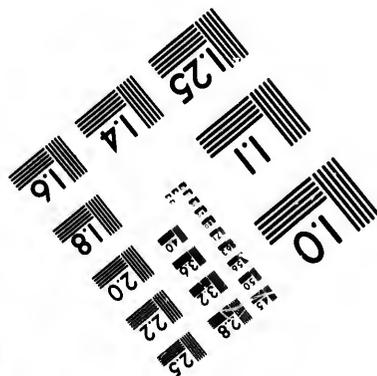
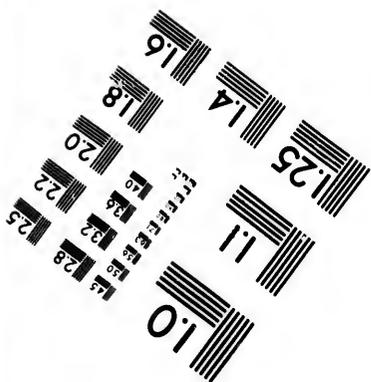
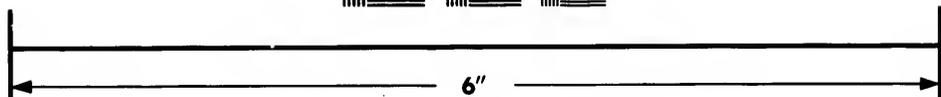
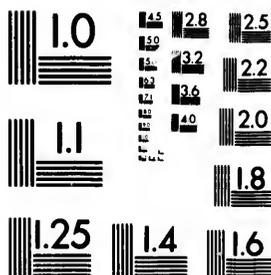


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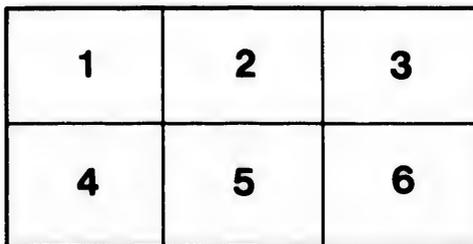
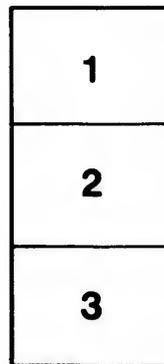
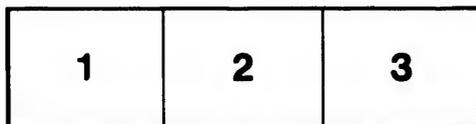
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"ORA ET LABORA."

VOL. XXII.

HALIFAX, N. S., APRIL 3, 1890.

No. 9.

## STATE OF FEELING IN QUEBEC AND NOVA SCOTIA DURING THE AMERICAN REVOLUTION.

**B**EFORE the utterances of the Hon. Honore Mercier, Premier of Quebec, at the recent Catholic Conference in Baltimore, have been forgotten, it might be worth while to notice briefly the state of feeling in those colonies now forming the Canadian Confederacy at the time of the American Revolution, and the reasons that prevented them from joining with the thirteen revolting colonies. The learned Premier's remark if read by the light of the Quebec candle alone—and the opinion of a provincial politician is too often formed solely from the standpoint of his own province—was singularly inaccurate if we may judge of the future or present by the past and trust the lessons of history. I propose in this article to point out the real attitude of Quebec and Nova Scotia,—the remaining provinces did not then exist as such\*—to the United States during their quarrel with the mother country; in the doing of which I think it will be abundantly apparent that Quebec at least declined to consummate a marriage with them for good and sufficient cause, Mr. Mercier to the contrary notwithstanding. Simple reflection and regard for the publicly expressed sentiments of the leaders of thought in Quebec lead one irresistibly to the conclusion that to-day that Province would as steadily set her face against annexation to, or union with, the United States, as she did in the period embraced between the years 1774-83.

For a term of years after the Treaty of Paris, the government of Quebec was in a chaotic state.

\* Prince Edward Island was indeed separated from Nova Scotia in 1769, but there were only 150 families residing upon it. I have therefore omitted any reference to it.

"It was," said Solicitor General Wedderburne, afterwards Lord Chancellor Loughborough, "neither military nor civil; it evidently was not meant to endure." The home authorities were naturally unwilling to concede to a people of different language, religion, and race, with whom they had lately been at war, the privilege of retaining their own laws; even tho' it were a principle of English law as old as the Great Charter itself that the inhabitants of a conquered or ceded country, if civilized, should not be forced to undergo a change of their system of jurisprudence with each change of masters. For eleven years, they seemed to follow as a means of creating a spirit of loyalty the advice given to Rehobam by the young men. If under French sway the habitants had been laden with a heavy yoke, they proposed to increase its weight. The counsel of the old men eventually prevailed, and after repeated memorials from the oppressed people, and reports from the law officers of the Crown, the Quebec Act of 1774 was passed. By its provisions the boundaries of the Province of Quebec were extended: the Catholic colonists were confirmed in the rights given to them by the terms of the capitulations, and relieved from the operation of the English Test Act; the French civil law and procedure, except only as to succession to property, were to be adopted in the Courts; and an executive council with limited powers numbering both Catholics and Protestants among its members was provided for the purposes of government. This Act, long waited and hoped for by the burdened French Canadians, at once reconciled them to their conquerors.

Meantime the relations between the purely English colonies and the mother country were

daily becoming more and more strained. It is needless here to mention the different Acts of aggression on colonial rights that provoked the calling of a Congress of delegates from these colonies to discuss their mutual grievances, and to consider in what way they could best oppose the measures of the home government. This congress met, as we all know, in Philadelphia early in September, 1774. A series of resolutions, embodied in a document addressed "to the people of Great Britain," was adopted; in the course of which the delegates referred to the Quebec Act, "as a law which recognized the Catholic religion, abolished the equitable jurisprudence of England; and, ignoring the antagonistic faith of the old colonies, their laws, and government, set up civil and spiritual tyranny in Canada to the great danger of the neighboring provinces. "Nor can we suppress our astonishment," continued the delegates, "that a British parliament should ever consent to establish in that colony [Quebec] a religion that often benched your island in blood; and has disseminated impiety, bigotry, persecution, murder, and rebellion, through every part of the world."

