whole union, that is the federal government.”

National Convention, 20 November 1947, pg. 793.

¹³ Tariffs = taxes charged by the government on goods imported into the colony or country

EDUCATION

"There are two points that seemed and seem to be highly desirable in this country today. One point is this: any denomination that has its own schools must be guaranteed the right to have their schools as long as ever they want them to be so; all the rights they have now must be guaranteed to last forever—to have separate denominational schools and to have them paid for out of the public chest...¹⁵ On the other hand, if any two denominations who want to unite their two systems of schools... the right to do that is also in these terms, so that all rights are protected; to stay as they are or to go on to something else. That is left entirely to Newfoundland. The Government of Canada does not want to interfere in the matter."

National Convention, 28 November 1947, pg. 893.

"Major Cashin tells us that confederation would be a threat to our educational system and that we would have non-denominational schools forced on us. Now, nothing said in this Convention since the first day it opened is so untrue as that one. There is not one single word of truth in it, not a syllable, not even a letter of truth in it. It is completely and utterly false, definitely and finally false, wholly and undeniably false. I challenge any man in Newfoundland—do you understand, sir?—any man in Newfoundland to show that our school system, our denominational school system, is in the slightest danger from confederation. I challenge any man in this island to show that all existing rights of all denominations are not absolutely safeguarded and protected under the terms of confederation. I say here and now that no denomination, not one denomination, has the slightest reason for uneasiness on this point. All existing rights have been fully guaranteed and protected, just exactly as they stand today. Any denomination that wishes to go right on with its own separate denominational schools, paid for out of public funds, can do so under confederation, exactly as it can without confederation. Confederation will not make a particle of difference in our school system, and it is false and unworthy and mischievous to say it will, or even hint that it will."

National Convention, 27–28 November 1947, pg. 1142.

NEWFOUNDLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"Newfoundland would be entitled to full representation in the Senate by six senators who are appointed by the Governor-General of Canada for life..."

"In the House of Commons there would be seven members. These are not appointed. They are elected by the people and for that purpose Newfoundland would be divided into seven districts; they will be big districts, of course... If the government of the day in Canada happened to be Conservative, and if at least one man elected from Newfoundland was a Conservative, he would be a member of the cabinet.¹⁶ If the Government of Canada happened to be Liberal, and there was one elected Liberal from Newfoundland, he would be a member of the cabinet. It is an understood thing, it is not in the bond. As Newfoundland is such an important fishing country, the most important fishing country in the Canadian union, Newfoundland would automatically fall in for the job of Minister of Fisheries. I do not expect to be Minister of Fisheries."

National Convention, 27 November 1947, pg. 879.

"The Province of Quebec elects 65 members to the House of Commons. Ontario elects 96. A good many more than the Province of Quebec. Let me tell you something: there was a time when

¹⁵ Public chest = paid from tax revenues

¹⁶ The cabinet is where many of the government's most important decisions are made. It is traditional for every federal government to appoint at least one cabinet minister from every province. Smallwood is stating that this tradition will ensure that Newfoundland will have input into major federal policies.

Quebec was not as big as it is now. At that same time, Ontario was not as big as it is now. What happened?... Quebec was pushed north to the sea as far as she could go; Ontario was pushed north to the ocean as far as it could go. The last thing that can happen is that Quebec can be made bigger, because Ontario controls the government more than does Quebec. Quebec has 65 members whom she elects; Ontario has, I think, 80-odd. Look in the Black Book and you will find the number. If you say Quebec controls the Parliament, why not say Ontario controls it still more? Do you think Ontario is going to sit by and allow Quebec to be made bigger? No. It cannot be done."

National Convention, 20 November 1947, pg. 801.



Peter Cashin in Brief

This summary borrows from the sources listed in the “Additional Resources” section of this mini-unit.

Peter Cashin was born in March 1890. He joined the Newfoundland Regiment in 1915, served overseas during the First World War, and was promoted to Major in command of the British Machine Gun Corp in March of 1918. He returned to Newfoundland after the war and joined his family business.

In 1923, Cashin was elected to the Newfoundland House of Assembly as a Liberal-Labour-Progressive. He subsequently joined the Liberal party in 1925 and served as the Minister of Finance from 1928 to 1932. Cashin was one of the harshest critics of the Newfoundland Commission of Government—an unelected British body that governed Newfoundland from 1934 to 1949—because he believed that Newfoundlanders had a right to self-government.

In 1946, Cashin was elected one of St. John’s West’s three delegates for the National Convention where he emerged as a strong anti-Confederate voice. Preferring a return to Responsible Government, he led this main alternative to Confederation. Despite being an exceptional orator, his quick temper led many of his followers to mistrust his judgement, and Cashin was not able to gather the same sort of following as Joey Smallwood.

After Newfoundland joined Confederation in 1949, Cashin was elected as an Independent to the provincial legislature. He eventually joined the Progressive Conservative Party and served as the Leader of the Opposition until 1953. Thereafter, Cashin retired from politics and served as the Director of Civil Defence for Newfoundland until his retirement in 1965.



Image held by Queen
Elisabeth II Library
Memorial University



Peter Cashin's Views on Confederation

When Newfoundland and Labrador's National Convention debated Confederation between 1946 and 1948, Peter Cashin said the following points:

SUMMARY STATEMENTS

"All I ask you then to do in the present instance, is to watch events develop in the coming two months, then pass your judgement on the statements I make today. Watch in particular the attractive bait which will be held out to lure our country into the Canadian mouse-trap. Listen to the flowery sales talk which will be offered you, telling Newfoundlanders they are a lost people, that our only hope, our only salvation, lies in following a new Moses¹ into the promised land across the Cabot Strait. By the way, I note by recent papers, that there are 30,000 men unemployed in the Maritimes alone. Can it be that things are so wonderful in this Paradise that men don't need to work? Gentlemen, before leaving this matter I would say just this, look out for those amongst us who would take ourselves and our country on a one-way ride."

National Convention, 19 May 1947, pg. 534.



Image held by Queen
Elisabeth II Library
Memorial University

"There is a lot of talk about this affair of submerging² our century-old nationhood with another country, and I expect we shall hear more, much more of it in the future. For the present I merely say this: if Canada is prepared to accept us in confederation, then be assured it is only because she wants something we have, and that she wants it very much. If she wants us, she wants us for her benefit, not for ours. And if she offers us one dollar, you can be certain that she counts on getting two or three of ours in return. Remember this, to any such deal Great Britain must be a party, and so it would all boil down to a clever game between Canada and Great Britain in which they would take the winnings and Newfoundland would be the pawn. As common sense people, I ask you to remember this when you are being deluged³ with the gilded⁴ story of the lovely things Canada is going to do for us, of how grand we will live with two chickens in every pot and every man a millionaire. Let us remember that this is simply a repetition of the siren song⁵ that has lured many an unlucky country to its doom. It is the sugar on the pill, the bait in the trap. Such was the method used in luring us into Commission government and the valley of the dole⁶ in 1933."

National Convention, 3 February 1947, pg. 273.

¹ A reference to Moses, a Biblical figure who led the Israelites out of slavery in Egypt

² Submerging = subordinating

³ Deluged = a great quantity of something arriving at the same time

⁴ Gilded = covered thinly with gold leaf or gold paint to make it appear that an object is more valuable than it may otherwise be

⁵ Siren song = a reference to half-bird and half-woman beings in ancient Greek mythology who sang beautiful songs that lured sailors to their deaths

⁶ Dole = welfare

"The Canadian government knows that if and when we enter union with them, we can never recover our former status. The British government knows this also. Everyone knows the result of investigations by royal commissions in this country, and for that matter in Canada. New arrangements would have to be made so that Newfoundland would be able to carry on. Either the people would have to find additional revenue in the form of direct taxation,⁷ or a deal would have to be made, possibly forced upon us, whereby the 110,000 square miles of our Labrador possession would be mortgaged or taken over on a rental basis by the Canadian federal government or by the French Province of Quebec."

National Convention, 8 January 1948, pg. 1082.

RESPONSIBLE GOVERNMENT

"All of us who have given any thought to the matter, all of us who have approached the question in a spirit of sincerity and patriotism, will realise that once we get the control of our own affairs, the financial and economic doors of the world will be open to us. But without self-government, all doors but one will close in our faces. And if we enter that one door, which Heaven forbid, it will clang behind us with the awful finality of the prison portals which closes behind him who has said goodbye to freedom forever. Whether Newfoundland enters that dungeon cell to serve a life sentence, or whether she takes her place as a proud dominion amongst the free peoples of the world, is for our people to say. And knowing them as I do, I am convinced that we can safely leave the final verdict in their hands."

National Convention, 21 January 1948, pg. 1290.

"We, the people of Newfoundland, are told that the Dominions Office will not allow us to make any attempt to better our national conditions by opening negotiations with the United States. When the people of this country, through their appointed representatives are prevented from exercising the ordinary freedom of bargaining with another country, what name are we to put on this sort of thing? Could there ever be presented to us a stronger justification for having control of our own country? Imagine the position, if the British government tried to prevent Canada or Australia or any other colony or dominion from doing business with the United States. Would not the thing be regarded as so outrageous and improper."

National Convention, 26 February 1947, pg. 313.

"If we are to unite with Canada, we must do it like men who believe we have something to contribute to the partnership and, mind you, we have confederation if the people of this country say so, and *only if they say so*. How may they say so? I submit there is only one way, and that is under section 146 of the BNA Act⁸ and the doctrine of mandate and that is embodied in the truth that Parliament ought not to adopt any far-reaching measure without a mandate from the country. But you say, 'We have no parliament.' Ah yes, we have, for as soon as our constitution comes out of its state of suspended animation, the voice of the people can be heard on the issue... The process of entering into federal union is clear cut. First you have to have two self-governing entities; second they must have much in common, and each must have something to offer the other. One may be wealthy, but lacking something which she needs and which the other, who may not be so wealthy, possesses. Third, the people of both countries must be made duly aware of the situation. In the fourth place, the people of both countries must authorise their respective governments to explore the possibilities of a fair partnership. Fifth, each government must then report back to its people and get their final approval, by way of the referendum or otherwise.

⁷ Direct taxation = property taxes

⁸ Section 146 of the British North America Act (Canada's Constitution) stated that Newfoundland's legislature needed to ask to join Confederation. Here, Cashin is suggesting that Newfoundland and Labrador need to have responsible government before it would even be legal for its citizens to consider joining Canada.

There is no other way, except by coercion⁹ or trickery. Either of these latter methods is likely to prove disastrous. Witness the case of PEI, a separate geographical unit like ourselves, whose prime minister, 72 years after union with Canada, publicly declared a few years ago, ‘The real trouble is, we shouldn’t be part of Canada at all.’”

National Convention, 26 February 1947, pgs. 318–319.

“To me, an open mind is like an open mouth. It catches all sorts of flies, and the owner sometimes does not know when to shut it up. I did not have to wait for the opening of this Convention to give thought and study to the political situation of our country. Indeed, for nearly a year previous to the Convention election, I had been broadcasting my political doctrine to all who cared to hear me. The conclusions which I voiced were arrived at for the simple reason that the bare facts and the truth of things left no other course open to me, that for Newfoundland, the proper, logical, only course open to her was as a first step, to recover that former status and political position which was hers previous to the loss of her political freedom in 1933.”

National Convention, 21 January 1948, pg. 1282.

TRADE

“I am an unreformed, unregenerate¹⁰ and unrepentant free trader. If this country could have free trade with the United States, it would be a great thing. If we could have free trade with the Dominion of Canada, it would be a great thing. If we could have free trade with every country in the world, it would be a great thing for the people of this country. I believe in abolishing every single cent of customs duties. I am a believer in bringing down the cost of living. The only way I can see to do that is by absolutely free trade.”

National Convention, 22 May 1947, pg. 572.

