

# THE FUTURE BRITISH AMERICA.

**INDEPENDENCE! HOW TO PREPARE FOR IT.**

**CONSOLIDATION IS PREPARATION FOR A NEW NATION.**

**Confederation is Preparation for Annexation.**

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It would appear that every motive that has induced the union of various Provinces into a single state exists for the consolidation of these Colonies *under a common legislature and executive.*—**LORD DURHAM.**

I nevertheless leave you *with every hope that the unity of all the British Provinces will be a great fact.*

I think those legislators will at last come to the right conclusion, *and that unity and strength will take the place of division and weakness.* This unity bears with greater weight upon the defences of those vast Colonies than it does on the commercial advantages, which are in themselves obvious and most important.—**SIR W. F. WILLIAMS.**

The simple question to be determined is: shall the constitution of the United Provinces of British America be formed after the model afforded us by the constitution of the United Kingdoms or that of the United States?

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FOR SALE BY C. A. BACKAS, TORONTO ST., AND OTHER BOOKS ELLERS.

T O R O N T O :

1865.

# CONFEDERATION A FAILURE.

## CONSOLIDATION THE TRUE SCHEME.

CONSOLIDATION AGAINST CONFEDERATION; THE MERITS OF EACH DISCUSSED; A PLAN PROPOSED; PRACTICAL AND PRACTICABLE; UNION NECESSARY AND DESIRABLE; THE IMPERIAL GOVERNMENT ARBITER; EACH PROVINCE TO ADVOCATE ITS OWN VIEWS AS TO DETAILS; ENGLISH GOVERNMENT TO SETTLE ALL DIFFERENCES; THE ONLY WAY TO ESTABLISH UNION WITH CORDIALITY; RESULTS—ONE FLAG, ONE LEGISLATURE ONE PEOPLE, ONE COUNTRY.

### \*LETTER I.\*

*Confederation a failure; Union demanded by the people of all the Provinces; a new Scheme; the Territory; new names; THE GOVERNMENT; Executive; Cabinet and Privy Counsellors; Seventeen members; LOCAL EXECUTIVE DEPARTMENTS; local Executive Departments of U. C.; THE LEGISLATURE; House of Barons or U. House; Speaker, Chief Baron; House of Commons or House of the People; THE JUDICIARY; Court of Error and Appeal for all the Provinces; Dignities of its Members; Local Judiciary; Superior Courts granted to each section; Members from the Bar of the section; LEGISLATION; Local questions left to Committees of each section; Standing Committees; Religion; Laws and Institutions; Language; French and English; Debts; How to Equalize Debts; total Debts; Debt per head in various countries; Public Property; How is Union to be accomplished; Refer to England as Arbitrer; Provincial Delegates as Advocates; Machinery for making, administering and executing laws all that is required; Respect to British connection; Grand results.*

SIR,—Now that Confederation has proved a miserable failure, it is important to look about and provide a scheme to meet the demands of England upon these colonies, and at the same time answer the requirements of

\* The following letters were addressed to the "Leader" over the signature of "Paul I. Tickle" and were published in that newspaper. Some having deemed them of sufficient importance to be presented in pamphlet form, they are now produced in that way. The first was dated the 20th day of March, 1865. The same views were communicated to the same paper at the commencement of the discussion on Confederation in the Spring of 1864. It is to be hoped the principles enunciated will eventually find expression in the new constitution. There cannot be prosperity without good government, and there cannot be good government without a good system or constitution. The constitution is the fountain, all else flows from it.

the people of British North America. I believe if a vote were taken to-morrow, on the question of union, whether it was desirable or not, nine-tenths of the whole population would vote for it, while I believe at the same time, that if the Quebec resolutions were submitted to the people everywhere as a basis of union, at least four-fifths of the votes would be against them. I therefore propose a scheme whereby all conflicting interests can be settled, and a union based on the most satisfactory and enduring principles recognized in free governments, can be secured. It is no use opposing one scheme and rejecting it as unfit for its avowed object unless a better can be presented in its place.

I would consolidate the people of these provinces, on the following plan:

#### THE TERRITORY.

1st. All British North America, composed of the following provinces:—

- |                          |                |
|--------------------------|----------------|
| 1. Newfoundland.         | 1. Cabotia.    |
| 2. Nova Scotia.          | 2. Acadia.     |
| 3. New Brunswick.        | 3. Sebastia.   |
| 4. Prince Edward Island. | 4. Laurentia.  |
| 5. Lower Canada.         | 5. Cartieria.  |
| 6. Upper Canada.         | 6. Canadia.    |
| 7. Red River Settlement. | 7. Assiniboia. |
| 8. British Columbia,     | 8. Columbia.   |
| Vancouver Island.        |                |

And in course of time,

- |                              |             |
|------------------------------|-------------|
| 9. Hudson Bay Territory.     | 9. Borella, |
| 2. All to be named Canadia.  |             |
| 3. The Capital to be Ottawa. |             |

#### THE EXECUTIVE.

4. Her Majesty the Queen.
5. Her representative, Viceroy or Governor.
6. Her Canadian Cabinet.
  1. Attorney General.
  2. Solicitor General.
  3. Postmaster General.

4. Secretary General.
5. Minister of Finance.
6. Minister of Crown Lands.
7. Minister of Public Works.
8. Minister of Militia.
9. Minister of Agriculture.

## PRIVY COUNCILLORS.

- |                             |             |
|-----------------------------|-------------|
| 10. Min. of Departments for | Cabotia.    |
| 11. do do                   | Acadia.     |
| 12. do do                   | Sebastia.   |
| 13. do do                   | Leurentia.  |
| 14. do do                   | Castleria.  |
| 15. do do                   | Canadia.    |
| 16. do do                   | Assiniboia. |
| 17. do do                   | Columbia.   |

7. All of whom—the seventeen—would form the ministry of the day, and would go in or out with the cabinet. All of whom should be members of parliament. The ministers of departments to be appointed from the section for which they are ministers respectively, and reside in the capital of the section. They would attend cabinet meetings when summoned,—and attend Parliament as other ministers, to give information and take part as other members and ministers.

8. To illustrate this system take, for instance, Canadia (U. C.), Toronto the seat of the local departments.

1. Minister of Departments.
2. Department of Law.
3. do Finance.
4. do Public works.
5. do Crown lands.
6. do Agriculture.
7. do Post office.
8. do Militia.

9. All ministers, of both Houses, during office, and the Speaker of the Commons, to be styled, "The Right Honorable."

## THE LEGISLATURE.

## THE HOUSE OF BARONS.\*

10. To be composed of all the life members of the present Legislative Councils of all the sections, and such others as the Crown might select.

11. To be called to the House of Barons for life, with the title of "Baron of Canadia."

\* "The distinction of rank and honor is necessary in every well governed state, in order to reward such as are eminent for their services to the public, in a manner the most desirable to individuals, and yet without burdens to the community; exciting thereby an ambitious yet laudable ardor, and generous emulation in others; and emulation or virtuous ambition is a spring of action which however dangerous, or invidious in a mere republic, or under a despotic sway, will certainly be attended with good effects under a free monarchy, where, without destroying its existence, its exercise may be continually restrained by that superior power from which all honor is derived. Such a spirit, when nationally diffused, gives life and vigor to the community; it sets all the wheels of government in motion, which, under a wise regulation, may be directed to any beneficial purpose; and thereby every individual may be made subservient to the public good, while he principally means to promote his own particular views."—Blackstone.

