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THE MUNICIPAL ACT.

(R. S. O. 1887, Cap. 184.)

TOWNS AND CITIES.

18. A census of any town or incorporated village may at any time be taken under the authority of a by-law of the council thereof. 46 V. c. 18, s. 17.

NOTE. -See note to section 19.

19. In case it appears by the census return taken under such by-law, or under any statute, that a town contains over 15,000 inhabitants, the town may be erected into a city; and in case it appears by the return that an incorporated village contains over 2,000 inhabitants, the village may be erected into a town; but the change shall be made by means of and subject to the following proceedings and conditions:

1. The council of the town or village shall, for three months after the census return, insert a notice in some newspaper published in the town or village, or, if no newspaper is published therein, then the council shall, for three months, post up a notice in four of the most public places in the town or village, and insert the same in a newspaper published in the county town of the county in which the town or village is situate, or if there is no such newspaper, then in the newspaper published nearest to the said town or village, setting forth in the notice the intention of the council to apply for the erection of the town into a city, or of the village into a town, and stating the limits intended to be included therein;

2. The council of the town or village shall cause the census returns to be certified to the Lieutenant-Governor in Council, under the signature of the head of the corporation, and under the corporate seal, and shall also cause the publication aforesaid to be proved to the Lieutenant-Governor in Council; then, in the case of a village, the Lieutenant-Governor may, by proclamation, erect the village into a town by a name to be given thereto in the proclamation;

3. In case the application is for the erection of a town into a city, the town shall also pay to the county of which it forms part, such portion, if any, of the debts of the county as may be just, or the council of the town shall agree with the council of the county, as to the amount to be so paid, and the periods of payment, with interest from the time of the erection of the new city, or, in case of disagreement, the same shall be determined by Arbitration under this Act; and upon the council proving to the Lieutenant-Governor in Council the payment, agreement or arbitration, then the Lieutenant-Governor may, by proclamation erect the town into a city, by a name to be given thereto in the proclamation. 46 V. c. 18, s. 18.

NOTE.—By section 9 an incorporated village must show by a census return that it contains 750 inhabitants before it can be erected into an incorporated village. By section 18 authority is given to a town or incorporated village to take a census at any time. If the village is shown to have 2,000 inhabitants, it may be erected into a town. If the town is shown to have 15,000 inhabitants, it may be erected into a city. The publication of notices is a matter of

great importance to every municipality, particularly in towns, villages and townships. Under this section a notice must be inserted in some newspaper published in the town or village, setting forth the intention of the council; or, if there is no such newspaper, then in a newspaper of the county town, in addition to a notice being posted for three months in four public places of the town or village, and if there is no such newspaper then in the newspaper published nearest to the said town or village—such publication to be proved before the Lieutenant-Governor—see note to sections 571 and 612, also R. S. O. 1887, c. 18. The matter of publishing notices in newspapers, although apparently the most unimportant part to be considered, in proceedings of a council is often the most difficult to determine, particularly when no newspaper is published within the municipality. If councils were empowered generally to insert municipal notices, when required, “in such newspaper published either within the municipality, or in the county town, or in a public newspaper published in an adjoining local municipality, as the council may designate by resolution” (see section 571), mistakes would seldom occur. It would almost require statutory definitions for the terms “published in,” “nearest to,” “adjoining,” etc., to enable a council to decide in which newspaper a notice should be inserted. In case of the erection of a town into a city, the town must pay its proportion of the existing debt of the county (if any) of which it formed a part, such amount to be fixed by mutual agreement or by arbitration; it does not, however, appear that in this case the town would have a claim to the assets of the county (but see s 24, (s. s. 2)).

20. The Lieutenant-Governor may include in the new town or city such portions of any township or townships adjacent thereto, and within the limits mentioned in the aforesaid notice, as, from the proximity of streets or build-

ings, or the probable future exigencies of the new town or city, the Lieutenant-Governor may consider desirable to attach thereto 46 V. c. 18, s. 19.

NOTE.—The portions of the township or townships so included in the new city would be considered in the agreement between the new city and the county as to debts of the county of which it formed a part.

21. The Lieutenant-Governor may divide the new town or city into wards with appropriate names and boundaries, but no town shall have less than three wards, and no ward in such town or city less than 500 inhabitants. 46 V. c. 18, s. 20.

NOTE.—See section 24 as amended by 53 V. c. 50, s. 1.

