

dians than it ought to be; and some popular errors will be found corrected in these few pages, so that the reader will not only find it advisable to give attention to their contents, but will probably be led to further and more extended studies of the same period and its history. It may be new to many to know that the English Common Law became the law of Upper Canada, for the first time, in 1792; the Legislature of Upper Canada, "at their first session, held at Niagara on the 17th September, 1792, enacted that the laws of England instead of the laws of Canada were to govern in matters of property and civil rights in Upper Canada."

The first Chief Justice of Upper Canada, as we suppose all the world knows, was the Honourable William Osgoode, from whom our Law Courts derive their name. He was a native of England, and, after practising at the bar for twelve years, he was, at the age of thirty-seven, "chosen to represent his Majesty King George III., as his chief judicial officer in that part of the old Province of Quebec lately given a separate existence and called Upper Canada." He and Colonel Simcoe, the first Lieutenant-General of the Province, came out, the one as the judicial head of the Province, the other as head of the civil Government, at or about the same time. "At that early period of her history the population of the Province, all told, did not exceed ten thousand souls, and they were scattered in settlements here and there along the St. Lawrence and the river on which rested Niagara, then the capital of the Province. At that time what is now Toronto was a wild wilderness, frequented by Indians of the tent and birds of the air." The principal point of interest in this chapter is the question of the fairness of the trial of David McLane for treason. Mr. Read satisfies us that the trial was "conducted with the utmost fairness before eminent judges and an impartial jury." It is pleasant to have such testimonies as the following, quoted by Mr. Read, concerning our first Chief Justice, and a man whose name must always be remembered among us. Dr. Scadding says: "No person admitted to his intimacy ever failed to conceive for him that esteem which his conduct and conversation always tended to augment." And a friend of the author's in Quebec remarks: "The Chief Justice was grave and somewhat difficult of access; during his residence at Quebec he made himself esteemed and respected as much by his high intelligence as by his integrity and frankness of character." He held his office for ten years, resigning in 1801 at the early age of forty-seven, when he returned to England, where he died in the Albany Chambers, on the 17th of February, 1824, aged seventy.

We should like to dwell on many points of interest which come up in this volume, on the references to the invasion of 1812 in the memoirs of Powell and Scott, on the drowning of "a whole Court, Judge (Cochrane), councillor, crown officer, high sheriff, and prisoner to be tried," at one time, in the waters of Lake Ontario in 1804. But these must be passed by with this notice, and many others cannot even be mentioned. Under Judge Thorpe we are reminded of the toleration of a practice which, in our own days, would savour of indecency, that Judges appointed by the Crown should become candidates for Parliament, and should be elected representatives of the people.

Mr. Read's references to the Rebellion seem, in all respects, fair and sensible. He does justice to W. Lyon Mackenzie, whilst he shows that he can understand, if not justify, those who occasioned the rebellion. In the same way his remarks on the "Family Compact," of which Chief Justice Robinson was the supposed head, are such as neither side could fairly object to. He shows that the chief men of the Province were thus designated thirty years before Mr. Robinson came upon the scene. "They were a party of themselves, and monopolized the most and best offices of the state." "After all," he remarks, "what was the Family Compact? It was an organization composed of those who had originally settled the Province, and no doubt thought they had, at least, a pre-emptive right to it, many of them having occupied positions of trust in the old colony. They were men, not of the same family or always of kin to each other, but, like the soldiers of old, when they had conquered a place, they meant to hold it. The Government of the country got into their hands, and they were determined to hold it against all comers." Perhaps their government was the best possible at the time. It could hardly continue, and yet there are persons who think that some infusion of the old methods would even now be an improvement.

Among the familiar names of Robinson, Boulton, Hagerman, Jones, VanKoughnet, Spragge, Cameron, O'Connor, it is pleasant to think how much there is here recorded that must be a pleasure to those who bear their names to read. Some of these names are passing away. Others seem to have no possibility of disappearing; but, however this may be, the men who bore them have done their work in the making of this great country; and Mr. Read has earned the gratitude of his contemporaries and of posterity by telling the story of their lives.

CORRESPONDENCE.

METHODS OF M'GILL.

To the Editor of THE WEEK:

SIR,—I must firmly, but respectfully, protest against the idea that my silence with regard to the letters of "Medicus" is to be construed into corroboration. There has been a sufficient reason for this silence in a persistent refusal to reveal his identity. The same refusal shows the absurdity of his call for the publication of confidential correspondence.