12. To be unlimited in number. The Speaker to be styled "The Chief Baron of Canadia."

## THE HOUSE OF COMMONS.

13. The members to be elected by the people, on the basis of one to every 20,000 inhabitants at present, and until amended or altered by the Consolidated Legislature.

14. To be elected for five years.

15. To assemble at least once a year in Parliament at Ottawa.

16. To be styled, while members, "The Honorable."

## LEGISLATION.

17. To be conducted on the same principles, as near as may be as in England.

18. To add to the usual standing committees of the Commons at the commencement of each session, a standing committee of all the members of each section.

19. To pass resolutions at the commencement of each session setting forth such questions as shall during the session be considered "local."

20. No local question to be considered by either House, except to be referred to the committee of the section to be affected, unless it is reported to the House by a majority of the committee of the section interested, when it may be approved or rejected by the House; if rejected, it shall again take the usual course as a new subject.

21. No bill or resolution relating to a local matter, rejected by the local committee shall be passed by either House.

## THE JUDICIARY.

22. A Court of Final Appeal to be established at Ottawa.

23. To be composed of at least eleven members.

24. To abolish all other courts of appeal from the Superior courts.

25. To sit at least six months of the year.

26. To be styled "The Court of Error and Appeal for Canadia."

27. The president to be styled "The Lord President of the Court of Error and Appeal."

28. The president to be named with the title of Baronet—and the other members with the title of Knight, and to be selected in every case from the Judges of the Superior Courts.

## THE LOCAL JUDICIARY.

29. The local judiciary in each section to remain as it is, as to its members jurisdiction, rights and privileges.

30. Each section to have separate Superior Courts guaranteed to it. The members to be selected from the bar of the section interested.

## RELIGION.

31. No legislation as to religion, either for or against. The principles of toleration, as recognized in the British empire, to be enforced. All freedom of conscience and modes of worship allowed consistent with the laws of the empire, relating to life, liberty, and property.

## LAWS AND INSTITUTIONS.

32. The laws and institutions to remain as they are in each section until altered by the consolidated legislature.

## LANGUAGE

33. The English only to be the language of the consolidated legislature in its public records or bills. Of course any person may speak in any language he pleases.

34. The English and French language may be used in Lower Canada as at present—in the courts and otherwise.

35. A limited number of all acts of Parliament at the close of the session to be printed in French for the use of Lower Canadians, in the discretion of the Legislature.

## DEBTS.

36. Consolidate all the Public Debts of all the Provinces and give new consolidated debentures at an interest not greater than five per cent half yearly.

37. Equalize the debt per head of all the Provinces on the following principle:—I illustrate by the actual figures leaving off cents, based on the debts of the five Provinces.

Debt per head Canada.....	\$20
Do Prince Edward Island. 2	
Do New Brunswick .....	20
Do Nova Scotia.....	14
Do Newfoundland .....	7

To make Prince Edward Island equal to Canada and New Brunswick in debt it should have spent in its Public Works or otherwise \$18 per head more than it has. The population of Prince Edward Island is, say 81,000 multiplied by \$18 make \$1,458,000 to credit of Public Works in Prince Edward Island which the Consolidated Legislature will owe and disburse as it becomes necessary in that section.

Nova Scotia's debt is less by \$6 a head than Canada, and its population is say 231,000, equal to \$1,986,000.

Newfoundland's is less by \$13 the head. Population 120,000, equal to \$1,690,000.

The accounts would then stand at the commencement of the New Constitution as follows: To credit of Public Works in New-

foundland.....	\$1,690,000
" Nova Scotia.....	1,986,000
" Prince E. Island	1,458,000

Due by consolidation.....\$5,134,000  
In addition to the whole debt as it  
at present exists of the Provinces 72,036,000

Consolidated debt .....\$77,179,000

Not including Assiniboia and Columbia. Population of the whole say a little less than 4,000,000, would just leave the debt per head of the population \$20.

The interest on that sum, say \$78,000,000 at five per cent, \$3,900,000.

Ordinary annual expenditure....\$13,000,000  
Including the interest on Public  
Debts.

Or \$3 25 per head—

Annual tax per head—United States..\$18

" Great Britain. 11	
" France .....	9 72
" Austria .....	4 25
" Prussia .....	5 50
" Germany.....	4 86
" Russia .....	3 61
" Holland .....	12 15
" Belgium.. ..	6 08
" Canada .....	3 25

## PUBLIC PROPERTY.

38. All public property in every section to belong to the consolidation.

## HOW IS ALL THIS TO BE ACCOMPLISHED.

39. I would accomplish all this by a simple but effectual process. Each province (after a general election therein on the subject) by its representatives to: 1, resolve that union is desirable and necessary; 2, Then to draft resolutions to be submitted to the Imperial government from every province stating its own views as to the manner the union is to be brought about and the details connected with it, with all the information they may choose to connect with their resolutions; and for this purpose the members from Upper and Lower Canada respectively, once the united legislature affirm the principle of union, shall be a committee.

40. The Imperial Parliament to act as arbiter in reconciling the conflicts of sections and determine the future constitution of the country. To pass an act of the Imperial parliament, settling for the first consolidated legislature, in those sections requiring additional representation the new counties for that purpose—subject as to this point to be altered or modified as the consolidated legislature may afterwards enact, and to establish in other respects the constitution and the necessary machinery to work it out.

41. The great principle to be observed in forming the constitution is, to establish by Imperial enactment no more than is absolutely necessary to give the country an executive, a legislature and a judiciary, or the machinery necessary to make, administer, and execute laws, and let the rest be wrought out by internal management.

42. The questions of defence—of army and navy—of railroads—of navigation—of tariffs—of separate schools—and of all other subjects of legislation to be left to the consolidated legislature and government.

43. This would reconcile differences better than any other mode; it would accomplish union quicker and more satisfactorily than any other mode. It would be paying a proper respect to British connection. It would give us a constitution as near as possible a counterpart of the British constitution. It would guarantee all the peculiar rights and privileges of the sections. It would afford a free scope for responsible and representative government. It would give us the full protection of the flag "that for a thousand years has braved the battle and the breeze." It would in few words make, "One legislature, one people, and one country."

Union is strength,

## LETTER II.

CONSOLIDATION; ITS ADVANTAGES IN COMPARISON WITH CONFEDERATION; *Tendency of the Provinces to Consolidation; Consolidation in U. C. and L. C.; Maritime Provinces desiring it; How frustrated in their designs; Opposition to Confederation; Western Provinces desire Consolidation; Political education; Consolidation simple; One Government do the work of nine; Conflicts of sections avoided; Parties; Local Departments; Extent of country; Public business; Ministers; Would be generally adopted; Union with England; New names; Titles of nobility; Obliteration of old Governments; The whole country wants Union in fact, but not in name merely; The people sluggish; Must be waked up.*

SIR,—There are some advocates of confederation who speak of it as the only mode of union that can possibly be adopted, and this too in the face of the most palpable facts, some of which I will state:—

1. The tendency of the whole provinces is to consolidation and not to confederation.

2. We have the consolidation of Upper and Lower Canada in practical operation.

3. We have had the lower or maritime provinces directing delegates to form a legislative union, or to consolidate their governments.