22. In case two-thirds of the members of the council of a city or town do, in council, before the 15th day of July in any year, pass a resolution affirming the expediency of a new division into wards being made of the city or town, or of a part of the same, either within the existing limits, or with the addition of any part of the localities adjacent, which, from the proximity of the streets or buildings therein, or the probable future exigencies of the city or town, it may seem desirable to add thereto respectively, or the desirability of any addition being made to the limits of the city or town, the Lieutenant-Governor may, by proclamation, divide the city or town or such part thereof into wards, as may seem expedient, and may add to the city or town any part of the adjacent township or townships, which the Lieutenant-Governor in Council, on the grounds aforesaid, considers it desirable to attach thereto, on such terms and conditions, as to taxation and otherwise, as the Lieutenant-Governor in Council sees fit, and the council of the city or town may consent to. 46 V. c. 18, s. 21.

NOTE.—See section 24 with amendments, 51 V. c. 28, s. 2; 52 V. c. 36, s. 3; and 53 V. c. 50, s. 1. In making additions to a city or town, provision is made in this section for protecting those portions of the adjacent township or townships so added against unfair taxation, but no provision is made relative to the adjustment of debts with the county, of which the portions so added formed a part, but see section 56 as to adjustment of assets and liabilities; see also "The Public Schools Act" sec. 86 and amendments.

23. In case a tract of land so attached to the town or city belonged to another county, the same shall thenceforward, for all purposes, cease to belong to such other county, and shall belong to the same county as the rest of the town or city. 46 V. c. 18, s. 22.

24.—(1) In case the council of any incorporated village or town pass a resolution affirming the expediency of the annexation of such village or town to an adjacent village, town or city, and the municipal council of such last mentioned village, town or city, pass a similar resolution, and in case the electors of the first mentioned village or town adopt a by-law, to be submitted to them, approving of such annexation, the Lieutenant-Governor in Council may, by proclamation, annex one municipality to the other, upon such terms as may have been agreed upon by the councils, or as may have been determined by arbitration, in case the councils resolve to have the terms settled by arbitration.

(2) Subject to any variations made by the terms agreed upon or settled in manner aforesaid, the municipality annexed to the other shall be subject to the provisions of this Act having regard to the annexation of territory to a village, town or city.

NOTE.—Sub-sec. 2, “the provisions of this Act having regard to the annexation of territory to a village, town or city,” see section 56, which provides for the adjustment of debts and the distribution of assets.

(3) In case the population admits thereof, the Lieutenant-Governor may, by the same proclamation, erect the village or town, to which the addition is made, into a town or city, by a name to be given thereto in the proclamation, and may divide or re-divide the city, town or village into wards. 46 V. c. 18, s. 23. *For time when incorporation or annexation takes effect, see s. 89.*

(4) In case a petition signed by one hundred and fifty qualified municipal electors of any town or incorporated village be presented to the council of such town or incorporated village asking that a by-law be submitted for the annexation of such town or incorporated village to an adjacent village, town or city, either unconditionally or upon such terms as may be set out in said petition, it shall be the duty of such council to

submit a by-law for the annexation of the said incorporated village or town to the vote of the municipal electors of the said town or incorporated village, and said council shall forthwith prepare a by-law directing the submission of the question in accordance with the prayer of the petition, and shall submit the same to the said municipal electors for approval or otherwise within four weeks after the receipt of the petition by the said council.

(5) A by-law which is duly carried under the provisions of the last preceding subsection by the vote of the municipal electors of said town or incorporated village shall, within a reasonable time, but not exceeding one month thereafter, be adopted by said council.

(6) Thereupon the council of such adjacent village, town or city may, by resolution assent to the annexation of such town or incorporated village aforesaid.

(7) In the event of the annexation of any such town or incorporated village as aforesaid having been approved of and assented to in manner hereinbefore provided, the same may be carried into effect by proclamation of the Lieutenant-Governor in Council, on a day to be named in the said proclamation or in any subsequent proclamation. 51 V. c. 28, s. 2; 52 V. c. 36, s. 3.

(2) In any case where the resident freeholders of any city with a population of 100,000 or over, to the number of at least five hundred, petition the council, alleging the expediency of, and praying that a new division into wards may be made of the city without reducing the number of wards, or that a new division may be made reducing the number of wards to nine or less, it shall be the duty of the council, and the council shall, at the time of the holding of the next municipal elections, submit the question of a new division, as prayed for by the petition, to the vote of the persons entitled to vote at the municipal elections; and, in the event of a majority of the electors voting thereon voting in favor of the petition, it shall be the duty of the council to, and the council shall, within a reasonable time after the taking of the vote, subdivide the city into wards, so as to give effect to the prayer of the petition and vote of the electors; and such new division shall, so far as possible, be based upon the assessed values of property, population and territorial extent, and shall be given effect to in accordance with the provisions of section 22 of this Act in that behalf.