But lest silence should be misunderstood by the friends of McGill University, I must crave leave to say that my analysis of his first letter—which analysis was purely defensive—must stand. That is to say:—

1. The whole of the paragraphs in which the Governors and Sir William Dawson are accused of jesuitry and double dealing, and of having broken the *civil, moral and religious law* (the italics are mine), are "slandrous."

That is self-evident; correspondence or no correspondence.

2. The series of paragraphs in which two Governors are stated to have told a Professor that "*the University is not a seat of learning*," but "*is like a bank, a brewery or a cotton-mill, whose chief aim and boast is its cash receipts, the Principal being the manager, and the Professors operatives*," etc., etc., is a series of "falsehoods."

No such things were said.

3. The statement of what took place in the opening of the same conversation in reference to a demand from the Professor, and the answer thereto, is a "misrepresentation" of the facts.

4. The "suppression" spoken of is the suppression of reference to a letter in THE WEEK signed "Algonquin," of the same character as that of "Medicus." My first letter was in reply to this, and, like the second, was wholly defensive.

There is some reason for a "pathetic" style of silence when a person of education uses his talents, not for the purpose of discussing educational methods or principles, but for the framing of a long letter, which, almost from beginning to end, is occupied with attacks upon personal honour and character.

GEO. HAGUE.

Montreal, January 15.

CANADA AND THE UNITED STATES.

To the Editor of THE WEEK:

SIR,—The communication in your last issue from W. E. Raney, of Saco, Me., contains some very important statements which afford food for reflection to all Canadians; and with your permission I wish to offer some remarks relating thereto. Until lately I had entertained the belief that, while it was undesirable to have any change with regard to Canada's position in connection with the British Empire, she might with safety assume, with the concurrence of Great Britain, the responsibilities of Independence, and, without let or hindrance, proceed to grow and develop into a "great northern nation." It is true, the United States all along the one hundred years of the existence of that nation, has systematically endeavoured to starve out the U. E. Loyalists and their descendants, who, having been compelled by the successful and ruthless rebels to forsake their homes and property, had settled in the wilderness of Canada. Yet there seemed reason to entertain the belief that much of the hostility manifested toward Canada was directed rather against England, which nation the successive generations of the rebels since 1776 have been diligently educated to regard with hatred.

But recent events of a startling nature have disclosed to us Canadians that the United States bear toward Canada anything but a friendly feeling; and that it is and has been a settled policy to prevent Canada from becoming a nation. And when every other means had failed to find some pretext to invade and conquer the country, which in their gross delusion they think can easily be accomplished, forgetting the fact that at the end of the war—1812-14—the record showed that in every invasion they had been driven back, and that not one foot of Canada's soil was in their possession.

The rapid growth and the development of the resources of the Dominion during the last few years, especially the construction of the Canada Pacific Railway, has aroused the United States to the necessity, from their standpoint, of immediate action, and efforts are being systematically made to make Canadians dissatisfied with their lot, and to convince them that Canada can only prosper by becoming a part of the United States. It is unnecessary to enumerate the various means which have been employed to accomplish this end. Suffice it to say that if all Canadians were truly loyal to their country, these machinations would never disturb the mind of the Canadian people.

But in view of all the circumstances with which we are face to face, it would evidently be altogether unsafe to risk the experiment of Canadian Independence. On the contrary, if the present relationship subsisting between Great Britain and Canada may not continue, of which there is no proof as far as I know, it is quite certain that some other arrangement should be effected to bind the Mother Country and Canada closer together, even if it is Imperial Federation.

As I have for twenty years maintained, so I now maintain, that Canada never will become annexed to the United States.

Theorists may talk as they please about a continental policy, and the decree of nature that the two peoples must be one; but it is as visionary as Disraeli's scheme to have a scientific frontier for India.

I am not one of those who believe that all who advocate Commercial Union or Unrestricted Reciprocity are disloyal to Canadian nationality, but I must confess my inability to understand why any one can continue to advocate Commercial Union after we have been told by so many prominent men, and by the press of the United States, that the only way to obtain it is by political union; this ought to settle the question, except with the few in our midst who advocate annexation. Now, these few, by their incessant noise, endeavour to create the im-

pression that it is a live question with Canadians, and whereby the people of the United States are misled.