4. This union, by consolidation, would have, no doubt, been brought about, if it had not been for the introduction of an impulsive head into the management of things in Canada; which precipitated a course without reflection and without regard to results.

5. These delegates went upon the invitation of the Canadian delegates into consultation about a confederation instead of a consolidation, and having reported their efforts in that direction, their constituents report them unfit for further duty and turn them about their own business.

6. If the maritime provinces had been consolidated it would have only required but one step further, and the whole would have been consolidated.

7. Since the discussion upon confederation commenced, Lower Canada has presented a strong opposition to the scheme.

8. If there were an election in Upper Canada, in which this question would be presented to the people, nine-tenths of the people of Upper Canada would vote for consolidation instead of confederation.

9. The colonies to the west—Vancouver's Island and Columbia—also desire consolidation and not confederation, and I am quite sure Assiniboia would also vote the same way.

10. The political education of all the people of British America is for consolidation and against confederation, and it is no wonder that the people, wherever confederation has been fairly submitted to them, reject it.

11. Consolidation is the nearest counterpart of the British constitution that can be formed on this continent, and it would therefore be favorably received by the people.

12. The lessons which the British constitution has taught the world should not be lost upon us. Its endurance, its flexibility, its adaptability to all law-abiding and enlightened people—its adaptability to the commercial, enterprising and civilizing spirit of a free people—its power, its wisdom, its goodness, should be all adopted as far as possible; and consolidation adopts these.

13. It is simple and economical, and consequently very desirable.

14. It makes one legislature do the work of nine; and that one would do it better and more to the advantage of the whole of British America, than the nine would.

15. The subjects for legislation are the same in all the sections; there is not one solitary subject of legislation that can be said to be peculiar to one section.

16. It would save the conflicts of sections, than which there is nothing worse in any civilized country.

17. There would necessarily be parties in

\* "Herein, indeed, consists the true excellence of the English government, that all the parts of it form a mutual check upon each other. In the legislature the people are a check upon the nobility, and the nobility a check upon the people, by the mutual privilege of rejecting what the other has resolved; while the King is a check upon both, which preserves the executive power from encroachments. And this very executive power is again checked and kept within due bounds by the two houses, through the privilege they have of inquiring into, impeaching, and punishing the conduct (not indeed of the King, which would destroy his constitutional independence, but which is more beneficial to the public) of his evil and pernicious counsellors. Then every branch of our civil polity supports, and is supported, regulates and is regulated by the rest; for the two houses naturally drawing in two directions of opposite interest, and the prerogative in another still different from them both, they mutually keep each other from exceeding their proper limits; while the whole is prevented from separation and artificially connected together by the mixed nature of the crown, which is a part of the legislature, and the sole executive magistrate. Like three distinct powers in mechanics, they jointly impel the machine of government in a direction different from what either acting by itself would have done; but at the same time in a direction partaking of each and formed out of all; a direction which constitutes the true line of the liberty and happiness of the community."—Blackstone.

The same idea has been represented in other words. The Executive represents the power, the Lords the wisdom, and the Commons the goodness of the nation. Here we have power, wisdom and goodness, the constitutional elements of the government. What goodness prompts to be done as necessary for the welfare of the nation, wisdom directs and regulates, and what both determine should be done, the power executes. One or the other of these elements are sure to be counteracted in governments constructed on the Federal or Confederate principle. The principle of *imperium in imperio* cannot be tolerated without destruction to the government that allows it.

the State; but the mixture of sections would be so complete that sectionalism would be lost in the great whole, and legitimate party warfare would take its place, and party warfare based on great principles with regard to the conduct of government, is now regarded as healthful and necessary in a free country.

18. The system of "local departments" would bring to the door of every man the public servants, by whom the public work is done, with comparatively no expense, and with great advantage to the public service.

19. It meets the difficulty arising from the great extent of country to be united, and facilitates the transaction of the public business.

20. The "local departments" would expedite the transaction of public business immensely. This system would not materially increase the expense, and the division of labor would work so successfully that the public would willingly pay any additional expense it might entail upon the country in the conduct of public affairs, besides the local capitals could well dispense with the local legislatures to have continued in each capital the transaction of all the public business of the section instead of a part, as it would be in confederation.

21. It would relieve cabinet ministers of a great deal of details and routine which should never be cast upon the leaders of parties and the directors of legislation for a large country. Consolidation would tend to the consolidation and uniformity of laws and institutions, promote a unity of sentiment among the people, a love of the whole country, a larger view of duty and a wider scope for talent and energy, a loftier ambition in public men, an elevating character to politics, and a higher character to our country in the face of the world.

23. Its adoption would be almost general, because the mode suggested is unassailable. While we are under the protection of England, and form a portion of the Empire, the Imperial government should at least have something to say in the formation of our constitution, and what it has given in the way of constitutions she only can take away and supply a new one in their place.

24. The provinces could each advocate their own views by delegations to England, the same as they now propose to do.

25. It would, in the most expressive manner, evince our attachment to the crown, at the same time it would meet the expectations of the English public and allay the unnecessary irritation which an attempt to settle our own difficulties would inevitably create, and which, to some extent, has been created by the injudicious suggestions of evil counsels.

26. It would strengthen the union with England, create a new tie of consideration, and destroy all the hopes of the advocates of throwing off the colonies in England, while it would establish our destiny either as a part of the empire, or as an independent people, with England's alliance.

27. With respect to the new names to territories, I think new names are required. What they should be is another matter. Those suggested are so suggested for special reasons as well as uniformity, and to obliterate old land marks. Canada is undoubtedly the proper name for the whole, as it is so generally used in foreign countries for the whole at present.

28. Titles are also suggested as eminently necessary, for if they are not legalised they will at all events be used, as they are with our republican neighbors, notwithstanding their affectation in despising them. There is no country in the world so full of titles as the United States, and where the people are so highly flattered by sounds.

29. What we want is simply the obliteration of the present governments and legislatures, and the establishment of a power requisite to the making, administering and executing laws, and leave the rest to the people and their representatives.

30. In fine, we want union. The whole people wants union, not sectionalism. We want consolidation, not disintegration. We want one country, one people, one legislature, one flag; and not eight peoples, eight countries, nine legislatures, and, eventually, seven years of civil war, and eight petty countries fighting and warring with each other to our common decay, desolation and ruin, a by-word to the world and a hissing among the nations as a people who were slow to perceive the lessons of history, the warnings of the past, the admonitions of the present and the demands of the future; and too sluggish to awake to our own interests and to wrest from corrupt politicians the present fair fame and future glory of our common country.