At their second meeting in May of the following year, the Congress repeated this grievance in more moderate language; and Dr. Franklin, the agent in London for several of the colonies, in the recess between the meeting, had among other suggestions to the British Government for bringing about harmony, included the repeal of the Quebec Act and the establishment of a free Government to Canada.\* Meanwhile Congress, in an address to the Canadian people themselves, had expressed entirely different sentiments. After a somewhat tiresome dissertation on the beauties of a free constitution, the Canadians were implored to "seize the opportunity presented to them by Providence." "We are too well acquainted," continues the appeal, "with the liberality of sentiment distinguishing your nation to imagine that difference of religion, will prejudice you against a hearty amity with us. You know that the transcendent nature of freedom elevates the minds of those who unite in the cause above

all such low minded infirmities." Copies of this second address were scattered broadcast throughout Canada. Upon the French population little or no impression was made, though one at least of their most influential men, M. Cazeau of Montreal, openly avowed his sympathy with the Anglo-Americans, and took an active part in gaining adherents to their cause.† Conciliated by the Quebec Act and won to loyalty to Britain, outraged by the insult formerly offered to their religion and laws by the body who now fawned upon them, their fidelity could not be shaken. If the French Canadians were indifferent to this invitation to join with the thirteen colonies, their English fellow-citizens were not. Small in number proportionately as those of English extraction were, they had come to Canada in the expectation of being the dominant, favored party. Disappointed in their hopes by the passage of the Quebec Act, they were easily persuaded to take part with the Americans; and throughout the war, it may be broadly but with truth laid down, that whatever disaffection there was in Canada, was confined to the English fraction of the population.

Perhaps my readers may still agree with Premier Mercier in his view, that for no good reason did Canada decline an alliance with the United States at the time of the revolution—perhaps they may think that the French Canadians were wrong in refusing to be convinced by the mild platitudes, or, cajoled by the unstinted flattery, contained in the address of Congress to them—but I incline to believe they will agree with me in holding that the French Canadians were right in regarding the statements made *ante litem motam* as the real sentiments of Congress—that none but craven cowards could endure without resentment, the reflections cast upon their religion (and who would dare say the men whom Montcalm had but lately led were cowards?)—that in fact they acted properly, in a manner becoming a people of noble spirit. As Premier Mercier's premises were wrong, one would conclude on logical grounds alone that his inference, that Quebec has now no cause to

\*Ramsay's *History of American Revolution*, I. pp. 166 & 174.

†Garneau *History of Canada*, I. p. 126.

oppose annexation would be equally inaccurate. Evidence to show that the logical conclusion is correct in point of fact, it is not my purpose to adduce. It is sufficient to refer the reader to the counter blast of Archbishop Fabre to Mr. Mercier's Baltimore speech—to the scholarly, thoughtful articles in the higher class of French Canadian publications—and to many of the speeches of Cartier, Langevin, Laurier, and of, to borrow Cartier's own expression—other "Englishmen speaking French."

Of Nova Scotia during the revolutionary period, I intend to speak more particularly. I approach the task with diffidence; for no satisfactory account of this Province at that time has as yet been published. Haliburton's History is only brought down to the year 1763; after that, as he himself writes, "the uniform tranquility and repose" of the Province, "affords no material for an historical narrative." Murdoch has with his accustomed care collected his materials; but as usual, his narrative is uninteresting and hard to follow. Campbell devotes only four pages to the whole period, and a large part of these treat of events not even remotely connected with the revolution. As early as 1768, the Assembly of Nova Scotia had been addressed on the subject of colonial grievances by its sister body in Massachusetts, in a letter most moderate in tone. The speaker of the Nova Scotia House handed this letter to Lieut. Governor Franklin, who "conceived it proper" to transmit a copy to the Secretary of State for America, "at the same time assuring his Lordship that no temptation however great, would lead the inhabitants of Nova Scotia to shew the least inclination to oppose acts of the British Parliament." Whatever the fate of the original letter was, it was not read to our House of Assembly, nor considered by them. Under date June 13th, 1770, Governor Campbell writes to Lord Hillsborough, that he does "not discover in the people of Nova Scotia, any of that licentious principle with which the neighboring colonies are so highly infected." Lord Campbell gave place to Francis Legge in June, 1773. In April of the following year, Governor Legge's

bureau was broken into and ransacked by some person or persons unknown for the purpose it is supposed, of stealing any papers he might have had giving information concerning the state of affairs in America. Early in his administration too, occurred the trouble with Mr. William Smith Justice of the Peace, and Judge of the Inferior Court for Halifax County, who eked out the salary received from his offices by dealing in teas. This gentleman showed a disposition to sell tea which was not the property of the East India Company—in fact had bought some from New England merchants, and his friends Messrs Fillis and Boyd encouraged him in so doing. Mr. Smith was summoned before the Council, and that body on hearing the evidence, removed him from his offices, and meted out the same punishment to Mr. Fillis. In September, the *Royal Gazette* contained a proclamation against public meetings, of which I gather from the same source there had been several held in different townships. Yet Governor Legge is able to report in October, that since Messrs Smith and Fillis had been taught a lesson, the people had been behaving properly, and (high proof of their loyalty) were using East India Company's teas. The second Congress at Philadelphia forwarded copies of their resolutions to the Assembly, but no notice was taken of them. The meeting of the Assembly on June 12th 1775, was opened by Governor Legge, who expresses his pleasure "at their steady and uniform behavior in their duty and allegiance to the King, and in their due observance of the laws of Great Britain;" and the Council and Assembly reply in a similar strain. Less than a fortnight later the "representatives of the freeholders of Nova Scotia," so they styled themselves, secretly, (by which I mean without the concurrence of Council or Governor,) addressed the King and Imperial Parliament in terms of profoundest loyalty, acknowledging the obligation of the colonies to contribute to the expense of the Empire, and suggesting changes in the mode of Government in Nova Scotia where the experience in the other colonies had shown that mode to be defective. In composing this address the "representatives of the freeholders" allowed themselves

\*Murdoch *History of Nova Scotia*, II. p. 483.