“We have to develop a fresh and frozen fish market in the United States if this country is going to live. We do not know whether we are going to sell a ton of iron ore to Great Britain or a pound of fish. They tell us they cannot approach the United States. If they cannot do their job, then let them get out of here and let someone else do it...”

National Convention, 22 May 1947, pg. 575.

“For myself, I can see as far through a stonewall as Mr. Bradley [another member of the National Convention], and I expressed my firm belief that there is every reason to believe that we will be able to make satisfactory arrangements with the United States, provided we have the proper form of government in this country. I would remind Mr. Bradley of another interesting event which took place in his 50 year period. I refer to the Bond-Blaine treaty.¹¹ At that time America had no bases in Newfoundland. We had nothing to give her by way of a *quid pro quo*, and she was prepared to accept our product, she was prepared to do business with us on favourable terms, but what happened? Canada interfered, she killed the deal, she destroyed our high hopes. I ask Mr. Bradley how this deal would have compelled him to change his economic picture, and what this country would have been like today, particularly for our fishermen in every section of the country if this deal had not been deliberately sabotaged by the interference of the Canadian government.”

National Convention, 20 November 1947, pg. 787.

⁹ Coercion = force

¹⁰ Unregenerate = unapologetic

¹¹ Bond-Blaine treaty = A reciprocity deal negotiated between the Newfoundland and American governments in 1890. The Imperial government, however, did not ratify the deal due to Canadian objections about potential American expansionism.

TAXATION

"The first point is that, under confederation, this particular field of taxation would be far larger than it is now. Also, the Canadian rate of taxation would be higher. Just consider, for instance, the matter of Newfoundland income tax. With us, this tax applies to single persons earning over \$1,000 yearly. But in Canada it takes in everyone who is single and not married, earning over \$750 yearly..."

"Will not then this increase in the income tax brackets place hundreds, and possibly thousands of Newfoundlanders under taxation who are now free? This means that under Canadian income tax laws, all fishermen, loggers, farmers, miners, longshoremen, labourers, stenographers,¹² nurses and clerks who are single and earn over \$750 annually will be subject to income tax, and will not this increase the amount of taxes collected?"

National Convention, 7 January 1948, pg. 1063.

"Some weeks ago I told this Convention that in the event of confederation with Canada the people of Newfoundland had better get out of their heads any idea that we were going to get lower taxation. I went further, and I said that instead of any decrease in taxation we would suffer from even a higher and much more oppressive burden under confederation. We have all witnessed Mr. Smallwood's failure to satisfactorily balance the budget which he brought in here some weeks ago—his own personal budget, made to order, which contains his own chosen figures. Now I ask you, when this budget could not be balanced even in theory, how can we expect to measure up when the real thing comes along? And remember too, that in addition to this provincial budget we will have to pay, I say *have to pay*, our definite share of taxation to the federal government."

National Convention, 26 January 1948, pg. 1368.

PROSPERITY

"Therefore our total assets are approximately, and I say approximately, \$107 million. Now if we deduct that \$35 million which we owe, we have a definite surplus left (on paper, mind you) of \$70 million in round figures. That is the position as far as the Government of Newfoundland is concerned today. Now if we take, on top of that, the other hundred-odd million dollars in the bank, and we add our life insurance, our securities and all else, I hold today that this country is in an outstanding financial position—unequalled by any country in the world. True we have gloomy days coming before us. So has every other country. Why, the mother country that is supposed to be backing our note, so to say, what financial position is Great Britain in? What financial position is Canada in? Today in Canada they are having great difficulty in making some arrangement to offset the dollar trade with the United States of America."

National Convention, 20 October 1947, pg. 620.

"This delegation went to Ottawa to get terms, or what would be a good base to go into confederation. If you and I are going into partnership, the first thing I will say to you is, "Now what have you got?" And you will say, "Cashin, I owe \$100"; I will say, "I owe \$50", consequently I am \$50 better off than you. Now Canada owes roughly \$1,300 or \$1,400 per head, and Newfoundland owes \$150 per head. Now we are going into business with Canada, and according to this thing here, we are going to forget our indebtedness of \$150 a head and take on an indebtedness of \$1,300 or \$1,400 a head. That does not sound like good business to me."

National Convention, 26 November 1947, pg. 864.

¹² Stenographers = a person whose job it is to transcribe shorthand often dictated by someone who could not type

“Now, anyone who knows anything about the history of the Canadian National Railway system, operated by the Canadian government, knows that they have been a continual political headache. They have lost and cost Canada not millions, but billions of dollars. True, the Newfoundland Railway has cost the country a deficit each year since it was taken over by the government in 1923 at a cost of \$2 million. Now, when the Ottawa delegation were discussing this railway matter with the Canadian government, it would appear that they did not ask any embarrassing questions about the Canadian National Railways—what they had cost the taxpayers of Canada, or what was the average annual loss sustained. Although we have not this information officially, it is general knowledge that the Canadian National Railways originally cost the Canadian government in the vicinity of \$1 billion and they have cost the Canadian taxpayer uncounted millions since it came under government control.”

National Convention, 6 January 1948, pg. 1059.

THE PROMISE OF THE CANADIAN WELFARE STATE

“Also, with respect to the unemployment insurance scheme now in force in Canada, it is proper that our people should know that those affected or those eligible for recompense under this particular plan, in the event of union with Canada, would not be our primary producers. It does not affect our fishermen, our loggers, our miners, our farmers, our longshoremen or others of the labouring class, and consequently would be of little help to the employed of Newfoundland.”

National Convention, 7 January 1948, pg. 1065.

“The prize bait seems to be that a certain number of our people will get this thing called the baby bonus.¹³ But do they tell us that this bonus is an unsubstantial thing, that it is something that we cannot depend upon? That it may vanish overnight, and that in the event of a depression in Canada it will die a quick death? Indeed, my own personal opinion is that it will not exist longer than two years. Do they tell us that when our babies reach the age of 16 they will spend the rest of their lives paying back to the Canadian government the amount of their bonus?”

National Convention, 23 January 1948, pg. 1371.

PROVINCIAL AUTONOMY

“With us, the matter of our educational system is one of great importance, and we have evolved our own system of denominational schools, which time has found to be most suitable to the wishes and requirements of Newfoundlanders. In the event of confederation there is a threat that, as Mr. Crummey¹⁴ has pointed out to this Convention, is a most serious threat to the destruction and overthrow of that system. He has pointed out to us that if Canadians take charge of our country in every probability we will have imposed on us, even forced on us, the adoption of non-denominational schools. What right have we to jeopardise the moral and religious lives of the coming generations in this matter?”

National Convention, 26 January 1948, pg. 1371.

“We are not interested so much in how much the federal government is going to collect, as how we are going to run the province when she goes into confederation. Ottawa should prepare a proper report. This report is incomplete. It does not point out the sources of revenue we are going to collect taxes from. It does not point out the expenditures we are going to have as a province. And until such time as we know from a provincial standpoint where we are going, we cannot intelligently discuss the whole situation. We ought to defer discussion on these figures.”

¹³ Baby bonus = payments made by the federal government to parents of children

¹⁴ Mr. Crummey = another delegate of the National Convention.

National Convention, 2 December 1947, pg. 935.

NEWFOUNDLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"Mr. Chairman, I have repeatedly stated that the only interest from an economic standpoint that Canada has in Newfoundland is to obtain by either fair means or foul our Labrador possession. Proof of this statement has been frequently given by both Premier Duplessis of Quebec, and former Premier Godbout of the same province. When I brought this matter up sometime ago, Mr. Smallwood got up and abused Premier Duplessis.¹⁵ He termed him a Nazi and a Fascist, and I don't know what else. Well I have just come from Canada, and I venture the opinion that the provincial election in Quebec will return Duplessis by a larger majority than ever, and that there is a great probability of the reform of the Liberal party in Ottawa. Prime Minister King¹⁶ is about to retire, and his successor is very difficult to find. I predict that you will find in 18 months or two years another leader of the federal opposition in Ottawa, and I think Colonel George Drew¹⁷ will head the Conservative party, and together with Duplessis will lead the party at the next general election. Mr. Smallwood laughs and thinks he knows all about it!"

National Convention, 8 January 1948, pg. 1083.

"Canada today, even though she is in serious financial straits, has great national ambitions for the future. Canada is struggling to be one of the future powers of the world. Canada is sparsely populated. Her per capita population per square mile is less than that of our country. Canada carries a huge national debt, far too great for its present population of something over 12 million people. There is only one redemption for this Dominion to the west of us, and that is increased population. In order that Canada may continue to expand, and equitably place the cost, she must increase her population to not less than 20 million. That is necessary if Canada hopes to survive and develop as a nation. By the inclusion of Newfoundland in the Canadian federation, Canada would be in the position of controlling the steel production of the entire North American continent. This would be her salvation from an economic standpoint. I say that our Labrador possession must be guarded for the future generations of Newfoundland. I realise that strong influences are at work, both governmental and financial, to rob from Newfoundland her God-given rights. We, as a people, owe it to the future generations yet unborn, to guard those interests handed to us by a kindly Providence.¹⁸

"This whole Labrador business looks to me something like the deal made between Russia and the United States... when Russia sold Alaska for about \$7 million. Like Labrador, Alaska was considered a barren wasteland, and the Russians thought they were making a good deal; but hardly was the ink dry on the contract when Russia had the bitter experience of seeing their former territory becoming a land worth billions. Will we, by accepting these proposals made to us by the Canadian government, be guilty of a similar folly? Will we grasp at a few dollars and live to see French Canada take to herself the millions which should be coming to us—and which would have made us one of the richest little countries in the world? What a bitter pill that would be for our children to swallow—what a remorse to carry to our graves—to sacrifice hundreds of millions for a baby bonus!"

National Convention, 8 January 1948, pg. 1085.

¹⁵ Maurice Duplessis was known for corrupt political practices.

¹⁶ Prime Minister William Lyon Mackenzie King retired from politics in November 1948, making way for Louis St. Laurent to become Canada's 11th Prime Minister and welcome Newfoundland into Confederation.

¹⁷ George Drew, then Premier of Ontario, became leader of the federal Progressive Conservative party later in 1948.

¹⁸ Providence = the protective care of God or of nature as a spiritual power



Louis St. Laurent in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Born in Compton, Quebec in 1882, Louis-Stephen St. Laurent grew up in a family that could trace its roots back to 1660 New France. Fluent in both national languages because his mother refused to speak French, Louis St. Laurent entered the legal profession in 1905. His father, Jean-Baptiste, was a committed member of the Liberal Party who unsuccessfully ran for provincial office on more than one occasion. Louis quickly became a successful lawyer, and the Canadian and Quebec governments regularly retained his services for constitutional cases.

Prime Minister William Lyon Mackenzie King asked St. Laurent to become the Minister of Justice and, after accepting, St. Laurent won a by-election for Quebec East in 1942. St. Laurent frequently gave speeches on the war effort and national unity during World War II. In 1944, he attended the Bretton Woods Conference that led to the creation of the International Monetary Fund and in 1945, alongside King, participated in the founding conference of the United Nations. In 1946, St. Laurent became the Minister of External Affairs after King separated the position from the Prime Minister’s duties.

After the war, St. Laurent was in favour of Newfoundland joining Confederation and advocated for strong federal powers by ignoring Quebec’s territorial claims against Newfoundland as well as its demand for the right to veto the admission of any new province into Confederation. St. Laurent led the federal representatives who discussed union with Newfoundland during the summer of 1947 and the fall of 1948. In November of 1948, St. Laurent was elected Prime Minister of Canada and presided over the national ceremonies celebrating Newfoundland’s final steps into Confederation on March 31st 1949.

After Newfoundland’s entry into Confederation, St. Laurent presided over a heyday of Liberal rule in Canada. St. Laurent was the Prime Minister of Canada until 1957. After losing to Conservative John Diefenbaker in the 1957 general election, St. Laurent became the leader of the opposition, but began suffering from depression and old age and, after consulting with Lester B. Pearson, St. Laurent resigned the leadership of the Liberal Party. After returning to his legal practice for some time, Louis St. Laurent died in July of 1973.