### LETTER III.

OBJECTIONS TO CONFEDERATION; ITS DISADVANTAGES; CONFEDERATION WOULD DAMAGE THE COUNTRY; *Contrary to the views of the people; A Yankee scheme; Anti-British; Local Legislatures without Legislative powers; Cumbersome; Two Federal Heads; Eight local Legislatures and two superior powers; Hundreds inferior unnecessary; Conflicts in Legislation; Sectionalism legalised; No legislation on Separate Schools; Constitutional Despotism; Cause of civil war; Omnipotence of Parliament the only safety; Nine Legislatures to do the work of one; Defence; Emigration and increase of capital retarded by Confederation; Taxation; All kinds; Will destroy the country; Corrupt coalitions; Discord; Elements of destruction; Confederation must be resisted; Those who press it on the people without their consent to be driven into political obscurity.*

SIR,—I have no doubt whatever that confederation would be most damaging to the interests of this country. It is a most objectionable scheme, look at it from whatever point of view you may. It is utterly

unsuited to the wants of the people of British America, and I give the following reasons for so asserting :—

1. The system is contrary to the views and ideas of the people of this country with respect to government.

2. It is contrary to the first principles of government, as taught to every British child.

3. It is essentially Yankee, of Yankee origin, and I am not sure that it is not pressed more by Yankee influence than British, with a view to annexation to the United States; and late events would seem to inculcate that the impulsive hand in confederation has not fully accomplished its work; but it may have shown its true character too soon for success.

4. It has scarcely a British idea in it. The British element would be lost in this mongrel scheme of monarchy and republicanism.

5. The substantial point of the scheme is the local legislatures without legislative powers, an anomaly the most absurd and contemptible.

6. The scheme is most cumbrous and complicated—

1. In having already a federal head, or what is better, an Imperial head in Great Britain.

2. In making another federal head in British America, subordinate to the first; and without anything to do as long as we have the first.

3. In having eight local legislatures, with limited legislative powers, to be exercised with due subordination to two superior powers.

4. In continuing, at the same time, municipal, county, township and school governments.

5. In dividing the subjects of legislation in such a manner that some subjects can be legislated upon by all, other subjects only by one or two of these powers and their acts liable to be rendered nugatory by a superior power, and preventing legislation at all, on some of the most important and vital of all subjects by any one of the legislatures, general or municipal.

7. The legalizing and perpetuation of sections and sectionalism, which will eventually produce their legitimate fruits—civil war and its usual consequences.

8. One of the most objectionable features of this most objectionable scheme, is that one bred of ignorant priests and corrupt politicians—the *withdrawal from legislation altogether of separate schools*; just as if this generation were so excessively wise they can tell what future generations may require; what in fact shall be best for them, and what they must submit to whether they like it or not.

9. \*Another objection is the *despotism* of a written constitution exhibited in this and other features of the scheme; which never will, and never can be, tolerated in a free country, with a free press, free discussion, and theoretically at least free legislation, encroachments will be made and those interested will stand on the side of the despotism of the constitution against the freedom of the populace, and consequently a conflict must inevitably take place. This, to my mind, is the real cause of the war in the United States—constitutional despotism in a free country—and this despotism of the constitution is just the reverse of the British constitution. The greatest advantage of the British constitution is what is sometimes termed *its flexibility*, but which is in fact nothing more nor less than the *omnipotence of Parliament* over all subjects of legislation which can affect the interests of the masses at any time.

10. The establishment of nine legislatures to do the work of one, with all the expenses of officers, of legislators, and general maintenance, is a serious matter for the taxpayer to contemplate. That in fact a people not much greater in number than London, England, should require so many legislatures and governments is a most palpable burlesque on government and legislation, and would indicate that we were no better than so many savage tribes.

11. The question of defence is not improved by confederation. We are in many points of view better off now than we would be with confederation; consolidation can only give us that unity of power and control that can make the forces of the country effective in case of invasion or war.

12. It would with unerring certainty prevent the very thing which its advocates claim for it—*increase of immigration and capital*.

\* "The power and jurisdiction of Parliament, says Sir Edward Coke, is so transcendent and absolute that it cannot be confined either for causes or persons within any bounds. It has sovereign and uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, reviving and expounding of laws, concerning matters of all possible denominations, ecclesiastical or temporal, civil, military, maritime or criminal; this being the place where that despotic power which must in all governments reside somewhere, is entrusted by the constitution of these Kingdoms. All mischiefs and grievances, operations and remedies, that transcend the ordinary course of the law are within the reach of this extraordinary tribunal. It can regulate or new model the succession to the crown, it can alter the established religion of the land. It can change and create afresh even the constitution of the Kingdom and of Parliament themselves. It can, in short, do every thing that is not naturally impossible, and therefore some have not scrupled to call its power by a figure rather too bold; the Omnipotence of Parliament."—*Blackstone De Lolme* says: "It is a fundamental principle with the English Lawyers, that Parliaments can do every thing but make a woman a man, and a man a woman."

Emigrants and capitalists will not leave countries "too much governed" and come to British America to seek freedom from taxation, when they know that they will meet with taxation in general, taxation in particular, and taxation otherwise; no matter where they may set their feet. Imperial taxation, federal taxation, local taxation, municipal taxation, and other taxation will be piled up one upon the other, with such agonizing reality that an old country or Yankee refugee from tyranny and taxation, will find no resting place in this over-taxed region once confederation gets its hold on the vitals of this young country.

13. The whole scheme of confederation is bred of the most corrupt coalition the country was ever disgraced with. It is a scheme of division instead of union; it would be destructive of lofty ambition, of national aims and purposes, of all prosperity and contentment among the people. It would plant in this country the bitter root of discord never to be destroyed. It has in it the elements of destruction as certain as that animated nature has in it the elements of dissolution. It ought to be resisted by all patriotic men, true lovers of their country, of their children, and of their own happiness; and when once it is stripped of the support of interested political leaders, and is brought to the view of the people in its true color, it and its abettors will be driven to political oblivion without a murmur or lament.

#### LETTER IV.

THE USE MADE OF GREAT NAMES TO SUPPORT CONFEDERATION; *Unscrupulous use of great names; Deception practiced on people; LORD DURHAM'S REPORT; He is against Confederation; Lord Durham for Consolidation; Extract; Extract as to Railroad, Halifax to Quebec; Religions; French and English in Lower Canada; Every man should speak out and save the country from ruin; Demand Consolidation; Demand a counterpart of the British Constitution; Hurl the present demagogues from power; and put in patriotic men; British men; Annexation equal to Confiscation, to Annihilation; Tabular Statement.*

SIR,—In promoting the scheme of Confederation and in pressing it upon an unwilling people unscrupulous means have been used—which only the future will fully reveal—and not the least of these has been the claims made that sagacious and far-sighted men have long since recommended it as the true scheme to benefit the people of these provinces. Lord Durham's opinion—a quarter of a century ago—has frequently been referred to as sanctioning the present reckless scheme of confederation, but if any person can adduce that sanction from the following language,

then probably he has sanctioned the federal principle. Lord Durham says:—

"We must remove from the colonies the cause to which the sagacity of Adam Smith traced the alienation of the provinces which now form the United States; we must provide some scope for what he calls 'the importance' of the leading men in the colony, beyond what he forcibly terms the present 'petty prizes of the paltry raffle of colonial faction.' A general legislative union would elevate and gratify the hopes of able and aspiring men; they would no longer look with envy and wonder at the great arena of the bordering federation, but see the means of satisfying every legitimate ambition in the high offices of the judicature and executive government of their own union. Nor would a union of the various provinces be less advantageous in facilitating a co-operation for various common purposes, of which the want is now very seriously felt. *There is hardly a department of the government which does not require, or would not be better performed, by being carried on under the superintendence of a general government;* but when we consider the political and commercial interests that are common to these provinces, it appears difficult to account for their having ever been divided into separate governments, since they have all been portions of the same empire, subject to the same crown, governed by nearly the same laws and constitutional customs, inhabited, with one exception, by the same race, contiguous and immediately adjacent to each other, and bounded along their whole frontier by the territories of the same powerful and rival state. It would appear that every motive that has induced the union of various provinces into a single state exists for the consolidation of these colonies under a common legislature and executive. They have the same common relation to the mother country, the same relation to foreign nations. When one is at war, the others are at war; and the hostilities that are caused by an attack on one must seriously compromise the welfare of the rest.....A union for common defence against foreign enemies is the natural bond of connection that holds together the great communities of the world; and between no parts of any kingdom or state is the necessity for such a union more obvious than between the whole of these colonies."