to be carried away. "Actuated by the warmest ties of duty and affection to the person and family of their most gracious sovereign," the people of Nova Scotia could hardly be, else why was it necessary in November, to proclaim martial law? If the Nova Scotians "dreaded a separation from the power and protection of England, as the greatest political evil which could happen them or their posterity," they surely should not have been required at the quarter sessions, each in his own county, to take the oath of allegiance. Or to speak of particular districts—"animated with the firmest attachment to the mother country," the people of Yarmouth, were not; for we read that in August, it was proved to the Council that the Rev. Justice Frost, head of one of the most prominent families there, "in one of his public discourses had expressed his hope and wishes that the British forces in America, might be returned to England confuted and confuted," and "that Capt. Jeremiah Frost, had used arguments to seduce the Acadians from their duty by telling them they would find the advantage of taking part with the Americans."\* When, to test their loyalty the people were ordered to take the oath of allegiance, only five in Yarmouth obeyed; w other inhabitants joined in a memorial. Government, setting out that they were almost all of New England, where they had many relations, and requesting that in view of this fact they might return to New England or remain neutral.\* Nor were the people of the other western sections of the province less disaffected than their kinsmen at Yarmouth. Governor Legge, writing to the Earl of Dartmouth, says:—"Our inhabitants of Passamaquoddy and Saint John's River,† are wholly from New England, as are the greatest part of the inhabitants of Annapolis River, and those of the townships of Cornwallis, Horton, Falmouth and Newport; that by reason of their connection with the people of New England little or no dependance can be placed on the militia there." That the people in these localities

\*Campbell *History of Yarmouth*, pp. 69 & 81.

†What is now New Brunswick was at this time a part of Nova Scotia but want of space forbids any particular reference to it.

last named did not more openly manifest their disloyalty is due, not more to their fear of defeat at the hands of the garrison at Halifax, than to the quiet, yet powerful, control exercised over them by their only clergyman the Rev. James Murdoch, grandfather of the historian. Throughout all the troubles of those trying times, Mr. Murdoch throw the whole weight of his influence against rebellion and in favor of peace.‡ The feeling among them noticed by Governor Legge in July, 1775, smouldered sometime before dying out. We read that on April 30th, 1776, the Judges of the Supreme Court represented to the Council that their circuits to Annapolis and Kings would probably be ineffectual for want of jurymen who would take the oath, and would certainly be attended with danger, upon which the Council relieved them from these circuits.

The immigrants from New England wherever settled exhibited similar disaffection. An intense anti-British feeling prevailed in Truro, Onslow, Londonderry, and Cumberland. Though known to exist and dreaded by the authorities, it first openly manifested itself in January, 1776, when the inhabitants of those townships addressed memorials to Governor Legge, protesting against the militia law and stating "that it would be the greatest piece of cruelty and imposition for them to be subjected to march into different parts in arms against their friends and relations." At this time, the Scotch immigration had just commenced—the Loyalists were still waging England's battle in America—and a large majority of our population were from New England. They had settled upon the fairest and richest parts of the Province, formerly the portion of the hapless Acadians. A Lieut.-Governor of the period describes them as "a strong, robust, industrious people, bigotted dissenters, and of course great levellers; the finest men in the Province, settled on the best land, and the most flourishing, because the most industrious." "As we have seen these men were all American partizans. Had they in the opening year of the struggle received any assistance from their friends in the revolting colonies—the match needed to kindle the flame of

‡See sketch of his life, *Proc. N. S. Hist. Soc.* II. p. 104.

rebellion among them—had they, organized and united, taken the field, as they planned to do (and they were men whose circumstances would allow the luxury of a campaign or two)—had they attacked Halifax with its garrison of 36 men\*—the history of Nova Scotia must have been essentially different. But while their plans were forming—while the authorities at Halifax were waiting for the blow helpless to prevent its coming the *deus ex machina* appeared. The British troops were compelled on March 17th, 1776, to evacuate Boston, and with a number of Loyalists, 10,000 souls in all, they sought a refuge in Halifax. The balance was turned; soldiers could now be spared to guard outlying sections, and in speedy succession Windsor was garrisoned; 30 men were sent to Liverpool; 50 to Yarmouth; and 100 to Onslow and Truro. Colonel Gorham with his corps of 260 Fencibles was despatched to Fort Cumberland, while the rest remained in Halifax—a menace to all mal-contents wherever resident. When actual rebellion did take place, the danger was past.

These troops came none too soon. In Governor Legge's letter to the Earl of Dartmouth, dated March 18th, 1776, he states "that in the treasonable consultations held in Cumberland, there were present persons from America, and that about fourteen of the inhabitants of that vicinity had gone to New England, as, it was supposed, with the intention of inviting the rebels into Nova Scotia." Farther details of the state of feeling of the people are given in a letter of Lieutenant Governor Arbutnot to Lord George Germaine. He takes a more hopeful view than Governor Legge had done, but reports that four men from Cumberland, had been present at that memorable Congress at Philadelphia, at which the Declaration of Independence was drawn up, and had declared to the delegates that there were 600 men, whose names they gave, prepared to take up arms against the crown. Early in November, a rising took place. The four delegates to Congress returned home by way of the River St. John. There they were met by a few co-partizans and some Indians—a year earlier, and the

\*See Legge to Earl Dartmouth, July 31st, 1775.

whole body of Miemac and Malicite warriors would have assisted, but in the meantime Lieutenant Governor Franklin, had been at work among them and his great influence, increased as it was by lavish presents to their chiefs, had allayed their former animosity to Great Britain. From the town of Machias, Maine, came 500 allies, and the little army set out for Fort Cumberland. What number of the settlers took up arms and joined them is not known. Certain it is that a company of 25 men from Cobequid, under Capt. James Falconer, were among the number, and, from the names of some of the prisoners taken, it is probable that Kings County also contributed its quota. Colonel Gorham, in the quiet interval he was allowed, had been busily repairing the defences of the old Fort. The rebels met with some success at first; they surprised and took as prisoners some 50 of the garrison, and obliged the remainder to keep closely within the fortifications. As soon as the intelligence of the enemy's arrival was known reinforcements had been despatched from Windsor, on board the "Vulture." Two companies of marines from the "Vulture" under Major Batt's command, succeeded in effecting an entrance to the Fort on November 27th. Early next morning a sortie was made; the rebels did not wait an attack, but fled precipitately. Conciliatory measures were then adopted. Pardon was offered to all who would lay down their arms; upwards of one hundred accepted these terms within two days; "and the others," so ran the despatch, "except a few miscreants are dispersed."\* Some of these "miscreants" were afterwards captured and tried for treason. One of them it may be interesting to know was R. J. Uniacke, Solicitor General 1782, Speaker House of Assembly 1789, Attorney General, 1797. Member of Council, 1805.†

A dash of sedition in another section disturbed the closing days of 1776. On this occasion the scene was the village of Chester—another offshoot from New England—the chief offender, the Rev. Mr. Secombe, a now forgotten but formerly famous

\*Condensed from Mr. P. S. Hamilton's MSS. *History of Cumberland* in King's College Library.  
†Proc. N. S. Hist. Soc., I p. 119.