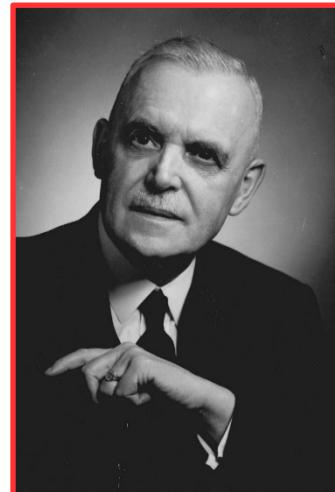


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Louis St. Laurent's Views on Confederation

When the House of Commons debated allowing Newfoundland and Labrador to join Confederation during the late 1940s, Prime Minister Louis St. Laurent said the following points:

SUMMARY STATEMENTS

“We have maintained and are maintaining the attitude that, after having made what we consider is a fair offer, it is exclusively the right of the people of Newfoundland to express their acceptance or rejection of that offer. We have been most careful to avoid doing anything that either party might regard as an attempt to influence the votes of the inhabitants of Newfoundland.”

Canada, *House of Commons*, 19 June 1948, pg. 5544.

“My own personal view with respect to these negotiations has been that it would be a serious responsibility to do or say anything which would prevent the entry of Newfoundland into Canada. I may be an optimist, but I do believe that the Canadian nation is destined to occupy an important place in world affairs. I do believe, further, that that place in world affairs would be better preserved by a territory which extended right out to the broad ocean and if access there to was not closed to Canada by another sovereignty over the territories of Newfoundland and Labrador.

“Because of that attitude, we made offers which would involve quite costly requirements from the Canadian people at the present time. But I think we would have been remiss¹ in our duty to future generations of Canadians not to have done so. That offer having been made, if there is a desire on the part of the people of Newfoundland to accept it, I think the government will be disposed to recommend to parliament that it be implemented.”²

Canada, *House of Commons*, 19 June 1948, pg. 5550.

“From what I have been able to read in the press since the agreement was signed, there appears to be almost complete unanimity³ on the part of the Canadian public that this was a good arrangement to make, and that it is a good thing in this year 1949 to complete the original project envisaged⁴ by the fathers of confederation in 1864. From what I have seen of the editorial comment in the newspapers of the island, there are still those who would prefer to have had responsible government re-established and the terms of confederation discussed by and through that responsible government. In the referendum the majority decided otherwise, however; and even among the objectors I think there are now large numbers who feel there has been a sincere

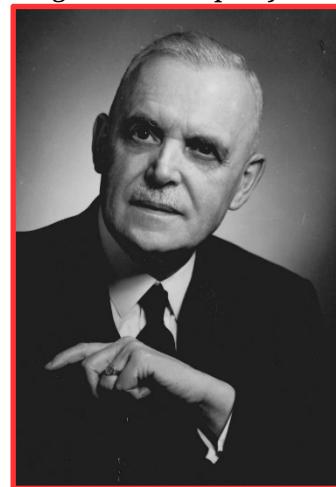


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¹ Remiss = negligent

² Implemented = done

³ Unanimity = agreement

⁴ Envisaged = hoped for

attempt to make a fair proposal, and that confederation with Canada has been made inevitable both by the Almighty in the distribution of the lands and waters of this northern half of the North American continent, and by the historic development of the people who have inhabited these two parts. They are not strangers to each other. They come from the same stocks. They have developed under the same system of responsible government, of love of individual freedom, of respect for the human being as more important than the state. They have developed in the view that the state exists for the individual, and not the individual for the state. It is my hope that this arrangement will commend⁵ itself to the Canadian parliament, to the vast majority of the Canadian people and also to the vast majority of the people of Newfoundland. We are here now considering a matter of great moment. In the last two wars⁶ we realized how close we were to each other and how close we had to be in order to survive. In this troubled world I think we, both in Newfoundland and in Canada, feel that in this way our risks are more apt⁷ to be successfully met and any dangers overcome than was possible even with the non-constitutional union of spirits and hearts that united us during the last two wars. I earnestly hope it will be the view of this house that this union of Canada and Newfoundland is desirable in the interests of the people of these two lands, and as a lesson to the whole world of what can be accomplished by men of good will."

Canada, *House of Commons*, 7 February 1949, pg. 290.

REPRESENTATION BY POPULATION

"The British North America Act provides that, in the event of Newfoundland becoming a province of Canada, it would be entitled to six senators. In 1867 the act provided for four senators, but by virtue of an amendment which was made, I think in 1915, it was provided that the number would be six instead of four. This provision⁸ has existed in the British North America Act for over thirty years.

"With respect to representation in the House of Commons, if and when the terms of union are ratified⁹ here and approved by the parliament of the United Kingdom, provision will automatically be made for seven members additional to the representation in the house."

Canada, *House of Commons*, 8 February 1949, pg. 355.

"... because of the general mentality¹⁰ of the people of Newfoundland, it would be wise if it were possible to have two of the six senators chosen from the Anglican denomination which represents about a third of the population..."

"Two chosen from members of the Anglican denomination; two chosen from the Roman Catholic denomination and two chosen from the United church or other denominations which make up the remainder of the population.

"I inquired how soon after the entry of Prince Edward Island, British Columbia, Manitoba and the setting-up of Alberta and Saskatchewan appointments had been made to the Senate. To my surprise I was informed it was about five months... This point was discussed with those from whom we were seeking to be enlightened¹¹ about the situation in Newfoundland. We were told it would be unwise to proceed otherwise than by threes, if we could not make six appointments. If we made the six appointments, it would be all right provided they were distributed according to

⁵ Command = to be viewed favourably

⁶ Last two wars = the First and Second World Wars

⁷ More apt = more likely

⁸ Provision = measure

⁹ Ratified = confirmed

¹⁰ Mentality = beliefs

¹¹ Seeking to be enlightened = seeking to learn

religious denominations, as I have described. But if we did not do that we should make at least three appointments at a time, because it would be unsatisfactory if any one of these three groups was preferred to the other two. We were told we should be careful to avoid offending the susceptibilities of these three separate religious groups in the island."

Canada, *House of Commons*, 8 February 1949, pg. 356.

PROVINCIAL AUTONOMY

"The constitution of the province of Newfoundland will be subject to amendment by the legislature of Newfoundland under the first subsection of section 92 of the British North America Act. They will have the right to amend their constitution in every respect save in respect of the office of lieutenant governor, just as every other Canadian province has that right..."

"The delegation from Newfoundland and its law officers insisted that they did not want the province of Newfoundland to get a new constitution out of the union. They wanted to be in the position of the provinces of Nova Scotia and New Brunswick, which had constitutions before union and retained all the powers of their constitutions, except those given to the central authority."

Canada, *House of Commons*, 8 February 1949, pgs. 363–364.

EDUCATION

"But with respect to Newfoundland, they had at the time of the negotiations, and they have today in their legislative body, full and exclusive control over their educational system. But we said to them, 'If, for the satisfaction of your own people, you do wish to have constitutional safeguards¹² written into the terms of union, we will be quite prepared to consider those you will suggest.' The treatment they suggested was constitutional safeguards, but constitutional safeguards the application of which will be left to the courts of justice.

"It is provided that the legislature will have exclusive control over all educational matters, but must not make any laws that would prejudice¹³ what is described in the terms of union as the rights of the denominations which comprise¹⁴ the people of Newfoundland. The legislature has no power to do anything prejudicial. Review will be a matter for the courts. If there ever should be an attempt by the legislature to do anything that would contravene the terms of the union it will not be a matter of appeal to His Excellency the governor in council. It will be a matter for resort to the courts of justice of the island of Newfoundland In the first instance, and then to the ordinary courts administering the laws of the country."

Canada, *House of Commons*, 7 February 1949, pg. 288.

¹² Constitutional safeguards = extra constitutional guarantees to protect minority denomination education rights. During the 1890s, Manitoba's legislature changed the school laws to effectively end the French-Catholic population's traditional access in that province to public funds. For the next several years, Canada was caught up in a heated national debate about whether the federal government had the right or obligation to overrule Manitoba's legislation and protect the French-Catholics' access to provincial funds for its schools. As St. Laurent subsequently explains in this speech, the Prime Minister reminded Parliament of this dispute to help everyone understand that Newfoundland and the federal government both wanted to avoid this sort of dispute from happening again.

¹³ Prejudice = harm

¹⁴ Comprise = make up

"The hon. member says the effect is to fix the status quo for all time, but that is subject to some modification.¹⁵ I understand the schools in Newfoundland are denominational schools, but under the present practice different denominations can amalgamate for a school district. The right to do that is preserved. Moreover, there is a right in the legislature to set up other schools than those which exist at the present time, but it is provided that if they do set up other schools they must not discriminate against the denominational schools in the districts. Such was the desire of the delegates from Newfoundland; and, as the hon. member has indicated, the sanction was to be an appeal to the courts, not an appeal to a political body."

Canada, *House of Commons*, 8 February 1949, pg. 365.

FINANCIAL TERMS OF UNION

"I come now to the matter of financial terms.¹⁶ That was a tough one. The people of Newfoundland did not want to become a province of Canada under conditions which would not make it reasonably probable that they could carry on successfully, and participate in the advantages which appertain¹⁷ to Canadians generally. We on our side wanted to provide financial terms which would make it reasonably probable, if not certain, that the addition of Newfoundland to the economy of Canada would ultimately prove to be beneficial to both partners, to the older Canadians and to the newer arrivals. It was found, after more precise and careful study of the administrative problems that would be faced by the government of the province of Newfoundland, that the terms suggested in the offer submitted in October, 1947, would not be sufficient at the start to enable the provincial government to provide for its people on a basis comparable to that which is provided by the other Canadian provinces. It was felt there had to be quite substantial provisional¹⁸ grants, extending over a period of twelve years on a diminishing¹⁹ scale, to bridge the transition from the present economy of the island to the kind of economy which would make it possible for the provincial government to provide the people of Newfoundland with substantially²⁰ the services that are provided for the rest of the Canadian people by their provincial governments, without resorting to a burden of taxation heavier, having regard to capacity to pay, than that which bears upon the people of the maritime region. The section of the Canadian economy generally described as the maritimes was felt to be the one which would be most nearly comparable to the situation which would be apt²¹ to develop in Newfoundland. It was felt that for a transitional term²² the government of Newfoundland had to be provided with sufficient funds to establish and develop services comparable to those available to the people of the maritime region, and that it had to be able to do so without imposing upon the people of Newfoundland a burden of taxation heavier than that prevailing²³ in the maritime region."

Canada, *House of Commons*, 7 February 1949, pg. 289.

¹⁵ Modification = change

¹⁶ Terms = the rules that will govern the union of Newfoundland and Labrador and Canada

¹⁷ Appertain = relate to

¹⁸ Provisional = temporary

¹⁹ Diminishing = lessening

²⁰ Substantially = generally

²¹ Apt = likely

²² Transitional term = the first few years after union when Newfoundland and Labrador adjusted to being a province

²³ Prevailing = common

NATURAL RESOURCES

"All the natural resources of the territory included in the island, and that part of the Labrador coast which forms part of Newfoundland, remain with the provincial government."

Canada, *House of Commons*, 10 February 1949, pg. 440.