A road from Halifax to Quebec also engaged his attention, to which he refers in the following language:—

"I cannot point out more strikingly the evils of the present want of a general government for these provinces, than by adverting to the difficulty which would practically occur, under the previous and present arrangements of both executive and legislative authorities in the various provinces, in attempting to carry such a plan into effect. For the various colonies have no more means of concerting such common works with each other, than with the neighboring State of the Union. They stand to one another in the position of foreign states, and of foreign states without



diplomatic relations. The governors may correspond with each other; the legislators may enact laws carrying the common purposes into effect in their respective jurisdictions; but there are no means by which the various details may speedily and satisfactorily be settled with the concurrence of the different parties.....The completion of any satisfactory communication between Halifax and Quebec would, in fact, produce relations between these provinces that would render a general union absolutely necessary. Several surveys have proved that a railway would be perfectly practicable the whole way.....Instead of being shut out from all indirect intercourse with England during half the year, they would possess a far more certain and speedy communication throughout the winter than they now possess in summer. The passage from Ireland to Quebec would be a matter of ten or twelve days, and Halifax would be the great port by which a large portion of the trade, and all the conveyance of passengers to the whole of British North America would be carried on."

Other names have been improperly used in a similar manner; men are made to speak things which as statesmen and patriots would have made them blush to think that they could have suggested much less deliberately attempted to have carried out.

What are the objections to consolidation? All the advantages in a general way that are claimed for confederation are secured by consolidation; but it cannot be said that all the advantages presented in consolidation can be secured by confederation. The main objection is, and that one is urged by very few outside of Lower Canada—that the peculiar institutions of Lower Canada would be liable to be swept away by the English and Protestant populations of the other sections—but that the local Legislature under confederation would protect them. What then are these institutions? Is the Roman Catholic religion one? It cannot be, for it is in full force in Protestant England and Protestant Upper Canada. Can it be monasteries or nunneries? Neither, for they are not uncommon in all Protestant countries. It cannot be their civil rights that make some Lower Canadians so sensitive. For civil rights are just as well protected under the English government as under the most Catholic in the world—in fact these rights are a little better respected in England than they are in any Catholic country. It cannot be the French language for it is absurd to suppose that any one will attempt to abolish it by legislation. The laws of Lower Canada are for the most part now the same as they are in Upper Canada, such as the criminal laws, the laws of evidence, commercial law, and the laws of real property. What is left? Nothing except it is the *religious property* in Lower Canada, which they no doubt fear may be appropriated to public uses as it has been in Italy and in Mexico. That seems to me to be the real reason why consolidation is opposed as it is by

the ecclesiastical authorities as well as by the political. We are just told that the Pope has given liberty to the Roman Catholic members of Parliament to vote for confederation in whole and in parts. They did vote for it whether permitted by the higher authority or not unless the permission came from a deputy. It is a curious reflection, however, that our legislation is directed on the one hand from that most despotic of all despotic monarchical rulers, and on the other hand from the republican despotism of Washington, but such are the times we have fallen on; and it will be well for us, if we still maintain sufficient liberty to talk and write in a reasonable manner upon political and religious subjects.

The population with respect to religion may be classified under the two leading heads as follows:—

	Prot.	R. C.
Nova Scotia.....	244,576	86,281
New Brunswick.....	181,690	70,447
Lower Canada.....	284,076	942,724
Upper Canada.....	1,396,959	258,141
	2,107,301	1,357,593

The other provinces would not alter the proportions much, there are probably 400,000 more Protestants in the whole population than Catholics; the Catholics are, therefore, numerous enough to have all their rights protected in legislation, even if we were to assume that a disposition existed amongst the Protestants to injure them, than which there is nothing more absurd.

With regard to the French element, we may look to Canada alone, as the additions from the other provinces would not alter the proportions very much.

	L. C.	U. C.
Natives of France.....	949	22,908
Natives of French origin..	847,320	33,287
	848,269	56,193
	56,193	
	904,462	

About 1,000,000 of French and French origin, or one-fourth of the whole. It is a peculiar fact how few Frenchmen there are in Lower Canada, although a large proportion are of French origin.

The question arises who is to govern in this matter, is one-fourth—if indeed they do persist at all in adhering to one form of general government—to rule three-fourths in the selection of the form of government the whole are to live under; certainly not, the majority should govern in this, if in anything; and the majority, yes three-fourths are I have no doubt unequivocally for consolidation and against confederation.

If ever the great West is to be made a part of the consolidated territory, now is the time, while the colonies to the Pacific are seeking a government suitable to them. If once they obtain an established government, there will be endless difficulties in bringing a union

with them about, as there are now some with the eastern provinces.

What then is to be done—as something must be done—if we do not have consolidation or confederation—we will have annexation or ruination; the latter two being equivalents in my opinion. What we must do then is to submit the whole matter to the Imperial government, who we claim has to defend and protect us, and let it settle our constitution on the best basis the circumstances will permit. If Lower Canada has peculiar claims for peculiar protection, over and above all the other sections, then, if she can make that appear to the Imperial government, they will no doubt grant her everything she can ask, and protect her in her rights to the fullest extent, as they have done heretofore, with a jealous care. This is the only safe, speedy and satisfactory mode to accomplish what the whole population desire—union with its anticipated results, prosperity, peace and plenty. If we do this, a Canadian will be at home in Cariboo

or Gaspé, a Nova Scotian will be at home in Toronto or Fort Garry, and this feeling will produce that assortment and disposition of energy, capital and enterprise that will make this country what it may be made, the most desirable and the best adapted to the wants of the people which the world will afford. The resources, when united, are of the most varied and inexhaustible character; diplomacy, statesmanship, ambition and learning will soon find plenty of room, and commercial, agricultural and mineral enterprise will find their rich rewards and most tempting prizes, in the numerous, varied and endless openings that would present themselves in the vast regions that would be brought under one government, based on free and enduring institutions, and supported by a free, enlightened and brave people, ever ready to maintain the right and to resent the wrong.