New England humorist, of whom it was proved on affidavit, that he had prayed for the success of the rebels, and had preached seditious discourses.

The year 1777 dawned amid difficulties upon which I cannot dwell. On May 5th. it is reported to the Council that the people of Truro, Onslow, and Londonderry, with the exception of five persons, had refused to take the oath of allegiance; whereupon the Council ordered that these good Ulster Protestants should be treated as Popish recusants. The House of Assembly met on June 6th, and declined to admit the members from the Townships of Onslow and Truro, resolving unanimously that the inhabitants of those places had forfeited all title to the privilege of representation. The population of Truro, Onslow and Londonderry in 1766, was 694,\* and as we have seen of all these only five would take the oath of allegiance. And at this point one cannot refrain from digressing a moment to mention, as illustrative of what some are pleased to term the "growth" of the annexation sentiment, that almost a century afterwards, when a most influential Truro merchant contested Colchester County as an Annexationist, he polled only 268 votes.

After 1777, I find no traces of open disaffection on the part of the American sympathizers. Probably the majority of the Nova Scotians of that day, composed as that majority was of immigrants from New England, steadfastly throughout the war wished their kinsmen success and at the close rejoiced in the result. But they never made any positive attempt to aid their struggling brethren, or to follow their example in taking up arms. The repeal of the obnoxious Acts by the Imperial Parliament, and the passage of others fully recognizing colonial rights, came too late to have any effect in the thirteen colonies, but had doubtless an influence upon those colonies which had not absolutely renounced their allegiance. But in Nova Scotia, the great deterring power was the arrival and continued presence of the army at Halifax. Others upon the evidence might found another verdict, but so far as I can see, had its coming been delayed much longer, if the leaven of revolt had had more time to spread before the hope of success was removed—the fairest province in Greater Britain was lost to the British crown.

G. P.

\*See letter Lieut. Governor Franklin to Earl Shelburne, quoted in Campbell's *History of Nova Scotia*, p. 161.



WE are indebted to the *Evening Mail* for the above picture of the late lamented Professor DeMille, whose life and work was the subject of Professor MacMechan's lecture in St. Andrew's Church on Tuesday evening the 26th ult. We have not space in this issue to give an abstract of the lecture that would do justice to the lecturer. Suffice it to say that it showed a careful study of the life and works of our late beloved Professor. Faults as well as excellencies were impartially referred to, showing what DeMille might have done if he had taken more pains with his work, as his custom seems to have been to dash off a book without any effort or revision. On the whole the lecture was a worthy tribute to a worthy man.

### Correspondence.

EDITORS DALHOUSIE GAZETTE:

It is sometimes said that we are an overexamined race. I don't intend to enter into that question, but simply wish to enter a protest, a weak and scarcely audible one it may be against the habit of limiting a legal examination to time.

I do not pretend to know the origin of this custom but probably it has come about by blindly following the plan very properly adopted in examinations on subjects which are matters of memory. I wish to show that in a legal examination a time limit is void (so to speak) for inconsistency and repugnancy. Such a limit may even be placed in a mathematical examination for the quickness with which a person can think may be an element. But a legal examination is not in our opinion on a par with a mathematical one, for I humbly venture to think that in the former, if the questions set are of the proper kind, the factor of rapidity of thought scarcely enters into the question. Who for instance would think of stating a case to a lawyer and saying: "There now I want you to give me an answer in five minutes?" Still more apparent would the absurdity become were you to go further, and require that the authorities bearing on the point, should in that time be discussed and criticized. Yet an examiner does not hesitate to do this very thing in effect, when he asks a law-student to criticize and discuss 12, 15, or 18 questions in two or three hours.

The tendency of this time limit is to bring a student into a narrow rather than a wide manner of studying. It causes him to confine himself almost exclusively to his notes, for he reasons not wisely but too well when he says "what is the use in reading out-side the covers of my note-book? when if I do I will not have sufficient time to put down what I know; I will confine myself to my notes, I will learn them off by rote, and will give back at examination the one talent which my master gave me and which I have buried in my note-book; what is the use of aiming to obtain interest when, at the day of reckoning, time will not give me to count it out?"

The time limit cramps originality of thought. Law is not a thing to be learned by note like History or Geography, a thorough knowledge of it can only be obtained by the exercise of the reasoning faculties, and I believe that when an examination is set which requires the use of such faculties, no time limit should be placed, and for his short and simple reason that as soon as you

place such limit, that minute you create rapidity of thought a factor in the examination, which as I have already stated in my opinion it should not be. How can a student do any original thinking on a question when there are ten and it may be thirteen others to be answered in a couple of hours. Why he has not even time enough given him to recall something which has slipped his memory, let alone to think out reasons of his own. He has barely sufficient time wherein to write parrot-like the identical reasons which have been given. Independent thought in these circumstances is out of the question.

How often we hear good students and quick thinkers come out of an exam. saying "The paper was too long for the time!" Where an universal cry of this kind arises something must be wrong. Well, then the smart student says the length of the paper is out of proportion to the time, and how can a proportion be established? a proportion between the two signifies that sufficient time if given in which to do the required work; but as the capacity, the rapidity of thought and expression of different persons are various, it follows that what may be a sufficient time for one might not be so for another, and hence the only true way is to give each man all the time he wants, that is practically to put no limit to his time. Otherwise you ask a man to answer a question but do not give him sufficient time in which to do it. You say to him "There answer that question;" but when he attempts to do so you say "Now you must stop; perhaps you may know more, but I will not give you a chance to put it down, I will mark you on the basis that you have written all you know, although I know that you have not."

What is the danger to be apprehended from giving an unlimited time? I can see none. Only a certain amount can be written relevant to the matter in hand, anything else is irrelevant and worthless. Why should not a man who has read widely be allowed time enough to show his knowledge? Why should he not get credit for his learning so long as he writes relevant matter? These are questions which I would like to have answered to see some member of the faculty or some believer in this, to my mind, relic of an ill-iterary age rise in his place and defend it.