THE PROMISE OF THE CANADIAN WELFARE STATE

"That matter [old age pensions]²⁴ was carefully considered for a considerable period of time, but it was not found possible to devise any way in which the old age pension could be paid before there was in existence in Newfoundland a provincial government responsible to a legislature. The act²⁵ requires the making by a provincial government of a contract with the federal government, in order to recoup²⁶ three-quarters of what it pays out for old age pensions, under its provincial law, up to a maximum of \$30 a month. Suggestions were made that, if the legislature elected in Newfoundland passed a law of that kind, it might be made retroactive.²⁷ It was desired to give the people of Newfoundland treatment as good as that which was given to Canadians of the other provinces. As the hon. member knows, in my province it was a matter of several years, after the dominion old age pension legislation was passed, before the provincial government passed its statute and took advantage of it; and there were no retroactive payments to the old people of my province at that time. It was felt that it would not do to be treating the people of Newfoundland in a manner different from that in which Canadians of the other provinces had been treated. The delegation from Newfoundland, therefore, finally but most reluctantly came to the conclusion that the best thing to do would be to proceed as expeditiously²⁸ as possible to elect their legislature, enact their old age pension legislation, and make their contract which would become effective as soon as it was made."

Canada, *House of Commons*, 10 February 1949, pg. 449.

²⁴ Old age pensions = money paid by the federal government to senior citizens every month

²⁵ Act = legislation

²⁶ Recoup = get back

²⁷ Retroactive = taking effect from a date in the past and paying back the money that would have been paid previously

²⁸ Expeditiously = quickly

Ambrose Shea in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Born in 1815, Sir Ambrose Shea was born to Henry and Eleanor Shea where he was one of ten children. His father was a respected merchant and, though of somewhat modest means, the family provided each child with a decent education. A few years after his father's death, Ambrose inherited the family newspaper, the *Newfoundlander*, but subsequently handed it over to one of his younger brothers 1846.

Shea then left Newfoundland to do business in Liverpool as a shipbroker and commission merchant. By 1848, his continued close ties to the island led to his election to the House of Assembly as a member for Placentia-St Mary's. Despite his party's close allegiance with the Catholic Church, Shea opposed clerical interference in public life and consequently welcomed the founding of the non-sectarian Newfoundland Natives' Society in 1840, acting as its president in 1846. Members of the Native's Society faced fierce attacks and one of Shea's brothers actually left the colony because of this violence.

By 1852, Shea was the liberal spokesman for reciprocity with the United States, believing that it would ensure prosperity for the colony. His party won the 1859 election, but subsequently suffered from internal pro-clerical and native divisions. Shea did little to address these divisions and he became a leading voice within a demoralized Liberal opposition after the May 1861 election.

The Hugh Williams Hoyles Conservative government was invited to the 1864 Quebec conference to discuss Confederation and Shea was sent to represent Liberals and Catholics. Shea quickly became a strong supporter of Confederation, believing that the island would suffer if it remained outside of the new union. Both Shea and Frederic B. T. Carter, the Conservative and Protestant Newfoundland delegate, subsequently signed a formal report declaring their support for Confederation. When he returned to Newfoundland and the Liberal government fell in 1865, Shea joined Carter's Conservative pro-Confederation government. This partisan shift, as well as his position as chief Catholic spokesperson for Confederation, led many to deride him as a political opportunist since few Liberals or Catholics supported the union scheme.

During the 1869 election campaign, few Newfoundlanders supported Confederation and Shea faced considerable hostility. Shea lost his riding to Charles James Fox Bennett, the leader of the anti-Confederate coalition. Carter's pro-Confederation party left the election with only nine seats.

Badly defeated, Shea left politics for a time, only to be returned to political office in 1874 in Harbour Grace, which he would hold until 1885. He represented Newfoundland during several trade negotiations, but never fully regained his political stature. From 1887 to 1894, Shea became the governor of the Bahamas, but Imperial authorities consistently rejected his pleas to become the governor of home colony—deeming him too controversial for the office. His passing in London, England during 1905 provided Newfoundland with one last chance to make amends. His body was laid to rest in state at the colony's Legislative Council chamber and he was given a state funeral—he was the first Newfoundland to receive these elaborate honours.

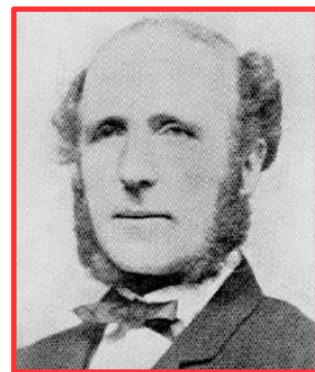


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Ambrose Shea's Views on Confederation

When Newfoundland and Labrador debated Confederation between 1865 and 1869, Ambrose Shea made the following points:

SUMMARY STATEMENTS

"His (Mr. Shea's) belief was that the question of Confederation would sooner or later be forced upon us. We might stave it off for a time. But the tendency of the age was for the union of small states into larger ones. It was said we proposed to give up our self government. We gave up nothing worth retaining. Self-government was the best system we could have, but it would not make up for short fisheries and a starving population. We would still have self-government on a larger scale, for we were to have a voice in the General Government¹ and Legislature of the union in proportion to our population, while our local government for merely local affairs was to be as much our own as now."

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 16 February 1865.

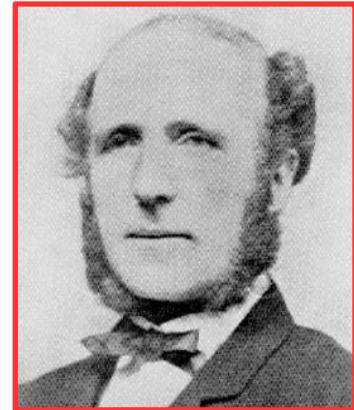


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PROSPERITY

"Are we in that palmy state at the present moment, or are our prospects so bright and our general condition so independent, that we may not find it good to inquire whether the necessity of Canada may not be our opportunity of escaping from the deprivations² of our isolated and powerless state?"

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

"Hon. gentlemen seem content with opposing this scheme, implying that, in the state of things now staring us in the face, we should stand still. Look abroad over the face of the country, and let us ask ourselves if the present condition of the people can safely continue? Large numbers of our industrious population are, at the present moment, not half fed. And this, under varying circumstances as to localities, has been their lot for many years past, as the amount given for poor relief³ abundantly testified. We see the population decaying from this cause; and, while numbers of those who can, resort to emigration, to seek elsewhere the reward which here they cannot get for their labor. And yet, in presence of these facts, it is said we should wait idly by, and live in hopes of better times. We all hope, of course, for these better times, but experience teaches us the true nature of that reliance. Let us look back over the past twenty years. In that time we have had as large a share of prosperous seasons as we can reasonably look for in any corresponding future period. And yet what are its results, as disclosed in the present condition of the country? We believe we have resources that, if brought to light, would provide that further employment for

¹ General Government = federal government

² Deprivations = disadvantages

³ Poor relief = welfare

want of which our people now suffer. But what are the existing agencies by which these means of employment can be effectively brought out? The Legislature has tried its powers in many ways, but to little purpose...⁴ What, then, can our Legislature do—this “independent” Legislature, the powers of which hon. gentlemen seem so unwilling to abridge?⁵ It was evident that its powers were unequal⁶ to the emergency that we have had to deal with for past years... He indulged in no Utopian⁷ views of the results of confederation, but all history and experience gave evidence of the general beneficial tendency of such combinations... The effects are strikingly shown in the case of the Canadas, which have more than doubled in wealth and population since their union. Does any rational man believe that the United States could have become what they now are, had they remained so many political fragments since the time of their separation from the mother country?... Are we not justified then, looking at the progress of the United States, in believing that a union of these Provinces would lead to at least somewhat similar results?”

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

“One consequence of our isolation was that in this crisis we had to depend on our own resources, as we had no legitimate claim on any other people. If we were united to the Dominion, we could make an appeal⁸ to the people there. When the Nova Scotia fisheries failed,⁹ last year, and great distress consequently prevailed amongst the fisherman, they were not left to ask for relief, but the Legislatures of Ontario and Quebec and the corporations of different cities, forwarded £10,000 to relieve them. That was a practical proof of the benefit of Union. They had a claim, and they were recognized, and funds were sent them, until the Committees of distribution telegraphed that no more was required. No doubt some would call that a bribe;¹⁰ but call it what you will, would not such relief be welcome here now?”

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

“...if, on the other hand, we combined with Canada, we would instantly possess these commercial advantages; bread, flour, pork, butter, and all the Canadian manufactures would be admitted duty free.¹¹ Besides this, with a creditable liberality, they had agreed to allow breadstuffs from the United States to come in free. These advantage comprehend what no more commercial treaty could obtain for us.”

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 19 February 1869.

“If we have Confederation, we will have regular Steamers¹² with Quebec and Montreal, which would enable the people to go away in bad times. In this country the labor question underlies all others, and anything which tended to advance the interests of the laboring classes also tended to the advance of the interests of the country at large. All that was needed was a well employed people, and then the country would be contented and happy. He did not look on it as at all desirable that the people should leave the country, but he did think it desirable that when they were so badly off they should have some backdoors [sic].”

⁴ To little purpose = with little effect

⁵ Abridge = cut short

⁶ Unequal = inadequate

⁷ Utopian = unrealistic

⁸ Appeal = request

⁹ Failed = yielded insufficient income

¹⁰ Bribe = to buy a favour from someone

¹¹ Duty free = imported into the country without paying any taxes

¹² Steamers = ships

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 19 February 1869.

"What we required here was employment, and the opening up¹³ of the resources of the country, and commercial union¹⁴ would not do that for us. We hoped to have our mining interests brought into life and activity, and no commercial union would do that. He hoped the day was not far distant when the Bay of Islands, Port-au-Port, and the other parts of the Western Shore will be filled with flourishing settlements. Commercial union would not do that, but political union would, for it would give us that which is now so much needed, steam communication with these extern[al] Districts."

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 19 February 1869.

TAXATION

"There appeared to be much anxiety¹⁵ in this country as respects the taxation under the Confederation. He (Mr. Shea)... denied the statements that had been made as to the amount of the increase of our burthens,¹⁶ and would be prepared to show, at least, that if there was any increase under the change, the most full and intelligible¹⁷ equivalents would be given for it. That is not taxation, in the sense in which this cry is raised, where the Colony receives a value for the outlay.¹⁸ The taxation of Canada had been referred to as excessive; but then he saw what had been accomplished in that country, its Railways, Canals and other extended means of communication, adding to its wealth and population and increasing the value of the labour of the people, he felt with how much reason we should rejoice, if by means of increased taxation, we could be made to realise similar results. The mere cry of taxation can be made to serve the purpose of stirring up thoughtless public feeling; but no intelligent man will fail to see that taxation, well applied, is necessary to enhance the value of labour, by opening up the sources of a people's industry."

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

"It was also said that we give up the control of our fisheries to Canada, which was a most unfair mode of putting the case. Whatever we gave up, it was to the Government of which Nova Scotia, New Brunswick, P. E. Island and ourselves were to form parts, as well as Canada. These Colonies at present have equal rights with our own in the fisheries, and have all a large direct interest in their protection. Where then might the power be more wisely placed than in the hands of a Government that represented the whole people whose property these fisheries are? But it was not entirely so placed, for a concurrent authority is reserved to our own Local Government to protect the fisheries; and who can suppose this local right can ever be injuriously interfered with? The British Government now exercise sovereign control, and we saw in 1857 how that might be employed to our great detriment.¹⁹ The fisheries of Maine and Massachusetts are under Federal control, being general property, as the fisheries of these colonies are general property also, and would be rightly amenable to the supervision of the Central Government."

¹³ Opening up = harvesting

¹⁴ Commercial union = an economic union without a political union. In other words, two colonies would remain independent, but they would charge no duties on goods that they imported from each other.