I subjoin a tabular statement, which may be of service to the reader in taking a practical view of this question. It is as accurate, with the available information, it could be made:

Territory.	New Names.	Capitals.	Square m's.	Population per head to the Square mile.	Population.	Debt.
Newfoundland.....	Cabotia.....	St. John's...	69,000	3.41	130,000	\$ 946,000
Nova Scotia.....	Acadia.....	Halifax...	20,000	18.72	330,857	4,838,547
New Brunswick.....	Sebastia.....	Fredricton...	28,000	10.06	252,047	5,702,991
Prince Edward Island	Laurentia....	Charlottetown	2,000	49.35	80,867	240,573
Lower Canada.....	Carteria.....	Quebec....	210,000	5.95	1,226,809	\$ 60,287,575
Upper Canada.....	Cavachia.....	Toronto....	180,000	9.10	1,655,100	
Assiniboia and Hudson Bay Territory.....	Assiniboia...	Fort Garry	1,800,000		200,000	\$ 560,000
Columbia.....	Columbia....	Victoria....	260,000	2.60	80,000	
Vancouver's Island, }			17,000	1	20,000	\$ 72,595,686
British America.....	Canada.....	Ottawa....	2,517,000	2.30	3,975,661	
	Debt per head of the Population	To equalize the debts with	Revenue.	Expenditure.	Imports.	Exports.
Newfoundland.....	\$ 7.20	\$ 1,690,000	\$ 480,000	\$ 479,420	\$ 5,242,720	\$ 6,002,042
Nova Scotia.....	14.63	1,986,000	1,185,629	1,072,274	10,201,391	8,420,968
New Brunswick.....	22.63		899,991	884,613	7,764,824	8,964,784
Prince Edward Island	2.98	1,455,000	197,384	171,718	1,428,028	1,627,640
Lower Canada.....	20.92		\$ 10,918,337	10,587,142	59,498,966	39,665,446
Upper Canada.....						
Assiniboia and Hudson Bay Territory.....		4,000,000				
Columbia.....	5.60	1,500,000	400,000	52,800	2,200,000	9,257,875
Vancouver's Island. }			61,280	24,800	1,932,000	
British America.....	18.00	10,634,000	14,142,621	13,272,767	81,267,029	73,938,825

## CONFEDERATION.

### THE OFFICIAL PROGRAMME OF THE CONFERENCE.

"1. A Federal Union with the Crown of Great Britain at its head, would most conduce to the protection of existing interests and to give a future impetus to the prosperity of British North America, provided this Union could be established on principles that would be equitable to the various provinces.

"2. The best system for the federation of the provinces of British North America, the best adapted under the circumstances to the protection of the varied interests of the different provinces and the most likely to produce efficacy, harmony and permanence in the operation of the Union would be a General Government and Parliament which should have the control of matters common to the whole country, with local legislatures and governments for each of the Canadas, Nova Scotia, New Brunswick and Prince Edward Island. These local legislatures and governments to have respectively the control of local affairs. Provision should be made for admission into the Union, upon equitable bases, of the province of Newfoundland, the North-West Territory, Vancouver's Island and British Columbia.

"3. The Federal Government and Parliament ought to be formed, as nearly as the circumstances will permit, on the model of the British Constitution; the Convention wishing, thereby to express its desire to perpetuate the ties which unite us to the Mother-country and to serve more effectually the interests of the population of the various provinces.

"4. The Executive power shall reside in the Sovereign of Great Britain and be administered by the Sovereign or Her representative according to the principles of the British Constitution.

"5. The Sovereign, or Her representative, shall be Commander-in-chief of the militia by sea and land.

"6. There shall be for all the federated provinces a General Parliament composed of a Legislative Council and a House of Commons.

"7. To form the Legislative Council the provinces shall be divided into three parts: the first shall comprise Upper Canada, the second Lower Canada, the third Nova Scotia, New Brunswick and Prince Edward Island. These three parts shall be equally represented in the Legislative Council. Thus, Upper Canada will have twenty-four representatives, Lower Canada twenty-four and the three maritime provinces twenty-four; of which ten shall be for Nova Scotia, ten for New Brunswick and four for Prince Edward Island.

"8. Newfoundland in entering the Union shall have the right to four legislative councillors.

"9. The conditions of admission into the Union of the North West Territory, British Columbia and Vancouver's Island shall be determined by the Federal Parliament and approved by her Majesty. As far as regards the admission, and the conditions of admission of Vancouver's Island the consent of the local legislature will be necessary.

"10. The legislative councillors shall be appointed for life by the Crown under the great seal of the General Government; and they shall lose their seats by a continued absence of two consecutive years.

"11. The legislative councillors must be British subjects by birth or naturalization be 30 years of age, possess, and continue to possess, real estate to the value of \$4,000 clear of all mortgage, &c.; but in regard to Newfoundland, the property may be either real or personal.

"12. The Legislative Council shall decide all questions relative to the eligibility, or ineligibility, of its members.

"13. The first legislative councillors shall be selected from the existing Legislative Councils of the various provinces, with the exception of Prince Edward Island. If there cannot be found among these councillors a sufficient number willing to serve, the complement will necessarily be selected elsewhere.

"These councillors shall be appointed by the Crown on the recommendation of the General Government and the presentation of the local governments respectively. In the nominations regard shall be had to the legislative councillors who represent the opposition in each province, in order that all political parties may be, as much as possible, proportionably represented in the Federal Legislative Council.

"14. The President of the Federal Legislative Council, until it shall be otherwise decided by the General Parliament, shall be chosen from among the legislative councillors by the Crown, who may by its own will continue him in office or deprive him thereof. He shall vote only when there is a tie.

"15. Each of the twenty-four legislative councillors who represent Lower Canada in the Legislative Council of the Federal Legislature shall be appointed to represent one of the twenty-four electoral divisions named in schedule A in chap. 1. of the consolidated statutes of Lower Canada; and this councillor shall either reside, or possess the property he qualifies upon in the division of which the representation shall be assigned to him.

"16. The representation in the Federal House of Commons shall have population for its basis, and the numbers shall be determined by the census officially taken every ten years, and the number of representatives shall, at first, be 194 distributed as follows:—

"Upper Canada shall have .....	82
"Lower Canada " .....	65
"Nova Scotia " .....	19
"New Brunswick " .....	15
"Newfoundland " .....	8
"Prince Edward Island " .....	5

"17. There shall be no change in the representation of the various provinces before the census of 1871.

"18. Immediately after the census of 1871 and each of the decennial censuses, the representation of each of the provinces in the House of Commons shall be modelled on the basis of population.

"19. Lower Canada shall never have more or less than 65 representatives, and the other provinces shall receive according to the census, the proportion of representation to which they are entitled, taking as a basis of calculation, the number of the Lower Canada representatives.

"20. No reduction shall be made in the number of representatives elected for any one province, at least till the number of its population has decreased 5 per cent or more in comparison with the total population of the Confederated provinces.

"21. In computing the number of representatives at each decennial period the fractions shall only be taken into consideration when they exceed half the number which has the right to a representative; and then, each of these fractions shall have the right to a representative.

"22. The legislatures of the various provinces shall respectively divide them into Counties and define the limits thereof.

"23. The Federal Parliament may, when it shall think proper, increase the number of its members but it shall preserve the proportions then existing.

"24. The local legislatures may, from time to time, change the electoral districts for the representation in the Federal House of Commons and distribute, in such a manner as they shall think proper, the representatives to which they shall respectively have the right in the Federal House of Commons.