LAW-STUDENT.

Halifax, March 4, 1890.

# The Dalhousie Gazette.

Halifax, N. S., April 3rd, 1890.

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WHEN Dalhousie was reorganized in 1863, the Synod of the Presbyterian Church in the Lower Provinces agreed to appoint and pay the salaries of two professors, and the Synod of the Church of Scotland, of one. The latter body almost immediately raised a sufficient sum to endow the chair (that of Mathematics) they were pledged to support; but the former have ever since maintained their two professors by voluntary contributions from their congregations. Some years ago, that is to say at the time of Principal Ross' retirement, the Presbyterians, feeling that Dalhousie had grown

beyond its infancy and the necessity for so much of their care, and anxious to more liberally provide for their own institution at Pine Hill declined any longer to support more than one professor; of course the professorship in Mathematics being now endowed cannot be altered except by Act of the Legislature. At the meeting of the Synod at which this resolution was arrived at, we are told that there was a feeling among the members that at their first opportunity they would wholly withdraw their assistance; and we have been assured that their reason for favoring such a step was that Dalhousie would be benefited. The opportunity has, through the lamented death of Prof. Lyall, occurred, and the Presbyterian Synod at their meeting next fall will be called upon to consider whether they will continue to support a professor in this institution. For our own part we think they are morally bound to decide the question in the affirmative. We admit that the arrangement between the Governors and the Presbyterian Church consummated in 1863 was but a temporary one, that it was expected that the Church would withdraw its support at some time; but not, we submit, until Dalhousie was not only strong enough "to front the world alone," but to maintain its preeminent position among Maritime Province colleges unimpaired. We emphatically deny that that time has come—we have many crying wants unsupplied—and until some of these are satisfied there should be no talk of withdrawal. Our greatest weakness at present as pointed out by a correspondent in our last issue is a professorship in Natural Science. If the Presbyterian Church is true to its traditions it will remove this weakness. When the Presbyterians elected the late Prof. McColloch as one of their professors at the reorganization of Dalhousie, they did so upon the understanding that he would conduct classes in Natural Science; but his feeble health prevented him from undertaking more than the work of instruction in Physics. At his death in 1866, the church relieved the governors of Prof. Lyall's support, upon the expectation that the governors would appoint a professor of Natural Science. As we all know, the governors thought it best to

establish a chair in English Literature with the late Prof. De Mille as the incumbent. In Scotland, whither Presbyterians always look for precedents, we find the Free Church Divinity Halls both at Edinburgh and Glasgow have professors in Natural Science, and make attendance on their classes compulsory on the theological students. And if we consider the tendency of the times—to exaggerate apparent differences between revelation and science and make shipwreck of faith thereby—we are bound to say that that clergyman is but poorly fitted for his work who has had no training in Natural Science. If that training is not given at Dalhousie, the majority of the future Presbyterian clergymen in the Maritime Provinces will be without it.

We do not propose discussing the matter at length now. In the absence of any authoritative action on the part of the Presbyterian Synod or of any thing positive showing what their action will likely be, discussion is premature, and perhaps, futile. In fact we cannot but feel, that when the subject comes to be fully considered before that body, they will, as heretofore, show themselves ready to further increase Dalhousie's usefulness by holding up the hands of our governors still longer. We beg to assure them that to withdraw their support now would not benefit Dalhousie as we have been informed some of them suppose.

PROFESSOR MACMECHAN has already won the hearts of the students by his wide scholarship, courteous bearing, and readiness to assist in student enterprises. He bids fair to become equally popular with old Dalhousie boys by his efforts to make their late loved Prof. DeMille better known to Canadians. Those who sat at DeMille's feet have long wished for some fitting tribute to his memory; and that they are now encouraged to expect from his successor, third removed, in the chair of English Language and Literature at Dalhousie. No sketch of DeMille's life and works so far as we know—except one which we regret to say was conceived in a mean spirit of disparagement—has as yet been given to the public; and we believe that with

the increased interest now being manifested in Canadian literature, the time is ripe for Prof. MacMechan's study of Canada's greatest novelist, once Dalhousie's favorite professor. At any rate the older generations of Dalhousians will hail the work with delight.

THE Legal Literature of Canada is slowly growing in volume though yet scanty. Its growth must continue to be slow until the Parliament of Canada, acting upon the power given them by Section 94, of the British North America Act, "make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia and New Brunswick, and of the procedure of all or any of the Courts in those three provinces," and give a wider constituency to the text writer. The latest contribution to this literature is the "Digest of the Criminal Law of Canada," founded by permission, on Sir James Fitz James Stephen's Digest of Criminal Law. The author is Mr. Justice Burbidge of the Exchequer Court, in whom we Dalhousians feel a special interest from the fact that in his Arts Course at Mount Allison, he was a classmate of our own Profs. Weldon and Russel. His work is receiving high encomiums from the law journals and reviews and we hope to see it adopted as a text book in our classes in Crimes—though the students cannot without some reluctance discard "that excellent little book" which has grown so familiar to them. We quote the following notice, written by one of our graduates in law, from the columns of the *Critic*:—

"In giving us a digest of the Criminal Law of Canada, based upon Sir J. F. Stephen's work of a similar character as applied to the Criminal Law of England, Mr. Justice Burbidge has made a most valuable addition to the scanty legal literature of Canada, and that both teachers and practitioners of the law will be quick to avail themselves of the release from much irksome research which is here afforded them, goes without saying. A digest is a systematized collection of laws, and only differs from a code in that it lacks legislative sanction and official promulgation. Only those who are obliged by their calling to ascertain the law by delving and toiling amongst the accumulated statutes and precedents of centuries, can appreciate the value of such a work as the one under consideration.

"The arrangement of Sir J. F. Stephen's digest has been as closely followed by Judge Burbidge as circumstances would permit, and upon that head, as well as with regard to such portions of his book as literally reproduce the matter of the English work, little need be said. It is true that the method adopted by the English author of explaining the law by means of illustrations is open to the logical objection against arguments by example, and it is moreover true that there is a case in the books where Lord Coleridge, C. J., shows that the learned Judge Stephen, in one instance at least falls into a very obvious fallacy in endeavoring to settle a legal principle upon a dialectical basis. (The Queen vs. Ashwell, 16, Q. B. D., at p. 224). Yet, in the main, the illustrations in his Digest are sound in principle, and are found to be most helpful to a clear understanding of the law.