¹⁵ Anxiety = nervousness

¹⁶ Burthens = burdens

¹⁷ Intelligible = discernable

¹⁸ Outlay = expense

¹⁹ Detriment = damage

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

PROVINCIAL AUTONOMY

"He [another politician who had spoken before Shea] objects to a federal union, as proposed by the Conference, because it abstracts from the authority of our present Legislature, though he avows himself favorable to a Legislative union, which would annihilate our local constitution. Can anything more illogical or untenable be imagined? He objects strongly to the loss of a part, but is quite willing that our Local Institutions should be entirely swept away! This is the position, the honorable gentleman places himself in by his attempt to escape from the conspicuous inconsistency of his conduct... [The Quebec Resolutions] proposes a constitution based as nearly as circumstances would permit, on the principles of the British constitution, and while of the Federal character, avoids the prominent causes of weakness and failure which the working of the American system has disclosed.²⁰ It contemplates²¹ a General Government, and a Legislature of two Houses, the Upper²² nominated for life by the General Government and composed of 76 members, and the Lower House²³ composed of 196 members, based on the principle of population, to be elected by the several Colonies forming parts of the Confederation. To this General Government and Legislature will be confided²⁴ the larger powers now possessed by the several local Governments, conferring²⁵ on it the amount of authority necessary for the due conservation and protection of the interests of the several communities whose guardianship it would assume... The Local²⁶ Government would be retained, with smaller powers, having under its control the expenditure of eighty thousand pound stg.²⁷ per annum,²⁸ and the management of peculiarly local affairs. The roads, public Institutions, and other kindred matters would be in the hands of the Local Legislature; but the operations of the General Government would be entirely independent of the action of the Local Bodies.²⁹ The modifications of the present Local Governmental machinery are left to the several Bodies themselves, to determine according to the peculiar circumstances of each Colony; but the necessity of reducing them, in one shape or another, to meet the altered condition of affairs, and lessen the expenses would not be a matter of question."

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

NEWFOUNDLAND'S POTENTIAL INFLUENCE WITHIN CONFEDERATION

"It had been stated among the objections to this scheme, that we should be at the mercy of Canada, with our small representation of eight members in the General Assembly. Canada is regarded as a large mammoth state, intent only on devouring all its smaller associates. We do not find in the history of combinations like this, that the smaller states have causes of complaint from the exercise of undue influence on the part of the larger. It has never been found that the little state of Rhode Island³⁰ suffers aggression at the hands of the American union. If Canada had the

²⁰ Disclosed = proven to be the case

²¹ Contemplates = proposes

²² Upper = Senate

²³ Lower House = House of Commons

²⁴ Confided = given

²⁵ Conferring = giving

²⁶ Local = provincial

²⁷ Stg. = sterling (British money)

²⁸ Per annum = each year

²⁹ Local Bodies = local legislatures

³⁰ Rhode Island is the smallest state in the United States and sent very few representatives to Congress.

power, it would not be her interest to pursue any unjust or injurious policy towards the lesser confederates.³¹ In our case she would desire to be our supplier of the greater part of what we consume, and this would give her a direct interest in our well-being and advancement. But would the power lie with Canada to tax or otherwise oppress us? Hon. gentlemen seem to forget that Canada is two provinces, not much in accord³² in feeling, or sentiment, or interest. These provinces are separated by causes of the most abiding³³ nature—differences of race, religion, language, traditonal antagonisms,³⁴ which have now brought the Government of the country to a dead lock, and which bar all prospect of their becoming a homogeneous³⁵ people. In the Upper Province,³⁶ the population is British and Protestant. In the Lower Province,³⁷ French and Catholic; and it is remarkable how little the races have mingled, though living side by side for generations past... Between these Provinces—Upper Canada with her 82 members, and Lower Canada with 65—the 47 members from the Lower Provinces would necessarily, in any intelligent view of the case, exercise a power almost of commanding influence, and the common interest of the Lower Provinces³⁸ would always join them together whenever the occasion was of adequate importance. The safety of our position in this respect will be easily understood by any one commonly observant of the working of the British Parliament, and the influence of even smaller relative combinations in affecting and controlling the decisions of that great body.”

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 13 February 1865.

RAILWAYS

“It is constantly being asserted, with the air of unanswerable argument, that in the railways and public works of Canada we have no interest. The objection takes that special view that characterises so much of the argument offered against the whole measure. In every improvement that facilitates trade and cheapens the means of transport in those countries we are connected with by commercial relations, we have an interest. We have an interest in the railways of Spain, which have improved the means of communication in that country, and which have done more than all other causes to sustain the high prices of our staple produce for the past few years. We have an interest in the railways in the United States, which lessen the cost of carriage from the interior to the seaboard, of those articles of commerce which we import from that country. The railways in Brazil are also of consequence to us in increasing the means of transporting our fish to parts of that country that were before inaccessible, and enhancing its consumption and value. But in the proposed Intercolonial Railway to Halifax we have interests of a more direct and significant kind. The present state of our relations with America is not so satisfactory as to render a rupture with that country a very improbable contingency. It is most wise then for all, circumstanced as we are to consider the position in which we should be placed in that event. At present we receive nearly all our supplies of food from the States, and for five months of the year the river of St. Lawrence is frozen. War with the States during this time when navigation is suspended would cut us off from all our ordinary supplies of food. It is in this view that the Railway to Halifax becomes so important and gives an answer to those who ask us what interest we have in its construction. It would be the means³⁹ of saving us from want if England and the United States were at war, by establishing a communication between Canada and the seaboard through British Territory. The people of this country might be starving, while the granaries of

³¹ Confederates = other states in the United States

³² In accord = in agreement

³³ Abiding = enduring

³⁴ Antagonisms = conflicts

³⁵ Homogeneous= likeminded

³⁶ Upper Province = Upper Canada, present-day Ontario

³⁷ Lower Province = Lower Canada, present-day Quebec

³⁸ Lower Provinces = the provinces that together make up Atlantic Canada

³⁹ Means = method

Western Canada were full-stored with wheat, unless the Railway communication with Halifax were established. This is no new view of the subject, for it was urged by Mr. Howe,⁴⁰ in 1862, when he said that ‘the Intercolonial Railway being finished, we shall not only control the telegraphic and postal communication of the Western States, but secure to the people of Great Britain at all seasons a steady supply of breadstuffs, should unhappily the ports of the United States, in war, be closed against them.’”

Newfoundland Legislative Assembly, speech reproduced by the *Newfoundlander*, 222 March 1865.

⁴⁰ Mr. Howe = Joseph Howe, a former Premier of Nova Scotia who subsequently led the anti-Confederation movement in that province

SECTION 2: MATERIALS AND HANDOUTS FOR CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS



Response Log Handout

Name:

Date:

Answer one of the five questions below:

Mark out of 5

Questions I have:

Mark out of 5

Please answer **ONE** of the following questions:

- Were there any things you did that left no trace or that left only traces that would not be preserved? What does this suggest about the historical record?
- What might future historians think about you if they were able to study your traces?
- If the historian was from a difficult culture or language, would they understand your trace?
- What if historians only examined traces that you left purposefully? How much of a trace would you have left?
- What other kinds of traces, relics, testimony and records would help historians learn about our society?
- Would it have been easier if you had recorded your traces with words? What if these words were in another language?



Handout: Douglas Treaty and Negotiations: Treaty Examples:

SAANICH TRIBE – NORTH SAANICH

Know all men, that we the chiefs and people of the Saanich Tribe, who have signed our names and made our marks to this deed on the eleventh day of February, one thousand eight hundred and fifty-two, do consent to surrender, entirely and forever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situated and lying as follows, viz: - commencing at Cowichan Head and following the coast of the Canal de Haro North-west nearly to Saanich Point, or Qua-na-sung; from thence following the course of the Saanich Arm to the point where it terminates; and from thence by a straight line across country to said Cowichan Head, the point of commencement, so as to include all the country and lands, with the exceptions hereafter named, within those boundaries.

The conditions of our understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment [amount not stated]

(Signed)

Hotutstun his X mark and 117 others.

Witness to signatures, (signed)

Joseph William McKay, Clerk H.B. Co's service

Richd. Golledge, Clerk

SOOKE TRIBE – NORTH-WEST OF SOOKE INLET

Know all men, we, the chiefs and people of family of Sooke, acting for and on behalf of our people, who being here present have individually and collectively ratified¹ and confirmed this act. Now know that we, who have signed our names and made our marks to this deed on the first day of May, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever [sic] to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situated and lying between the Bay of Syusung, or Sooke Inlet, to the Three Rivers beyond Thlowuck, or Point Shirringham, on the Straits of Juan de Fuca, and the snow covered mountains in the interior of Vancouver Island.

The conditions of our understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Forty-eight pounds six shillings and eight pence.

In token whereof, we have signed our names and made our marks at Fort Victoria, on the first day of May, one thousand eight hundred and fifty.

(Signed)

Wanseea his X mark

Tanasman his X mark

Chysimkan his X mark

Yokum his X mark

Chiefs commissioned by and representing the Sooke Tribe here assembled.

¹ Ratified = signed or given formal consent



Handout: Record of Negotiation/Implementation

Both in the past and in the current day, Indigenous and non-Indigenous parties have had different understandings of the treaties.

The intention of the Crown was to purchase the Indigenous ownership of the land, extinguishing their title to the land and opening it for settlement. For example, instructions from Archibald Barclay (HBC Secretary) to James Douglas in 1849 read:

With respect to the rights of the natives, you will have to confer¹ with the chiefs of the tribes on that subject, and in your negotiations with them you are to consider the natives as the rightful possessors of such lands only as they are occupied by cultivation, or had houses built on, at the time the island came under the undivided sovereignty of Great Britain in 1846. All other land is to be regarded as waste, applicable for the purposes of colonization. The right of fishing and hunting will be continued to the natives, and when their lands are registered, and they conform to the same conditions with which other settlers are required to comply, they will enjoy the same rights and privileges. The principle here laid down is that which the Governor and Committee authorize you to adopt in treating with the Natives of Vancouver's Island, but the extent to which it is to be acted upon must be left to your own discretion, and will depend upon the character of the tribe and other circumstances. The natives will be confirmed in the possession of their lands as long as they occupy and cultivate them themselves, but will not be allowed to sell or dispose of them to any private person, the right to the entire soil having been granted to the Company by the Crown. The right of fishing and hunting will be continued to them....

Archibald Barclay, Secretary of the HBC in London, to James Douglas, 17 December 1849.

James Douglas considered it important to recognize indigenous fishing rights and give them legal protection. He wrote to Barclay that:

I would also strongly recommend, equally as a measure of justice, and from a regard to the future peace of the colony, that the Indians² Fishere's [sic]... should be reserved for their benefit and fully secured to them by law.

James Douglas to Archibald Barclay, Secretary, Hudson's Bay Company, 3 September 1849.

From a Crown perspective, the treaties were successful land purchases that opened the lands in question for settlement. The indigenous perspective differs. This perspective is often given in oral history and was expressed by Gabe Bartleman in court testimony. Bartleman was born and raised on the West Saanich reserve, a member of the Tsartlip First Nation. He was fluent in the Sencoten language and understood the English language. His parents were Isaac Bartleman and Martha

¹ Confer = discuss

² Indians = an archaic term for First Nations Peoples

Bartleman. Reflecting on his youth, Gabe recalled Chief David Latess speaking to the Saanich people about the understanding of Douglas' word. This is how Gabe remembered hearing it:

The understanding that he gave the people at home was that their way of life was never ever going to be disturbed, that they would always be able to take their food and travel as they did before, that nothing would ever be taken away from them. (As quoted in Vallance).