(3) In case any council neglects or refuses to make a new subdivision of any city into wards under the pro-

visions of the last preceding sub-section, for three months after the same shall have been voted upon and approved of by the electors, and in case one-third of the members of the council, or one hundred duly qualified electors of the municipality petition for a commission to issue under the Great Seal to inquire into the existing division of such municipality into wards, and for a new division in accordance with the expressed wish of the electors, as evidenced by their vote, to be taken in manner aforesaid, the Lieutenant-Governor in Council may issue a commission accordingly, to three commissioners, one to be named by the Lieutenant-Governor in Council, one by the Chancellor of Ontario, and one by the City Council, and the commissioners or a majority of them shall have the same power to summon witnesses, enforce their attendance, and compel them to produce documents and to give evidence as any court has in civil cases. Should the city council within two weeks after notice fail to name a commissioner, the Lieutenant-Governor shall name two commissioners.

(4) The commissioners so to be appointed as aforesaid, or a majority of them shall, within a reasonable time, report a new division into wards of the municipality in accordance with the prayer of the petition, having regard to the provisions of this Act as to equality of representation, to the Provincial Secretary, who shall forthwith transmit a copy thereof to the council, and cause the same to be published for one month in the *Ontario Gazette*, and once in each week for four weeks in one or more newspapers published in the municipality, naming a day when the same will be taken into consideration by the Lieutenant-Governor in Council, when all parties interested, opposed thereto, and who petition to be heard, shall have an opportunity of being heard, and being represented by council in that behalf.

(5) The Lieutenant-Governor in Council may, within three months after the receipt of the report of the commissioners by proclamation divide the city into wards, and the Lieutenant-Governor in Council shall have the like powers as are by the *Municipal Act* conferred upon him when application is made to divide a city into wards under *The Municipal Act*.

(6) The expenses to be allowed for executing the commission shall be paid by the municipality pursuant to the provisions of section 384 of this Act.

(7) In case of a new division being made as aforesaid, another division shall not be made for five years thereafter. 53 V. c. 50, s. 1.

25. The council of any town may pass a by-law to withdraw the town from the jurisdiction of the council of the county within which the town is situated, upon obtaining the assent of the electors of the town to the by-law in manner provided by this Act, subject to the following provisions and conditions:

1. After the final passing of the by-law, the amount which the town is to pay to the county for the expenses of the administration of justice, the use of the gaol, and the erection and repairs of the registry office, and for providing books for the same, and for services for which the county is liable, as required by and under the provisions of any Act respecting the registration of instruments relating to lands, as well as for the then existing debt of the county, if not mutually agreed upon shall be ascertained by arbitration under this Act; and the agreement or award shall distinguish the amount to be annually paid for the said expenses, and for the then debt of the county, and the number of years the payments for the debt are to be continued;

2. In adjusting their award, the arbitrators shall, among other things, take into consideration the amount previously paid by the town, or which the town is then liable to pay, for the construction of roads or bridges by the county without the limits of the town; and also what the county has paid, or is liable to pay, for the construction of roads or bridges within the town; and they shall also ascertain, and allow to the town, the value of its interest in all county property, except roads and bridges within the town;

3. When the agreement or award has been made, a copy of the same, and of the by-law, duly verified by affidavit, shall be transmitted to the Lieutenant-Governor, who shall thereupon issue his proclamation, withdrawing the town from the jurisdiction of the council of the county;

4. After the proclamation has been issued, the offices of reeve and deputy reeve or deputy Reeves of the town shall cease; and no by-law of the council of the county thereafter made shall have any force in the town, except so far as relates to the care of the court house and gaol, and other county property in the town; and the town shall not thereafter be liable to the county for, or be obliged to pay to the county, or into the county treasury any money for county debts or other purposes, except such sums as may be agreed upon or awarded as aforesaid;

5. After the lapse of five years from the time of agreement or award, or such shorter time as may be stated in the agreement or award, a new agreement or a new award may be made, to ascertain the amount to be paid by the town to the county for the expenses of the administration of justice, the use of the gaol, erection and repairs of the registry office or offices, the providing books for the same, and for services for which the county is liable, as required by and under the provisions of any Act respecting the registration of instruments relating to lands ;

6. After the withdrawal of a town from the county all property theretofore owned by the county, except roads and bridges within the town, shall remain the property of the county. 46 V. c. 13, s. 25.

NOTE.—Provisions are here made by which a town may withdraw from the jurisdiction of a county, and matters incident to a settlement by agreement or arbitration are clearly set forth. After proclamation by the Lieutenant-Governor the town ceases to be represented in the county council.

26.—(1) The council of a town which has withdrawn from a county, or union of counties, may, after the expiration of five years from the withdrawal, pass a by-law (to be assented to by the electors in manner provided for by this Act in respect of by-laws for creating debts) to reunite with such county or union of counties.