"A cursory inspection of Judge Burbidge's work is sufficient to show that his labors have been far more comprehensive than those of an editor only. The scheme of his Digest carries him beyond the limit where the work of the English author furnishes him with a beaten path, and compels him to explore fields of colonial law hitherto untravelled by commentators. It is a signal tribute to Judge Burbidge's learning and research that a thoughtful consideration of those portions of the book which are peculiarly his own impresses one with the conviction that they are comparable in a high degree with the matter contained in his English model. This is particularly true of the first chapter of the book. It deals with a subject of paramount importance to the law-student as well as to every practising lawyer in the country, "the Application of the Criminal Law." This chapter is subdivided into two articles treating of (1) the territorial application of the Criminal Law of Canada, and (2) the application of the Criminal Law of England in Canada. Although this chapter comprises only four and one-half pages of the book, yet within that limited space may be found in text and foot note an exhaustive exposition of all the sources of law relating to crimes and punishments now in force in the several Provinces of the Dominion whether by importation from the Mother Country at the time of conquest or settlement, or by subsequent Imperial, Provincial or Federal Parliamentary enactment. This speaks well for the power of condensation of the learned author.

"Again, there are instances in abundance where our own criminal statute law is wholly different from that of England, and in dealing with them Judge Burbidge's work is, of course, entirely original, except in point of arrangement which is uniform throughout. The copious foot-notes to the text, printed in minion, are most useful epitomes of all the important decisions of our courts, bearing upon the interpretation of the statutes here referred to, and will be duly appreciated by those who have recourse to them.

"Besides these estimable features of the book, wherever Judge Burbidge has adopted the text and notes

of the English author he has added notes of his own, which greatly enhance the value of the original matter.

"The index and tables of cases and statutes have been carefully prepared by Mr. Charles H. Masters, Assistant Reporter of the Supreme Court of Canada, a gentleman of experience in this department of book-making, and who recently performed a similar service for Mr. Justice Taschereau in the preparation of the 2nd edition of his well known compilation of the Criminal Acts.

"Space has only permitted us to barely indicate what seemed to us the salient features of a work which we venture to aver has few equals among the publications heretofore issued by Canadian jurists. By its arrangement it is so well qualified for the purpose of the student that it must certainly become a text-book in our law schools, and it should have a ready sale amongst the profession generally as no library will be complete without so valuable a compendium."

WE believe some dissatisfaction has been expressed by the law students at the arrangement of the time table whereby many of the lectures were given in the evening. Our own opinion is that the arrangement was a wise one. The students are thus in a position to be present at many of the sittings of the Supreme Court and to listen to the arguments. Until they are in actual practice, the students will perhaps not realize what an advantage this is; but when that presumably happier time comes they will wish, we imagine, that had they on every available opportunity attended the arguments. In this connection we think the students might agitate to have a certain section of the Supreme Court room set apart for their use, with such accommodations as would enable them to take notes. The students of the Inns of Court have such provision made for them in the Court rooms at Westminster, and surely our students have as much reason as they to have greater privileges than the "ordinary people." At any rate it would be worth while to try if the authorities would not do something for them in this matter.

#### EDITORIAL NOTES.

LAST year a movement was set on foot by our Y. M. C. A., to procure a room for their exclusive use, and we were given to understand that the

governors very kindly placed one at their disposal. This year we have heard nothing of the matter at all, and so far as we are aware, no steps have been taken to make the room fit for use. Bare walls and floor are as yet the only ornaments in the room. Why could it not be fitted up for a snug parlor, if it is too small for the regular meetings? There are many uses to which a room of its size could be put if it were suitably furnished. Y. M. C. A. committees as well as others could meet there. No more suitable room for Bible classes could be found. A miniature library could be placed in it, consisting of books useful to the Bible Student. The various papers in connection with Y. M. C. A. work now placed in our general reading room could be placed on file there. The student who has hours to spare could there find a cosy retreat away from the noise that is necessarily more or less incidental to the reading room. Other uses will occur to the thoughtful, but enough has been said to show that such a room would be very useful to all the students who cared to take advantage of it.

WHILE speaking of the Y. M. C. A., we will venture to offer a suggestion. An enterprising Y. M. C. A. member last year published a hand-book, containing just such information as is useful to students, especially those who come to the city for the first time. No doubt the same will be done next summer and we would suggest that the book be prepared in time to send to those coming up for Bursaries or Matriculation, as soon as their applications are received. The president would no doubt gladly furnish their names. At least a partial list of boarding houses could be prepared, and thus students would be able to make arrangements for boarding, perhaps before coming to the city, certainly as soon as they arrive. We would also offer some suggestions as to the contents of the book, did we not feel sure that the defects of the first one have been made apparent by a year's experience.

OUR reading room committee have been seriously annoyed all through the session by some individual taking the magazines from the reading

room and not returning them. All these magazines are sold for the benefit of the funds of the reading room, and it is therefore very necessary that they should have all the numbers at the end of the session. We hope that the conscience of the guilty parties will yet assert itself, and cause them to return the numbers they have in their possession. If we succeed in finding out the thief, as we have good hopes of doing, we promise to make an example of him in a manner that he will not care about.

OWING to this trouble the committee have been considering the advisability of placing all the monthly magazines and the more important weeklies on a special table in the library. As it is open from 10 a. m. to 5 p. m., the students would have ample opportunity to read them and there would be the great advantage of having them safe under lock and key during the remainder of the day. Next session it will be necessary to take some such precaution if they meet with the same trouble.

WE have no desire to enter into a discussion of the action of the Halifax City Council in passing a vote to withdraw the \$500, which the city agreed to pay annually to the Governors of the College *in re* the settlement of the Grand Parade dispute. The matter has already been argued before a committee of the Legislature, and if not settled there, it will no doubt be discussed on its merits at the proper time and place. Dalhousie has nothing to fear from a free and fair discussion of the matter.