Legal historians Neil Vallance and Hamar Foster summarize the difference in perception:

The picture that emerges from Latass's description is a patchwork of habitation and resource sites, some to be shared by the Saanich people and European settlers, and some to be occupied exclusively by one group or the other... Many First Nation accounts of treaty meetings across Canada contain a denial of the surrender of their lands, but do not go on to describe how the resultant sharing of the land was going to work. Latass's account is almost unique in its portrayal of how an agreement to share the land would operate. Finally, the Latass accounts indicate that he was aware of the Douglas Forms, but was determined to raise his voice in opposition to the false message he believed they conveyed. (Vallance)

These treaties [the Douglas Treaties], however, were unexceptional insofar as equality of bargaining power is concerned; Douglas secured the approximately fifty square miles of the Saanich peninsula for a little over £100, which he paid to the Indians³ in Hudson's Bay Company blankets at the 300% Company mark-up for non-employees. As the trial judge acknowledged, the Indians "“could not have thought of [such a transaction] as a purchase,” and would not have regarded the woollen goods they received as payment for land. What seems much more likely is that they believed that they were agreeing to peaceful relations, to share the right to harvest certain resources, and to allow a limited number of colonists to occupy some of the lands they were not themselves occupying. The oral tradition about the Treaty that has been handed down among the Tsawout reflects this view. According to it, in early February of 1852 they had forced the Hudson's Bay Company to stop felling trees on Songhees land by sending an armed party to the Company's logging operation at Cadboro Bay. Soon afterwards, a young Indian boy was shot and killed by white men near Mount Douglas. It was in these somewhat tense circumstances that Douglas invited all the North Saanich people to meet with him on the beach at Cadboro Bay. When they arrived they found piles of blankets set aside for them, and a document upon which each man was asked to write an 'X'. (Foster)

The view of treaties as creating a sharing, rather than exclusive, relationship, was expressed by Nicholas Xumthoult Claxton, who wrote: “Indigenous Peoples perceived that the agreements were only confirmation of ownership of village sites, food-gathering sites, and their fisheries. From an Indigenous perspective, entering into agreements with colonists represented an arrangement whereby Indigenous Nations and the white people could live side-by-side, together sharing the land.” (Claxton 2008)

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³ Indian = an archaic term for First Nations Peoples

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Handout: Sir James Douglas

DOUGLAS, Sir JAMES, HBC officer and governor of Vancouver Island and of the crown colony of British Columbia; b. 5 June or 15 Aug. 1803; d. at Victoria, B.C., 2 Aug. 1877. James Douglas was the son of John Douglas and nephew of Lieutenant-General Sir Neil Douglas. John Douglas and his three brothers, merchants in Glasgow, held interests in sugar plantations in British Guiana.¹ During his early years in the fur trade he was singled out for having a sound knowledge of the French language and “possessing a clear and distinct pronunciation.” At the age of 16 Douglas was apprenticed to the North West Company. Douglas arrived in Quebec in 1819. That winter he applied himself to accounting, learning business methods, and learning about the indigenous population.

In the summer of 1820 he was transferred to Île-à-la-Crosse in present day Saskatchewan. There he threw himself into the struggle between the North Westers and the Hudson’s Bay Company men, fighting a duel with Patrick Cunningham and engaging in military manoeuvres [sic] and threatening appearances. He was one of four Nor’Westers specifically warned on 12 April 1821 to desist from parading within gunshot of the neighbouring HBC post with “Guns, Swords, Flags, Drums, Fifes, etc., etc.” On the union of the two companies in 1821, Douglas was hired by the HBC as a second class clerk. In 1822, though only 18 years old, he was regarded as “a very sensible young man” and a good First Nations trader, who could be trusted to take charge that summer of the Island Lake post.

On 15 April 1825, Douglas left Île-à-la-Crosse to take charge of Fort Vermilion in Peace River during the summer. The next spring he was at Fort St James, Stuart Lake, headquarters of the New Caledonia district. Douglas had now completed the first of seven crossings of the Rocky Mountains, and the experience had left an imperishable² memory “of fresh scenes, of perilous travel, of fatigue, excitement and of adventures by mountain and flood.” That spring (1826) he visited the Pacific seaboard for the first time. During the winter of 1827, at Fort St James, Douglas decided to retire from the fur trade at the end of his three-year contract. By March 1828, discouraged by the isolation of his life, the lack of companionship and of good books, the hostility of nearby First Nations, and the danger of starvation after the salmon run failed, he was “bent on leaving the country.” His employers, however, were willing to renew his contract and increase his salary from £60 to £100.

On 27 April, according to the custom of the country (confirmed in a Church of England ceremony at Fort Vancouver in 1837), Douglas married Amelia Connolly, half-Indigenous daughter of the chief factor. During the time Connolly left him in charge of Fort St James while he himself took out the 1828 returns to Fort Vancouver, a “tumult”³ with the local indigenous nations erupted. Following the execution of an Indigenous person who had been involved in a murder at Fort George in 1823, members of the Carrier First Nation invaded the fort to avenge his death and threaten Douglas’ life. James Douglas could be “furiously violent when aroused,” and First Nations leaders had taken an inveterate⁴ dislike to him. In November he was again assaulted, near Fraser

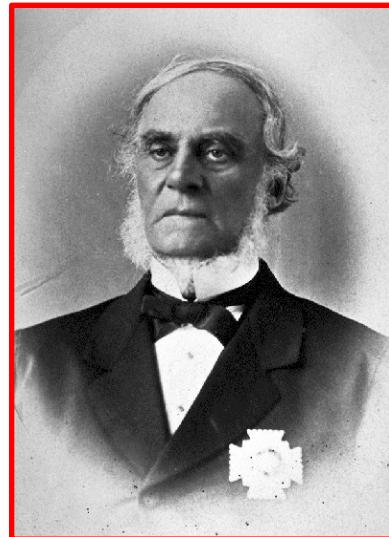


Image held by the British Columbia Archives

¹ British Guiana = a former British colony in the Caribbean

² Imperishable = enduring forever

³ Tumult = confusion

⁴ Inverterate = a long-established habit that is unlikely to change

Lake. There was further trouble at Fort St James on New Year's Day, 1829. "Douglas's life is much exposed among these Carriers," Connolly reported to Governor George Simpson in February 1829, "he would readily face a hundred of them, but he does not much like the idea of being assassinated."

Connolly's recommendation that Douglas be instead transferred to Fort Vancouver, where extensive coastal trading and farming operations were under way, was accepted by the Council of the Northern Department. On 30 Jan. 1830 Douglas left Stuart Lake to become accountant under Dr. John McLoughlin, superintendent of the vast Columbia Department. "James Douglas is at Vancouver and is rising fast in favour," a fur-trader reported in 1831. Simpson, who had met Douglas at Île-à-la-Crosse in 1822 and at Fort St James in 1828, was convinced that Douglas "is a likely man to fill a place at our Council board in course of time." In November 1839, he was advanced to chief factor⁵.

Douglas made a reconnaissance⁶ of the tip of Vancouver Island in July 1842 and, in March 1843, started the construction of Fort Victoria. He was concerned about the interest of the United States government in additional good ports on the Pacific coast. "An American population will never willingly submit to British domination," he wrote to Simpson, "and it would be ruinous and hopeless to enforce obedience, on a disaffected people; our Government would not attempt it, and the consequence will be the accession of a new State to the Union." When, in 1846, the British government relinquished its claims to the north bank of the Columbia River and accepted the 49th parallel as the boundary, Douglas reorganized the brigade routes from New Caledonia to make them converge⁷ at Fort Langley on the lower Fraser River. In 1848 he investigated the market at Honolulu for salmon and lumber. At last, in 1849, he moved the company's headquarters, shipping depot, and provisioning centre from the Columbia to Fort Victoria.

To prevent American expansion northward, the company on 13 Jan. 1849 accepted a royal grant to Vancouver Island for ten years. A colony was to be set up within five years, and Douglas expected to be chosen governor. But he was passed over in favour of Richard Blanshard. When Blanshard arrived at Fort Victoria in March 1850 workmen were deserting for the California goldfields and "The affairs of our nascent Colony on Vancouver's Island are not making much progress," Douglas admitted in November. Blanshard had already sent in his resignation. On 16 May 1851 Douglas had been appointed governor and vice-admiral of Vancouver Island and its dependencies. The news did not reach him until 30 October. His appointment confirmed, however, he entered into his dual capacity of governor and chief factor with enthusiasm. The gold discovered on Queen Charlotte Islands was protected from the American grasp, the company was advised to purchase the Nanaimo coalfield, Indigenous lands near Fort Victoria were purchased through treaty and reserves were created, roads were built, and schools were established.

No matter concerned Douglas more than First Nations policy. Towards First Nations, his attitude was one of benevolent paternalism, though he followed the HBC rule that violations of law must be speedily punished. To hunt a Cowichan murderer in 1853, he organized among the company servants the Victoria Voltigeurs—a small group of volunteer militiamen—enlisted the services of the Royal Navy, and, for the trial, empanelled⁸ a jury on board the Beaver.

In laying out reserves, he left the choice of the land and the size to the First Nations leaders. Surveyors were instructed to meet their wishes and "to include in each reserve the permanent Village sites, the fishing stations, and Burial grounds, cultivated land and all the favorite resorts of the Tribes, and in short to include every piece of ground to which they had acquired an equitable title through continuous occupation, tillage or other investment of their labour." At first the First Nations' requests were moderate, not exceeding ten acres per family, but later in the pastoral

⁵ Chief factor = top agent

⁶ Reconnaissance = survey

⁷ Converge = meet at a point

⁸ Empanelled = enlisted

country in the interior, where they needed range land for their cattle and horses, the reserves were much larger. Title remained vested in the crown “as a safeguard and protection to these Indian⁹ Communities who might, in their primal state of ignorance and natural improvidence, have made away with the land.” As his land policy evolved, Douglas, certain that the time would arrive “when they might aspire to a higher rank in the social scale and feel the essential wants of and claims of a better condition,” permitted Indigenous Peoples as individuals to acquire property by direct purchase from government officers or through pre-emption, “on precisely the same terms and considerations in all respects, as other classes of Her Majesty’s subjects.” This was highly unusual at the time.

A fur preserve boasting a single stockaded¹⁰ fort only a few years before, Vancouver Island was now a colony with limited representative government. Compared with neighbouring Washington Territory where land was free, the colony’s population was small, but it lived in peace without warfare. Through Douglas’ efforts, large-scale farming, saw-milling, coal-mining, and salmon fishing had been established. His accomplishments offset the criticism of his rule by Blanshard, Cooper, and Admiral Fairfax Moresby before the select committee of the British House of Commons in 1857. When the government converted Vancouver Island into a crown colony in 1859, the governor it chose was James Douglas. After his authority had been confirmed in August he vested title to land in the crown. It was opened to settlement slowly, and, in the hope of attracting British immigrants, it was priced low. Only British subjects could purchase land, but all those who applied for naturalization could obtain it.

Until the crown decided to establish a legislature in British Columbia, the governor possessed absolute power to administer justice and to establish laws and ordinances. It would not be fair to the grand principle of free institutions, Lytton had declared in July 1858, “to risk at once the experiment of self-government among settlers so wild, so miscellaneous, and perhaps so transitory, and in a form of society so crude.” The plan satisfied Douglas, who believed that “the best form of government, if attainable, is that of a wise and good despotism,” and that “representative Governments cannot be carried on without recourse directly or indirectly to bribery and corrupting influences.” He took the opportunity to determine policy and announce it in the form of proclamations.

The calling of a convention at Hope in September 1861 to demand responsible government aroused the governor’s ire: “The term is associated with revolution and holds out a menace – the subject has an undoubted right to petition his sovereign, but the term ‘convention’ seems something more, it means coercion.” The principle of representative government he recognized: in 1862, anticipating the reorganization of the colony’s government in 1863, for which provision had been made in the founding act, Douglas recommended a small chamber, one-third nominated by the crown and two-thirds elected.

As he prepared to step down from office in the spring of 1864, Sir James Douglas had the satisfaction of knowing that he had ended the alien¹¹ threat and protected the British foothold on the Pacific seaboard. His road was built, Cariboo was at the height of gold production, towns were laid out in the interior, and law and order prevailed in the mining fields. In 1864 the colonial revenues rose to £110,000; Victoria was a city of 6,000 persons, and Barkerville almost as large. Douglas’ last task for British Columbia, now a stable community, was to set up a legislative council. “Sir James Douglas’s career as governor has been a remarkable one,” an official at the Colonial Office acknowledged. “He now quits his two Govts.¹² leaving them in a state of prosperity, with every prospect of greater advancement.”