"25. Until it shall be otherwise decided by the Federal Parliament, all the laws which shall be in force at the date of the proclamation of the Union: the laws relative to the eligibility or ineligibility of persons to sit and vote in the Legislative Assemblies of the Provinces, as well as to the qualification or incapacity of voters; to the oath required of voters; to returning officers or to their powers and duties; to elections, and the time which they shall last; to contested elections and proceedings incident thereto; to the vacation of Parliamentary seats; to the issuing and execution of writs in the case of vacancies occasioned by other causes than the dissolution of Parliament; all the laws which apply to the election of representatives to the Federal House of Commons according to the province for which these representatives are elected.

"26. The duration of Parliament shall be five years, unless it shall be previously dissolved by the Governor General.

"27. More than twelve months shall never elapse between the end of one Federal session and the commencement of another.

"28. The General Parliament shall have

power to make laws for the peace, the well-being, and the good government of the Confederated Provinces; always without infringing on the sovereignty of Great Britain.

"29. The following subjects shall be specially placed under its control:—

"The public debt and public property.

"Trade and Commerce;

"Customs duties of importations and exportations; except on the exportation of square timber, staves, masts, spars, oak planks, sawed wood, coal and other minerals;

"Excise duties;

"The raising of revenue by every other mode of taxation;

"The borrowing of money on the public credit;

"The postal service;

"Companies owning steamships or other vessels, railroads, the canals, and other works which connect two, or more, provinces together or which extend beyond the limits of one of them;

"The steamships navigating between the confederated provinces and other countries, telegraphic communications and the incorporation of telegraph companies;

"Every other work which, though situate in a single province, shall be specially declared by the act authorising it to be of general interest;

"The census;

"The militia, military and naval defence;

"Sea marks, buoys, and light-houses, navigation, and whatever has relation to shipping.

"Quarantine;

"The fisheries of the sea-coast and of the interior;

"The water passages, between a province and a foreign country, or between two provinces:

"Currency and coinage;

"Banks of issue and paper money;

"Savings banks;

"Weight and measures;

"Bills of exchange and promissory notes;

"Interest;

"Legal tenders;

"Bankruptcy and insolvency;

"Patents of invention and discovery;

"Copyright;

"The Indians, and the lands reserved for the Indians;

"The naturalization of aliens;

"Marriage and divorce;

"The criminal law (except the constitutions of the Courts of Criminal Jurisdiction,) comprising the procedure in criminal matters;

"The power to render uniform all laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Prince Edward Island, as well as the procedure of all the courts in these provinces. But no statute passed for this object by the Federal Parliament shall have force or authority in any of the provinces before having the sanction of the local legislature;

"The establishment of a general court of appeal for the federated provinces ;

"Emigration ;

"Agriculture, and generally all matters of a general character not specially and exclusively reserved to the control of the local legislatures and government.

"30. The General Government and Parliament shall have all the powers which shall be necessary to it as a portion of the British empire to fulfil towards foreign countries the obligations arising from treaties which exist or may exist between Great Britain and these countries.

"31. The Federal Parliament may, when it shall think proper, create new judicial tribunals, and the General Government appoint in consequence new judges and new officers, if it shall become necessary or advantageous to the public.

"32. All the courts, the judges and the officers of the various provinces shall aid the General Government and render obedience to it in the exercise of its rights and its powers ; for these objects there shall be courts, judges and officers of the General Government.

"33. The General Government shall appoint and pay the judges of the superior courts in the various provinces, and of the county courts of Upper Canada ; the Federal Parliament shall fix their salaries.

"34. Until the laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island become consolidated, the judges, who shall be appointed by the General Government, shall be selected from their respective bars.

"35. The judges of the court of admiralty, who at present receive salaries, shall be paid by the General Government.

"36. The judges of the superior courts shall hold their offices during good conduct, and they shall be dismissed only upon an address of the two houses of the Federal Parliament.

"We now come to the local legislatures and government.

"37. Each province shall have an officer called Lieutenant-Governor, who shall be appointed during pleasure by the Governor-General in Council under the Great Seal of the federated provinces ; but this pleasure shall only be exercised after five years, unless for cause, and this cause must be communicated in writing to the Lieutenant-Governor immediately after dismissal ; and also by message to the two houses of the Federal Parliament in the first week of the first session which follows.

"38. The Lieutenant-Governors of the provinces shall be paid by the General Government.

"39. The Convention in thus fixing the salaries of the Lieutenant-Governors, has not pretended to prejudice the claim of Prince Edward Island on the Imperial Government to the salary now paid to its Lieutenant-Governor.

"40. The governments and the parliaments

of the various provinces shall be constituted in the manner in which their present legislatures shall respectively judge proper to establish them.

"41. The local legislatures shall have the power to amend or change from time to time their constitutions

"42. The local legislatures shall have power to make laws on the following subjects ;

"Direct taxes, and the imposition of duties on the exportation of square timber, staves, masts, spars, oak plank, sawn wood, coals and other minerals ;

"Loans on the credit of the province ;

"The establishment and tenure of local employment, and the payment of local officers ;

"Agriculture ;

"Emigration ;

"Education, except the right and privileges which the Protestant and Catholic minorities possess in respect to separate schools in the two Canadas at the time of union ;

"The sale and management of the public lands, except those which belong to the General Government ;

"The fisheries on the sea-coast and of the interior ;

"The establishment, support and management of penitentiaries and disciplinary prisons ;

"The establishment, support and management of hospitals, asylums, lazarettos, and all charitable institutions ;

"Municipal institutions ;

"Tavern, stalls, criers, and other licenses ;

"Local public works ;

"The incorporation of private or local companies ;

"Property and civil rights, except those under control of the Federal Legislature ;

"Punishments, fines, penalties, and imprisonment for contravention of laws which are within their legislative competence ;

"The administration of justice, comprising the constitution, support and organization of courts of criminal and civil jurisdiction, as well as of procedure in civil matters ;

"And generally all matters of a private or local nature.

"43. The power of pardoning criminals, of suspending, of commuting or remitting, in whole or in part, their sentences, which power belonging of right to the crown, shall reside in the persons of Lieutenant-Governors in Council ; but these shall obey instructions which may be addressed to them from time to time in this respect by the General Government as well as to the laws of the General Parliament

"We now proceed to give the various provisions which have for their object to explain the respective attitudes of the Federal Government and Parliament, and the local legislatures and governments, and which have reference to other objects of we have not yet spoken

"44. In respect to what regards the ques-

tions submitted concurrently to the control of the Federal Parliament and the local legislatures, the laws of the Federal Parliament shall have force over those of the local legislatures. The laws of the latter shall be null whenever they come in conflict with those of the General Parliament.

"45. The English and French languages may be simultaneously employed in the deliberations of the federal parliament as well as in the legislature of Lower Canada, the federal courts and the courts of Lower Canada.

"46. No taxes shall be put upon the lands or properties which belong to the federal or local governments.

"47. All bills having for their object to appropriate any portion of the public revenues, to create new taxes or new imposts, must according to the case, originate in the Federal House of Commons, or the Local Legislative Assemblies.