THE ALUMNI.—We have received from the secretary of the Alumni Association a pamphlet containing a "list of persons entitled to become members of the Alumni Association of Dalhousie College and University." The list contains over 1200 names, less than 100 of whom are enrolled as members. These figures seem to show very great lack of interest on the part of graduates and former students of the college. Too many, we fear, forget that their *Alma Mater* has claims upon them for sympathy and support. The list

has been prepared "to enable the friends of the Association to extend its membership, and it is expected that all the friends of the college will exert themselves to that end." We trust that this year's graduating classes will, without exception, see it to be their duty to connect themselves with the Association at once.

MIDSESSIONALS.—It is generally known among the students that the Faculty has decided to hold midsessionals next session, though no official notice has been given as yet. In acting upon the suggestions put forward by the GAZETTE and its correspondents in reference to the matter, we think they have taken a step in the right direction. The plan will conduce to more faithful and thorough work, while it adds nothing to the burden of the student. All who know anything of students must admit that there is a tendency to "take things easy" up to the Xmas. vacation, after which all is hurry and bustle in an attempt to pay up for idle and wasted moments. It will also do the professors good. They have a tendency, as well as the students, to linger over the work during the early part of the session, and rush over it at a breakneck pace during the last four or five weeks. If the midsessionals will lead them to judiciously distribute their work over the session, much good will have been accomplished. In taking this step Dalhousie is falling in line with many of the most advanced American colleges. In fact in some, for example Cornell, they have three sets of examinations during the college year, one at the end of each term. At these examinations the students are responsible for the work of the term just ending *only*. This relieves the student of carrying all the minute details of seven or eight months' work in his mind, and leaves him free to study the work of each three months term. As our session is divided into two terms, we can adopt the same principle, making the examinations at the close of each term cover that term's work *only*.

We understand too that it is proposed to take class work into consideration. This will, we

believe, meet with the hearty approval of the students, but pending a fuller explanation of the system likely to be adopted, we refrain from committing ourselves to an approval of the details, though we have no hesitation in approving of the principle.

ENGLISH.—In affording facilities for the study of English, Dalhousie is second to no Canadian University. We were the first to establish a separate chair in English Language and Literature and up to 1889-90 we alone enjoyed that distinction. The course in English in the first and second years, adopted by Prof. Alexander, and so far unchanged by his successor is a good one, and while we would not say that it cannot be improved upon, we unhesitatingly assert that no Canadian University has, as thoroughly a practical course in English, so far as it goes. But it does not go far enough. The course should be extended over the third and fourth years and should be placed on a par with Greek and Latin in these years. The latter proposition we do not propose to discuss now, as it is a subject that requires more careful thought than we are prepared to give it at the present time. The former has already been discussed in the columns of the GAZETTE, with the result that the Faculty fell in with our views, and announced in the Calendar of 1888-89 that a third and fourth year class would be held, in alternate sessions "*beginning with the session 1889-90.*" For well known reasons the class was not started at the appointed time. This was quite a disappointment to the present senior class, as many of them were looking forward to this new departure with pleasure. We cannot see that there are now any reasons for not starting it next session, and we hope that the Faculty and Prof. MacMechan will see their way clear to make the session of 1890-91 notable for another important step in the study of the Mother Tongue.

A LETTER from a student in reference to the Gown question at convocations has been received. We think it too late in the session to open up a discussion on the subject.

### Personals.

It is our pleasant duty again to congratulate Murray, B. A., '84, upon another success. Recent advices are to the effect that he has been elected Associate Professor of Mathematics, in the University of New York. The Professor we learn is a very old man, too feeble to conduct many classes, and the bulk of the work falls on Murray, who has the reversion of the chair. All the boys who knew him while at Dalhousie, and the boys whom he taught while Tutor here, join with us in hearty congratulations.

The following is self-explanatory:

"I congratulate Dalhousie on the appointment of one of its graduates Mr. Daniel A. Murray, to an Associate Professorship in Mathematics, in the University of the city of New York."  
Very truly, &c.,  
GEORGE MUNRO.

The newly appointed Inspector of Schools, for Lunenburg and Queen's, it almost goes without saying is a Dalhousian. McIntosh did not remain long enough with us to complete his course, but he stayed long enough to give us a wholesome dread of him in a scrimmage. His career as a teacher has been eminently successful, and we have no doubt he will be equally as successful in his new sphere. We extend our congratulations.

We notice that Armstrong, L. L. B., '88, has been appointed Registrar of Deeds, for Digby Co. If we are to believe sundry remarks in the daily papers, he is not to retain the position long. We hope every man in Digby, who has a conveyance to make, will make and record it now so that Armstrong may make hay while the sun shines.

McNeill, L. L. B., '89, has been made the subject of a leading editorial in the *Island Guardian*. It seems he succeeded in securing certain convictions under the Scott Act, in the face of difficulties; whereupon the *Guardian* felt called upon to tell its readers about the talented young lawyer, who was devoting his marked abilities to the great temperance cause. At last accounts McNeill's modesty hadn't recovered from the shock.

Campbell, B. A., '82, is now Dr. Campbell, if you please. Bellevue let him loose as a full

fledged M. D., some time last month, and he has gone to Cape Breton for a while to take Dr. McKay's place, while that gentleman is leading Her Majesty's loyal opposition. Tutor Campbell always has the best wishes of the boys.

Cahan, B. A., '86, has been nominated as a candidate for the House of Assembly, for Shelburne Co., in the Liberal Conservative interest. His party, we notice, don't propose to let Shelburne have him all the time, but have sent him to Guysborough and elsewhere to address the electors. We of course can't express an opinion or even a wish on a political matter, but we confess to having a warm spot in our bosoms for Cahan.

McFarlane, a general student here for some years, now a clergyman in Northern New Brunswick, was married lately in Boston to Miss Calder, sister to a well known Dalhousian. We wish the happy couple much joy.

Sinclair, an old Dalhousian and a former editor of the *GAZETTE*, has been elected Mayor of New Glasgow. We congratulate that thriving town on its selection.

McLean, L. L. B., (*ad eundem*) '87, and at an earlier date a distinguished Arts student, has been chosen as one of the Conservative standard bearers for the County of Lunenburg. If the people of Lunenburg wish to elect a Conservative we can recommend McLean to them.

Carter, L. L. B., '87, after practising with success in Hartland, N. B., has resolved to change his "venue" to Andover the shire town of his County.

Torey, B. A. '82, graduated in Medicine from the University of New York last month. We do not know his present whereabouts, but we hope he will not desert Nova Scotia.