There are some other points upon which I would like to say a word; but I have already taken quite enough space in your excellent paper.

Respectfully,

Toronto, Jan. 16, 1889.

WM. CANNIFF.

INTERNATIONAL TRADE RELATIONS.

To the Editor of THE WEEK:

SIR,—Mr. Raney, your Protectionist correspondent in Maine, is not far astray when he says that he gathers from my letter to you that I have "but a poor opinion of the political liberalism of New England." That is to say, I have a poor opinion of the pseudo-political liberalism, be it manifested either in restrictionist New England or in demagogue-ridden New York, which is the combined product of ultra-Protectionism and race hatred of England. To this sort of political liberalism we unhappily owe much of the ill-feeling which to-day is to be found among both sections of the great Anglo-Saxon family, and the perpetuation of which is alike a grave international scandal and a crime against our common humanity. But these unlovely graces, though they are actively fostered in certain circles in the United States by trade monopolists and politicians who truckle to the Irish vote, are not ingrained in the American people, nor are they, by any means, generally exhibited throughout the Union. On the contrary, the evil spirit of national animosity is fast being supplanted by higher influences which are now operating on the American mind and leading it to regard England, not as a hostile and alien nation, but as the honoured parent-land and the beloved cradle of the race. This is the testimony of many eminent Englishmen who have recently visited the States; it is the testimony of almost every Canadian who crosses the border; and it is the testimony also of the better class of American journals, and of the leaders of American thought, who are accustomed to look below the surface of things and to see facts undistorted by prejudice or self-interest. Your Maine correspondent, I am aware, has brought forward evidence to the contrary; and therefore, to settle the controversy between us by reference to facts which may tell as much on one side as they tell on the other, would appear to be difficult and unsatisfactory. My own conviction, however, remains unshaken, that both countries are at heart friendly, and that if you could set the politicians aside and poll the people, you would find them most anxious to promote and fain to take advantage of reciprocal trade. This is my contention, and were it likely to profit much I could fill your columns with important testimony, from the most influential quarters, in support of my views. But discussion on these lines would, I fear, be endless, and were it short of this, it is not clear that on either side the issue, as I have said, would be satisfactory or final. Meanwhile Time must be the arbiter in this and in all such questions. It would be strange to me if, in these days when combines and monopolies grow more and more menacing, Restrictionism should gain the day. Your correspondent's argument would seem to foreshadow that result. But your correspondent writes from a hotbed of Protectionism. Not only so; he writes also at a time when every evil passion in the States has been roused to frenzy by the strife of politicians madly contending for the prizes in the party game. Yours faithfully,

Toronto, Jan. 15.

G. MERCER ADAM.

THE GOVERNMENT AND BANK CIRCULATION.

To the Editor of THE WEEK:

SIR,—I have read with interest the letters of Mr. Goldwin Smith and Mr. Houston regarding the Government and the bank circulation. Mr. Goldwin Smith re-states certain principles regarding the functions of the Government and of the banks in the matter of currency, which, in my opinion, cannot be too often put before a public as a rule indifferent to such complicated questions. As might be expected, Mr. Goldwin Smith leaves his readers in no doubt as to his beliefs on such an important subject.

Mr. Houston begins by intimating that he does not differ from Mr. Goldwin Smith in theory, and, if I understand his language, that it is not worth while at this late date to expose a fallacy so generally admitted as the "Rag Baby." His next step is to utter a warning that unless the bank circulation can be improved so that notes will pass without discount throughout the Dominion this defect will be remedied by the issue of more Dominion notes. Mr. Houston does not advocate this; he simply predicts that it will take place unless the grievance is removed—a strangely inconsistent prediction after insisting that Mr. Goldwin Smith's warnings are unnecessary. Throughout the rest of his letter, Mr. Houston, abandoning all previous reserve, becomes a downright advocate for a Government currency. The closing sentences might have been written by the most misguided believer in the "Rag Baby," so completely does he leave out of count the danger to the commercial community of the course he practically recommends.

Mr. Houston endeavours to make his position consistent by contending for a difference in principle between those who advocate "a national currency redeemable in gold, the amount of the latter held for the redemption of the notes being, as usual, very small," and the ordinary "greenbacker." There is no difference in kind; the only difference is in degree. I doubt if any country ever deliberately entered upon a career of "irredeemable paper currency." There is always either a beginning with specie