"48. Every vote, resolution, address or bill of the Federal Commons or the Local Legislative Assemblies which has for its object the appropriation of any part whatever of the revenue, or to create taxes or imposts must, according to the case, be preceded by a message from the Governor General or the Lieutenant Governor; and the message must be laid before the Chamber during the session in which such vote, resolution, address or bill shall be passed.

"49. Every bill of the General Legislature will be reserved in the ordinary manner for the sanction of Her Majesty; and the bills of the local legislatures shall also in the same manner be reserved for the consideration of the Governor General.

"50. The bills of the General Legislature shall be subject to the veto of Her Majesty for two years after the passage; and those of the local legislature to the veto of the Governor General for twelve months after their adoption.

"51. Ottawa shall be the seat of the Federal Government; but the royal prerogative is maintained with regard to the fixing of the seat of the general government.

"52. Toronto is chosen as the seat of the government of Upper Canada; and Quebec for that of the government of Lower Canada. There is no change with regard to the places of the seats of the local governments of the other provinces.

"We have now arrived at a very important part of the project; it relates to the repartition of the active and passive of the others provinces at the time of the Union.

"53. All cash, the balances in the hands of the bankers, and all other values in cash of the various provinces at the time of the Union shall belong to the General Government.

"54. The following public works and properties of the various provinces shall belong to the General Government:—

- "The canal;
- "The public harbor;
- "The lighthouses or quays;

"The steamboats, the dredges and other public vessels;

"River and lake improvements;

"Railroad and railroad stocks;

"The mortgages and other provincial debts due by railroad companies;

"The military roads;

"The custom-houses, post-offices and other public edifices except those which shall be reserved by the General Government for the local legislatures and governments;

"The exchequer property transferred to the provinces by the Imperial Government;

"The arsenals, the drill sheds, clothing, military accounts, munitions of war, etc;

"And the lands reserved for public purposes.

"55. All lands, mines, minerals and royal prerogatives which belong to Her Majesty in the provinces of Upper Canada, Lower Canada, New Brunswick, Nova Scotia, and Prince Edward Island, for the usage of these provinces shall belong respectively to the local governments in which they are situated. They shall remain, however, subject to truth deeds and other liens which may exist relatively in respect to these lands.

"56. All sums of money due by the purchasers or locataires of these lands, mines and minerals at the time of the union shall belong to the local governments.

"57. The various governments shall remain respectively in possession of all other public properties situated there; but the Confederation shall have the right to take the lands which it may require for fortifications or the defence of the country.

"58. The General Government shall appropriate all the debts and the obligations of the provinces.

"59. The debt of Canada, which shall not be specially attributed to Upper and Lower Canada respectively will not, at the time of the Union, exceed \$62,500,000; the debt of Nova Scotia, \$8,000,000; and that of New Brunswick \$7,000,000.

"60. But in case Nova Scotia, New Brunswick do not contract obligations exceeding those to which these Provinces are actually subjected, and that these obligations shall be respectively less than \$7,000,000 and \$8,000,000 at the time of the Union, they shall have the right to receive at five per cent the difference which exists between the real figures of their obligations and those of \$7,000,000 and \$8,000,000 respectively. Newfoundland and Prince Edward Island are to be similarly dealt with.

"The preceding has not for its object to retain the powers which the governments of these provinces through their legislatures possess, but solely to limit the maximum of obligations which they may bring against the General Government. But the respective legislatures, after five years from this date, will not have the power to contract obligations of which we are about to speak.

"61. As Newfoundland and Prince Edward Island have not contracted debts etc equal

those of the other provinces, they will have the right to receive an advance from the General Government in semi-annual payments, of interest at five per cent, on the difference which may exist between the amount of their respective debts, at the time of the Union and the average amount of the debt per head of the populations of Canada, Nova Scotia and New Brunswick at the same date.

"62. In consequence of the transmission of the power of taxation to the General Legislature the provinces will respectively have the right to an annual subsidy of eighty cents per head of the population, computed on the census of 1861. The population of Newfoundland is estimated for this object at 130,000 souls. The provinces will not be able in future to claim a larger amount from the General Government and this amount will be paid to them semi-annually in advance.

"63. As the position of New Brunswick is such that this Province will be obliged immediately to make considerable payments out of its local revenue, it will receive annually during ten years an additional sum of \$63,000. But as long as its obligations remain below \$7,000,000 there will be deducted from this sum of \$63,000 an amount equal to the interest of five per cent, on the difference between the real sum of its provincial debt and \$7,000,000.

"64. Newfoundland will, in consideration of giving up its rights in its mines, minerals, and crown lands, which are not yet either

sold or occupied, receive \$150,000 a year in semi-annual payments, but this province reserve the right to open, construct and control roads and bridges, situated on its lands, which will, however, be under subjection to laws which the General Parliament will think it necessary to adopt in regard to them.

"65. The General Government will assume all the engagements which will be made before the Union with the Imperial Government for the defence of the provinces.

"66. The General Government shall cause to be completed without delay the Intercolonial railroad from Riviere-de-Loup to Truro, in Nova Scotia, causing it to pass through New Brunswick.

"67. The Convention regards as of the highest importance to the confederated provinces the communications with the North-west territory, and for the development of the commerce of the great ~~with~~ with the ocean; and it engages to realize these projects as soon as the state of the finances shall permit.

"68. The sanction of the Imperial Parliament and of the local parliaments to the union of the provinces, on the principles adopted by the Convention, is to be sought.

"69. The deliberations of the Convention shall be signed by the delegates, and submitted by each local delegation, to its government; and the President of the Convention is authorized to submit a copy of it to the Governor-General, to be transmitted to the Secretary of State for the Colonies."

The whole population may be assumed to be nearly 4,000,000 of souls. If we place this aggregate in comparison with the population of European countries ranking as substantial powers—for instance, Portugal, 3,970,000; Holland, 3,500,000; Denmark, 2,480,000; Greece, 1,150,000—we are enabled to form a pretty fair idea of the position a British confederacy may ere long hold among the nations of the earth. The following tabulated statement shows the fighting material available for defensive purposes:—

Upper Canada, from . . . . .	20 to 30 . . . .	128,740
	30 to 40 . . . .	84,178
	40 to 50 . . . .	59,660
	50 to 60 . . . .	36,377—308,955
Lower Canada, from . . . . .	20 to 30 . . . .	93,302
	30 to 40 . . . .	59,507
	40 to 50 . . . .	42,628
	50 to 60 . . . .	30,129—225,629
Nova Scotia, from . . . . .	20 to 60 . . . .	— 67,367
New Brunswick, from . . . . .	21 to 40 . . . .	33,574
	40 to 50 . . . .	10,739
	50 to 60 . . . .	7,312— 51,625
Newfoundland, from . . . . .	20 to 60 . . . .	— 25,332
Prince Edward Island, from . . . . .	20 to 45 . . . .	11,144
	45 to 60 . . . .	3,675— 14,819

Total males from . . . . . 20 to 60 . . . . 693,918

—From the *Westminster Review*, April, 1863, Art. "The Canadian Confederacy."

CONSOLIDATION IS STRENGTH!

CONFEDERATION IS WEAKNESS!!

GOD SAVE THE QUEEN!!!