We notice that Mellish, B. A. '82, Cahan B. A., '86, McDonald B. A. '88, and Robertson B. A. '88' have passed their final examination for the degree of L. L. B. We congratulate them all.

Murray, the late tutor in Classics, has been delighting Halifax and Truro audiences with his lecture "A wife or a library—which?" We are informed he arrived at the conclusion, that a library was a necessity; a wife, a luxury.

Campbell B. Sc. '85, graduates in Medicine from McGill this spring. We haven't seen the pass list as yet but we hazard the assertion that he is not far from the top.

Rev. L. H. Jordan, B. D., who graduated in Arts at Dalhousie in '75, has resigned the pastorate of Erskine Church Montreal, to return, (as he says in his resignation) "to the coveted privileges of former student days in Germany." Mr. Jordan has been in charge of that church for five years, and leaves it in a very flourishing condition. From the report of 1889 that is before us, we see that there are 599 names on the communion roll, and that they raised for all church purposes,—including the salaries and outfits of two missionaries to China, and excluding the sums of \$6,000 and \$7,500, given by members of the congregation to the Protestant Insane Asylum, and to the Y. M. C. A., respectively—\$21,894.82, during the year 1889. The church publishes a neat monthly called *Life and Work*, with the pastor as chief editor. Mr. Jordan has the GAZETTE's best wishes for success in still further fitting himself for his chosen work.

Advices from Cornell inform us that our old friend, A. G. Laird, B. A., '89, has been distinguishing himself at that institution. Not intellectually this time, but physically, having beaten Cornell's high-kick record by *one inch*. It does look as if he would yet be able to make a high mark in the world. He came second in the high jump also.

Dr. J. G. Schurman, Sage Professor of Philosophy in Cornell University, sailed from New York on Saturday, the 15th ult., on an extended trip to Europe. After landing at Havre he will go to Paris, where he will spend a day, after which he will push on to Rome by way of Marseilles,

Niece and Genoa, stopping off a day at each place. He will likely remain in Rome till the hot weather comes on when, he will travel North, spending the greater part of the time in Germany. He will return by way of England, about the latter part of August, or early in September.

Prof. Seth intends going to Cornell, as soon as examinations in his subjects are ended, to take charge of Prof. Schurman's classes. He will likely leave Halifax about the 11th of April.

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### Dalhusiensia.

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(Owing to pressure of class work our funny editors have not been able to attend to their duties as they would wish. Accordingly we have substituted the following budget of *Dalhousie news*, which we hope will be found interesting, especially by old graduates.)

Lectures closed on Friday the 28th ult.

Sessionals began on Wednesday 2nd inst.

The last sessional takes place on Wednesday 16th inst.

Results will be made known on Tuesday the 22nd inst.

Convocation will be held in the Academy of Music on Thursday the 24th, at 3 p. m.

The graduating classes each number 17. This is the largest class that has ever graduated in Law. Class of '88, (arts) numbered the same as this year's.

Fred. J. McLeod and Humphrey Mellish, have been selected as valedictorians in the Arts and Law classes respectively.

HE PONTED.—Professor—"Who wrote Caesar's Commentaries." Freshman—"Why-er-Ke-Bohn."

MIDSESSIONAL.—The college authorities have decided to hold midsessional examinations next session, before the Xmas. vacation.

**CLASS WORK.**—It is reported also that some arrangements are likely to be made in reference to class work. This is a move in the right direction.

Professor in Pol. Ec. (speaking animatedly of recent strikes)—“Why, gentlemen, the excitement ran a great deal higher than it does in a game of poker,” and then, realising the propriety of saying something more, added “or any other game which I don't know anything about.”

The Y. M. C. A. meetings have been remarkably well attended all through this session, and not even the near approach of examinations made any appreciable difference. One of the most interesting features of late, has been the reading of letters from other College Y. M. C. A's. One came from Lane University, Leecompton, Kansas, which the writer describes as a college of 300 students in a village of 500 inhabitants, leaving us in the dark as to whether the 300 are a part of the 500. Another very interesting and instructive letter from Johns Hopkins was read, the following is a quotation from it. “Although an impression to the contrary may perhaps be abroad, the J. H. U. is by no means a Godless institution. Our association has, as compared with other institutions a good percentage of active members, quite a number of whom devote themselves earnestly and conscientiously to special work among the students and in the city, and on the whole the moral tone of the institution is good, being perhaps above the average.”

The closing meeting on Saturday the 29th ult., was attended by 44 students, notwithstanding the fact that examinations were only a few days off.

The following results were announced too late for our last issue:—

**INSURANCE:**

- I. Howay and Robinson, (equal.) Mellish; McDonald, W; McBride.
- II. Fairweather; Roberts; Frame; Cahan; Cogswell; Hamilton.

**PASSED:**

- I. Armstrong; Huggins; McPhee; Notting; Sinclair; Bowser; Kelly; Miller; Oxley; White.

In the results announced in our last issue, Mr. Shaw's name should have appeared on the first class in 2nd year equity.

Prof. Seth, recently delivered a lecture on “Wordsworth” to the students of the Halifax Ladies' College.

A statement in an evening paper a few days ago in reference to a discussion that took place at a general students meeting is incorrect. The meeting came to a unanimous decision on the matter referred to.

**FOND MOTHER.**—George writes me he is acquiring a most liberal education at college. **Father**—It seems so; I sent him an extra three hundred dollars to-day.—Ex.

The Halifax City Council have resolved to withdraw the \$500 paid to Dalhousie College in settlement of the Grand Parade, dispute and by a majority of one have refused to reconsider it.

(Since the above was written, the Local Legislature have refused to endorse the action of the City Council and have thrown out the clause in the city bill in reference to the matter.)

**ACKNOWLEDGMENTS.**

George Munro, \$5.00; Prof. Lawson, \$3.00; Rev. E. M. Dill, 3.00; Miss Charlotte McNeill, \$2.00; Albert McNeill, T. F. West, Miss Lizzie Huestis, John D. Logan, R. S. Campbell, R. A. Weston, George Millar, Rev. Thomas Stewart, each \$1.00.

**TO STUDENTS!**

**What do you intend to do during the Summer Holidays?**

If you have not yet decided, will you take a hint? We have been advertising some time past for representatives to sell our popular and fast-selling Subscription Books. Of course we have had hundreds of replies—and many requests for agencies, &c., and among them a large number of teachers and students.

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