⁹ Indian = an archaic term for First Nations Peoples

¹⁰ Stockaded = fenced

¹¹ Alien threat = Americans entering the colony

¹² Govts = governments

Douglas left a mixed legacy. While some have claimed that he was a “humanitarian” who “treated individuals, including Negro slaves and Indians, with a respect that few of his contemporaries showed,” many historians and indigenous peoples question the fairness of the methods he used during treaty negotiations. While he was instrumental in organizing early British settlement, that process, and the means by which it was carried out, is not seen in the same light by all people.

Reproduced, with some updates, from Ormsby, Margaret A. “Douglas, Sir James.” *Dictionary of Canadian Biography*. http://www.biographi.ca/en/bio/douglas_james_10E.html.



Handout: David Latass (Also Latasse, Latess and Latesse)

David Latass was born Songhees and came to be a chief in the Saanich (WSÁNEĆ) nation, having relocated there between the ages of seven and fifteen when he went there to live with an aunt upon the death of his parents. He spent the remainder of his life living at the Tsartlip First Nation. Speaking to a reporter in 1934, Latass claimed to be 105 years old. He was, according to the reporter, “still mentally keen.” Addressing doubts concerning his age, Latass said: “White people doubt my age can be 105 years. They see my bright eyes, they saw me move quickly until a few years ago, they heard me speak in council and address the tribes when long past ninety years old, and they said it was impossible for me to have known James Douglas. But I was a grown man when the big pow-wow was held [in 1850] in Beacon Hill.” Historian Neil Vallance has written that, despite extensive research, he has found wildly varying accounts of Latass’s age and had been unable to confirm it conclusively.

Very few Indigenous accounts of the signing of the Douglas Treaties were written down. Two of the accounts comes from Latass, who recounted the signings of the 1850 Esquimalt/Songhees treaties and the 1852 North Saanich Treaty. His accounts were recorded in a newspaper article from 1934. There is considerable uncertainty around the details of Latass’s life. As Vallance notes, “Latass (or his father) participated in the Songhees/Esquimalt meetings, and he (or his maternal uncles) participated in the Saanich meetings.”

Latass came to a leadership position in his nation, in part, because of his knowledge of the treaties. This was explained during questioning of Mr. Gabe Bartleman, then seventy-three years old, as part of a court proceeding. Louise Mandell, counsel for the Tsawout, questioned Bartleman:

Q ...who was the leader of the Saanich people during the time when you were growing up?

A. A gentleman by the name of Chief David Latesse...

Q. Was David Latesse an elected leader or was he a leader by his birthright or hereditary line?

A. He was a leader by his birthright and became a leader through the merits that he had behind him.

Q. ...what did you understand that the merits were which the people recognized in him?

A. At that time, Chief David Latesse apparently got to understand some of what is called the treaty, and he tried to inform the people that he looked after the best he could at that time.

Q. Now you mention that Chief David Latesse had knowledge concerning the treaty...

A. He didn’t use the word “treaty,” they called it James Douglas’s word.

Q. ...and did Chief David speak about what happened to have that treaty concluded?

A. The understanding that he gave the people at home was that their way of life was never ever going to be disturbed, that they would always be able to take their food and travel as they did before, that nothing would ever be taken away from them. (As quoted in Vallance)

Latass made a series of efforts from 1923 to 1934 to communicate his views on the WSÁNEĆ Treaties to non-Indigenous audiences. These included a letters penned to Dr. Duncan Campbell Scott, Deputy Superintendent of Indian Affairs and Commissioner of Indian Affairs Ditchburn in Victoria, and culminated¹ with the 1934 newspaper interview mentioned above. As Latass was of a considerable age when the interview was given, he was “looked after by a well-educated wife, half his age, who aided in interpreting the ancient’s vigorous statements.” Most of the interpretation, however, was done by Latass’s grand-nephew, Baptists Paull, who was a boxer and wrestler famous around the coast for his skills. In the interview, Latass recounted his memories of the treaties:

In the years around 1850 the Indians² considered that there was lots of land and had no thought of or fear of extensive settlement by white men. The whites were welcomed, they provided a fine market for the large amount of fur which the tribesmen annually collected. The trade goods the whites gave in return for the furs were highly regarded. The whites at that time also had no idea of asking the Indians to give up their land. Areas proposed to be used by whites were limited and the gifts of blankets and trade goods were considered as annual dues as I shall show.

I was twenty-one when Governor Douglas gave a big party to the Indians of southern Vancouver Island. The entertainment took place at Beacon Hill on May 24, 1850, and was to celebrate the birthday of Queen Victoria. For weeks in advance the party was the talk of all encampments within eighty miles of Victoria. Invitations were sent to the Songhees, Saanich (WSANÉĆ), Cowitchen, and other tribes and the gathering included men, women and children. The natives were seated in big circles, the chiefs forming the innermost line, the lesser braves being further to the rear, according to their relative importance or youth. The women and children hung around the outskirts of the circles of men, grouping themselves in eager clusters. Hudson’s Bay men distributed hard biscuits smeared with molasses and also other foodstuffs. After all had eaten Governor Douglas addressed the crowd. He was dressed in a coat of blue with gold shoulder pieces and trimmings. He preceded his speech with a salute to the Great White Queen, given with upraised hand. He stressed the desire of the white man to be friends with the tribes. He assured the chiefs that trade in furs with peaceful use of enough land to grow food were the only reasons for establishment of the settlement.

His statement was welcomed by the peace-loving tribes, whose view of white settlement, had it been voiced at all, would have been that there was lots of land and no harm could come from letting the whites have the use of some of it. It must be remembered that First Nations leaders were great bargainers and they would not have had any idea of letting the whites use their land from year to year unless some equivalent trade or gifts be made each year. (As quoted in Allooloo, *et al*)

Toward the end of his long life, it is evident that Chief Latass went to considerable effort to put forward his understanding of the treaties and the treaty relationship. He stressed ideas of

¹ Culminated = reached a high point in development

² Indian = an archaic term for First Nations Peoples

friendship, sharing, and mutual respect. He also argued that all payments from the treaties would have been understood by the Indigenous signatories as being owed annually.

ADDITIONAL RESOURCES

Allooloo, Siku, Michael Asch, Aimée Craft, Rob Hancock, Marc Pinkoski, Neil Vallance, Allyshia West, and Kelsey Wrightson. “Treaty Relations as a Method of Resolving IP and Cultural Heritage Issues.” 2 October 2014.

https://www.sfu.ca/ipinch/sites/default/files/resources/reports/treatyrelations_finalreport_2014.pdf.

Vallance, Neil. “Sharing the Land: The Formation of the Vancouver Island (or ‘Douglas’) Treaties of 1850-1854 in Historical, Legal and Comparative Context.” PhD Diss. University of Victoria, 2016.



Handout: Joseph Trutch

TRUTCH, Sir JOSEPH WILLIAM was an engineer, surveyor, politician, and office holder; b. 18 Jan. 1826 in Ashcott, England, son of William Trutch and Charlotte Hannah Barnes; m. 8 Jan. 1855 Julia Elizabeth Hyde in Oregon City, Oreg.; they had no children; d. 4 March 1904 in Taunton, Somerset, England.

Joseph Trutch was a particular colonial type. An Englishman who lived most of his life in far-flung parts of the empire, he saw the colonies as places of opportunity and advancement but not of permanent commitment. He became an influential figure in colonial British Columbia, part of his legacy being the aboriginal land question that still troubles the province. He amassed great wealth, belonged to Victoria's social élite, was a key politician of the confederation era, and became lieutenant governor in 1871. And yet, for all of his success in the colonies, he eventually returned "home" to England to live out his retirement years. When the Fraser River gold-rush began in the spring of 1858, Trutch was attracted to the new colony of British Columbia. He went to London to discuss his prospects with officials at the Colonial Office. There were no positions available, but he did receive a recommendation from Sir Edward Bulwer-Lytton, the secretary of state for the colonies, to James Douglas, the governor of British Columbia and Vancouver Island.

Trutch arrived in British Columbia in June 1859. While he would play a number of roles in the colony, he began by pursuing his career as an engineer and surveyor. Without a permanent position in the colonial service, he worked on government contracts. He did surveying along the lower Fraser River and was given road construction contracts on the Harrison-Lillooet trail to the Cariboo. In 1862 he was contracted to build the section of the Cariboo Road up the Fraser canyon from Chapmans Bar to Boston Bar. The stretch would include his best-known engineering achievement, the Alexandra suspension bridge. With a 268-foot span, a 90-foot clearance from the river, and a 3-ton load capacity, the bridge was a considerable feat. It was also a source of considerable income for Trutch since under the contract he was allowed to collect tolls on it for seven years. The income has been estimated to have ranged from \$10,000 to \$20,000 a year. Moving about on survey work, Trutch learned where desirable land was to be found and he soon amassed substantial holdings, particularly on Vancouver Island.

Trutch also became involved in colonial politics. He had won a by-election in Victoria District in November 1861 to become a member of the Vancouver Island House of Assembly. Although his first foray into politics ended with the dissolution of the assembly early in 1863, another opportunity came later the same year. Trutch was named chief commissioner of lands and works for British Columbia in April 1864 by Governor Douglas. The appointment was a controversial one. In the local press, opponents of the colonial administration argued, not unreasonably, that Trutch's government contracts and large landholdings meant he would have an obvious conflict of interest. Nevertheless, in a colony where expertise was limited, Trutch's undoubted ability as a surveyor and engineer got him the office. He was now in a position to make major decisions on the allocation of land to settlers and works contracts to developers. As chief commissioner of



Image held by Library and Archives Canada

lands and works he also became, *ex officio*,¹ a member of the Executive Council of British Columbia.

In addition to entering the colonial administration, Trutch had become a prominent figure among the social élite of Victoria. His home, Fairfield House, on the city's outskirts commanded a superb view of Juan de Fuca Strait and became a centre of social life. Trutch smoked fine cigars, kept an excellent wine cellar, and entertained often. An Anglican, he often read the lesson at Christ Church Cathedral on a Sunday morning. Members of the government, from Governor Douglas down, were among his personal friends and it was a close-knit community. The attorney general, Henry Pering Pellew Crease, had been a friend since their school-days together at Mount Radford. Peter O'Reilly, the gold commissioner, married Trutch's sister Caroline Agnes in 1863. In 1870 Trutch's brother John married Zoe Musgrave, the sister of Anthony Musgrave, the last colonial governor of British Columbia. These were the people who ran British Columbia and they ran it in their own interests and those of their class. Anyone who stood in the way of the development of the colony was likely to get short shrift from Joseph Trutch and his kind.

In many ways, Trutch left his most lasting legacy to British Columbia in the area of Indigenous land policy. Just after Trutch became chief commissioner of lands and works, Douglas retired. As governor, Douglas had made that policy himself. Though he had discontinued his early practice of signing treaties with native people to extinguish their title to the land, he had continued to take their wishes into account when laying out reserves, and he insisted that, once established, Indian reserves were to be protected from encroachment. Douglas believed that native people would have some future in the colonies and wanted to provide at least a minimal economic basis for it. Trutch, as the representative of the new settler society, thought that Indigenous Peoples should simply make way for the white population. After Douglas left office, none of his successors as governor had the same interest in native people or policy, and so Trutch stepped in to fill the vacuum of leadership.

