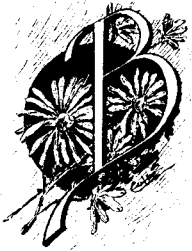


The First Legislators of Upper Canada.



BIRTHS of Nations are the epochs of History. Thus Nineveh, Israel, Babylon, Greece, Rome, stand out from the canvas of the past with power. We reckon from these epochs; we date to them. And

why? It is because their lives have moulded the world, their deeds have impressed themselves upon the spiritual as well as the material nature of mankind, and there is no resource from their influence

Enquiring further we see that their careers have been entirely governed by the basis of their being. Thus Rome with its wolf-suckled warriors was governed by the traditions of will and war. It was always an autocracy, even when its republic ruled, for its people's will was the law of other peoples. Greece with its Cadmæan letters cultivated the beautiful fruitage of a literature that is still the model of the cultivated world, and of an art that will present its pure ideals as a standard, to the end of time. Switzerland is yet the synonym of liberty, and Russia of serfdom.

Can we legitimately carry these conclusions to the birth of a province? We think we can. There is no need to make statements to prove it, we have only to recall the foundations of the various nations, peoples, even states, on this continent, to recognize that the basis of their beginnings rules their history. Each has its own individuality that springs from its initial plan.

Yielding this, then, we are constrained to say that in the setting off of an Upper Province as a separate existence, one hundred years ago, the Province was blessed in its first Governor. General Simcoe was the man *par excellence* who could lay the foundations of happiness and prosperity for a free people. He was God-fearing, unselfish, wise, far-sighted, and honest; and thus he gave to the infant province a constitution based on truth and right, and entirely free from those meretricious adornments which while calculated to attract observation, nevertheless sap the life-blood of the state and place it at the mercy of unhealthy conditions.

For himself, Simcoe said in his address

of prorogation of the First Legislature, that Upper Canada had received a constitution "which has stood the test of experience, and is the very image and transcript of that of Great Britain." It is, however, certain that while adhering to the very principles of Magna Charta, that are the corner stone of the Constitution of Great Britain, Governor Simcoe saw, and was very willing to allow, that many modifications of the application of the constitution to the circumstances of a free people placed under new conditions, were necessary, and therefore he properly conceded them. Had this wise foresight always ruled in Government circles, Upper Canada would have been saved some troubles that certainly arose from a too literal translation of the legal use and custom of the Motherland.

Before proceeding it is necessary to explain that in dealing with the members of the first legislature of Upper Canada no ready-made information is at hand. Even the journals of the House are not all in our possession, nor, as far as is known, do they exist. War and fire have played havoc with the original documents; and stress of weather, privateering and other accidents, with the official copies of such documents duly despatched to the Home Government. Such as remain have been copied afresh, and these copies may be found in the Dominion and Provincial Legislative Libraries, and also in the Public Library of Toronto.

Of the men themselves who composed the First Legislature, with the exception of a few notable examples, little or nothing is on record, and that in no literary or official form. Old military rolls and pay lists, land grants, incidental mention in some connection, either of their own actions or of that of their neighbours, etc., are all that furnish us with what knowledge we may secure. If details seem meagre in the instances of several of our first legislators, it is from the almost insuperable difficulties in the way of procuring more, but the hope of the present writer is that the few particulars gathered herein may be the lodestone of others.

Of Simcoe, happily, records are not scarce.

A military man born of a military