There were two major features to Trutch's land policy in the 1860s. First, he confirmed the practice of not recognizing aboriginal title and, second, he made sure that reserves were of minimal size. He believed that native people in British Columbia had no valid claim to the land and therefore it was unnecessary to negotiate agreements or offer compensation, either to extinguish aboriginal title or to reduce existing reserves. Thus the policy of not signing treaties, begun under Douglas, was continued. On the issue of reserve size, however, Trutch instituted a clear change. He took the view that the reserves already laid out were "entirely disproportionate to the numbers or requirements of the Indian Tribes." Even more important, they included good arable and grazing land that ought to be made available to white settlers. He cut back the size of many, beginning with Shuswap reserves in the Kamloops area and continuing the process in the Fraser valley. Native objections were ignored and Trutch deliberately falsified the record of Douglas's dealings in an effort to justify the change in policy. Though few complained at the time, he left British Columbia with a legacy of litigation and a political problem that is unresolved to the present day.

Taking reserve land from First Nations Peoples and giving it to settlers did not, of course, hurt his popularity in his own community. Trutch was growing increasingly prominent in the Legislative Council of British Columbia, of which he had become a member in 1866, and he would play an important role in the major issue facing the settler population of British Columbia by the end of the 1860s. As the gold-rush had fizzled out, a depressed economy created massive financial problems for government that the uniting of the two colonies of Vancouver Island and British Columbia in 1866 had failed to alleviate. There was the need for another political solution to the economic crisis and, with the achievement of the Canadian confederation in 1867, joining the new nation became a possibility. Trutch, and the other British officials, initially opposed any loosening of ties to Britain. They cloaked their fear of losing their lucrative² positions in the mantle of

¹ Ex officio = By virtue of position or status

² Lucrative = financially rewarding

imperial sentiment. Annexation by the United States, another possibility being advocated by a few, was, of course, anathema to Trutch. And yet some change had to be made. British Columbia could not continue as an isolated British colony with a declining economy.

Matters came to a head with the appointment of Musgrave as governor in 1869. He was instructed to engineer British Columbia's entry into confederation. Trutch and Musgrave became friends and, with the marriage of their siblings, relatives. Musgrave also guaranteed the future of Trutch and the other colonial officials with the promise of a position or a pension after British Columbia became a province of Canada. With the threat to his self-interest removed, Trutch became an ardent advocate of union with Canada. He was a forceful speaker when the question was debated in the Legislative Council and was a particularly strong proponent of a railway link. Once the council had voted in favour of joining confederation, Musgrave appointed Trutch, John Sebastian Helmcken, and Robert William Weir Carral to negotiate the proposed terms of union with the federal government in Ottawa.

Trutch was effectively the head of the delegation. Helmcken admitted that he was "head and shoulders above us in intellect—and pertinacity" and so, once in Ottawa, "Trutch was everything and everybody." He pressed the federal government on building a transportation link to British Columbia and, to his surprise, was offered more than he asked for. The dominion promised to begin constructing a railway within two years and finish it in ten. He was also the author of the unfortunate clause 13 of the terms of union which, in handing responsibility for First Nations and their lands over to Ottawa, stipulated³ that the federal government would adopt "a policy as liberal as that hitherto pursued by the British Columbia Government." It was some years before federal officials realized just how illiberal Trutch's Indigenous policy had been. Having concocted a misleading clause on native policy, he had no need to reassure the federal government on that score. Trutch continued to believe that British Columbia's future lay in taking land from native people and making it available to developers such as railway companies.

British Columbia became the sixth province of Canada on 20 July 1871. Joseph Trutch was rewarded by the federal government with appointment as the first lieutenant governor. He was responsible for setting up federal institutions in British Columbia, and he was Ottawa's minister of patronage⁴ in the province. He continued to have an influence on First Nations land policy. As lieutenant governor he was also the agent of the imperial government and was a strong advocate of the British case against the United States in the San Juan Island and Alaska boundary disputes. And yet he was becoming bored with his position, which no longer demanded all his energy. Some more challenging business enterprise would have been more to his liking. His enthusiasm was piqued by Prime Minister Sir John A. Macdonald's plans to establish the Canada Pacific Railway Company and he assisted by raising some of the preliminary capital in British Columbia. But the scheme went up in smoke with the Pacific Scandal of 1873. When Macdonald and the Conservatives were replaced by the Liberals under Alexander Mackenzie, the railway was on hold and Trutch had lost his influential contacts in Ottawa.

Joseph Trutch died on 4 March 1904 in Somerset, the same English county in which he had been born 68 years earlier.

Reproduced, with some updates, from Fisher, Robin. "Trutch, Sir Joseph William." *Dictionary of Canadian Biography*. http://www.biographi.ca/en/bio/trutch_joseph_william_13E.html.

³ Stipulated = demanded as part of the agreement

⁴ Patronage = office controlling appointments to office or the right to privileges



Handout: Reef Nets

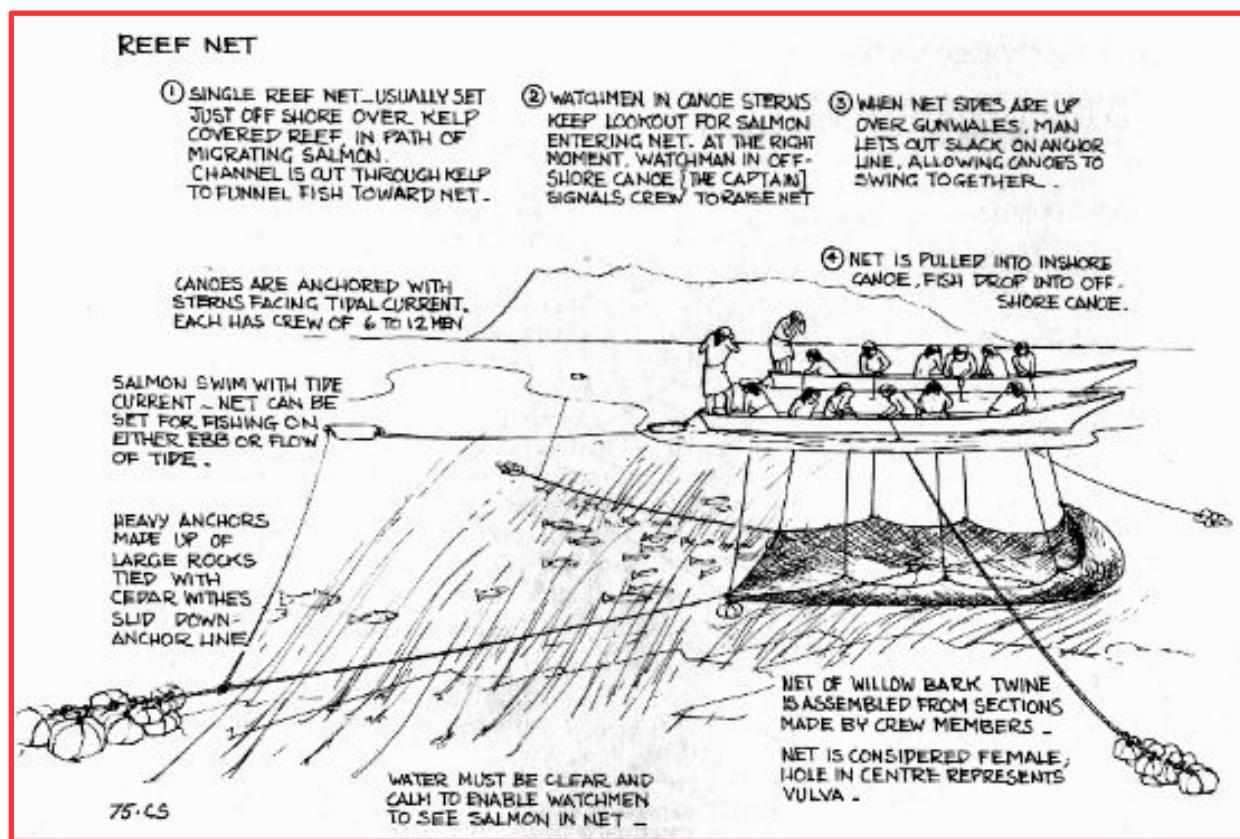


Diagram of reef netting by Hillary Stewart

The “Reef Net” (SXOLE) is a traditional fishing practice of the Saanich, or WSÁNEĆ, peoples. The practice was central to their livelihood and social and political organization. In the Douglas Treaties, it was agreed that the WSÁNEĆ would be permitted “to carry on our fisheries as formerly.” Today, WSÁNEĆ people understand that to mean that it was agreed they could continue reef fishing, as that was their primary mode of fishing when the treaty was signed. For them, this means much more than simply fishing. Reef net fishing was fundamental to the WSÁNEĆ way of life and to their identity as a people. In WSÁNEĆ teachings, the reef net technique was a gift from the Salmon People, given in exchange for a WSANEĆ princess. Many WSÁNEĆ people today continue to say that reef net fishing not only provided sustenance, but also had within it a WSÁNEĆ model of governance. When the treaty protects the right to fish as they had before, then, this included the right to engage in all of the activities, including governance activities, that the WSÁNEĆ would have associated with reef net fishing. For example, as Earl Claxton Sr. and John Elliot Sr. write, “a SWÁLET or fishing location of the reef net was not owned. Rather, the families belonged to the location. The location of such a fishery within Saanich territory was a birthright of the Saanich people. SWÁLET was passed down in a traditional way

along with the ancient family names. All close relatives belonged to the SWÁLET.” (Claxton and Elliot 1994).

ADDITIONAL RESOURCES

Claxton, Earl, and John Elliott. *Reef Net Technology of the Saltwater People*. Saanich Indian School Board, 1994. This publication provides diagrams and information on the reef net technology, as well as original Sencoten place names.

An informative video can be found at: “To Fish as Formerly: WSÁNEĆ Nation Brings Reef Net Fishing Back after 100 Years.” <https://youtu.be/vTQk1IR9ibc>.

THE CONFEDERATION DEBATES EDUCATION TEAM



Jennifer Thiverge led *The Confederation Debates* education committee. She is a PhD candidate in History at the University of Ottawa and has a Masters of Education and a Bachelor of Education in Voice, Drama, and History. Her research interests are interdisciplinary, ranging from using drama to teach about World War One, Dark Heritage and Collective Memory in the Museums, to how gender plays a role in the History of Computer Science. As an active historian and educator, Jennifer has extensive experience in both fields.



Daniel Heidt, PhD is *The Confederation Debates* project manager. His doctoral research on Canadian politics and Ontario federalism during the nineteenth century demonstrated that asymmetrical political influence does not necessarily destabilize national unity. He also has a strong background in digital humanities and co-owns Waterloo Innovations, a company dedicated to working with researchers to improve digital workflows.



Bobby Cole is an MA student in Canadian and Indigenous Commemorative History at the University of Ottawa. His research focuses on the Historic Sites and Monuments Board of Canada's representation of Indigenous history in the 30 years following the Second World War.



Robert Hamilton is a PhD student at the University of Victoria Faculty of Law. His research focuses on Aboriginal law in Canada, with a specific focus on Aboriginal and Treaty rights in Canada's Maritime Provinces. Robert holds a B.A. (Hons) in Philosophy from St. Thomas University, a J.D. from University of New Brunswick Law School, and an LL.M. from Osgoode Hall Law School. He has published in the area of Aboriginal land rights in the Maritime Provinces and has presented his research at numerous academic conferences.



Elisa Sance is a PhD student in Canadian-American history at the University of Maine. Her doctoral research focuses on language, citizenship and identity in teacher training in Maine and New Brunswick during the twentieth century. As part of her training, Sance studied the teaching of modern languages, the teaching of children with learning and behavior problems in the regular classroom, and feminist pedagogy. She regularly attends professional development events on related topics and participates in outreach programs benefitting high schools and middle schools in Maine.

Adam Blacklock, Andreea Deac, Jonah Ellens, Erica Fischer, Dakoa Lizee, Chelsey Lush, Varun Joshi, Kira Smith, Maria van Duinhoven, Sharon Walia and Eleanor Wong, composed biography briefs for several of the historical figures included in this package.

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