(2) The by-law shall have no effect unless ratified and confirmed by the council of the county or union of counties, from which the said town had previously withdrawn, within six months after the passing of the by-law, and unless the terms and conditions which the town shall pay, perform or be subject to, have been previously agreed upon or settled in manner following, that is to say :

(3) Before the by-law is confirmed by the council of the county, the councils of the town and county shall determine by agreement the amounts of the debts of the town and county respectively which shall be paid or borne by the county after the reunion, or what amount shall be payable by a special rate to be imposed upon the ratepayers of the town, over and above all other county rates, and all other matters relating to property, assets, or advantages consequent upon the reunion, and as affecting the county :

town respectively, and such other terms or conditions as appear just shall be settled by such agreement; and in default of such agreement being come to within three months after the passing of the by-law by the council of the town, the said matters shall be settled by arbitration, as provided by this Act. 46 V. c. 18, s. 26.

NOTE.—After five years from the time of the withdrawal of a town from the county, the council of the town may pass a by-law to be assented to by the electors, and reunite with the county, provided the council of the county agrees to such reunion and ratifies the by-law so passed by the council of the town. Assets and liabilities, and all other matters relating to finance and property of the town and county must be settled by agreement or arbitration *before* the by-law is confirmed by the council of the county.

AN ACT RESPECTING PUBLIC SCHOOLS.

(*R. S. O., 1887, Cap. 225.*)

(CONTINUED.)

27.—(1) No school corporation shall cease to exist by reason of the want of trustees, but in case of such want any two ratepayers of the section, or the inspector, may, by giving six days' notice, to be posted in at least three of the most public places of the section, call a meeting of the ratepayers, who shall proceed to elect three trustees, in the manner prescribed in section 17 and the following sections of this Act; and the trustees thus elected shall hold and retire from office in the manner prescribed by section 30 of this Act. 48 V. c. 49, s 27.

(2) When the ratepayers of any school section, for two years neglect or refuse to elect trustees, after being duly notified as herein provided, the municipal council of the township may appoint trustees for the said school section, who shall hold office for the same term as if elected by the ratepayers. 50 V. c. 39, s. 4.

NOTE.—Provision is here made for the election of trustees, when, by reason of death, removal, or other cause, a school section is without trustees, notice to be given by two ratepayers or by the inspector, for six days, calling a meeting for the election. The notices must be posted in at least three of the most public places of the section. The proceedings to be conducted as provided by section 17. The terms of office are regulated by section 30. The township council may appoint trustees for a school section when the ratepayers of such section fail to do so for two years. For filling vacancies, see section 40, s.s. 1.

The inhabitants of a school section are *not* a corporation. *See* sec. 33.

28. Where a new school section is formed in any township, as provided in section 81 of this Act, the clerk of the township shall give notice of the number and description of such school section to the county inspector, who shall cause copies of the notice so received by him to be posted in three of the most public places in the new school section at least six days before the last Wednesday in December in the year in which such new school section was formed, and the first meeting in every new school section shall be held at the same time as the annual meeting in rural school sections. 50 V. c. 39, s. 5.

NOTE.—The clerk of the township must give notice to the inspector of the number and description of the new section, and by section 81 the clerk must furnish to the trustees and inspector a copy of the by-law and minutes relating to the formation, or alteration, or union of a school section or sections.

29. The meeting shall be organized, and the proceedings conducted (as near as may be), according to the provisions of sections 17 to 22 of this Act, inclusive. 48 V. c. 49, s. 29.

30. The trustees elected at a first school section meeting shall respectively continue in office as follows :

1. The first person elected shall continue in office for two years, to be reckoned from the annual school meeting next after his election, and thence until his successor has been elected ;

2. The second person elected shall continue in office for one year, to be reckoned from the same period, and until his successor has been elected ;

3. The third, or last person elected, shall continue in office until the next ensuing annual school meeting in such section, and until his successor has been elected ;

4. In case of a poll being taken for one or more trustees at a first school section meeting, then the trustees shall rank in seniority according to the number of votes polled, and in case of a tie, then in the order of their nomination. 48 V. c. 49, s. 30.

31. A correct copy of the minutes of a first and of every annual and of every special school section meeting, signed by the chairman and secretary, shall be forthwith transmitted by the chairman of the meeting to the county inspector. 48 V. c. 49, s. 31.

NOTE.—The *chairman* of the board is made responsible for the transmission of a certified copy of the minutes of each meeting to the inspector.

32. When complaint is made to the inspector by any ratepayer that the election of a trustee, or that the proceedings or any part thereof of any school meeting, have not been in conformity with the provisions of this Act, the inspector shall investigate the same, and confirm or set the election or proceeding aside, and appoint the time and place for a new election, or for the reconsideration of a school question, but no complaint in regard to any election or proceeding at a school meeting shall be entertained by any inspector unless made to him in writing within twenty days after the holding of the election or meeting. 48. V. c. 49, s. 32.

NOTE.—A complaint may be made to the inspector under this section within *twenty* days, by any ratepayer, when the inspector *shall* investigate the same.

33.—(1) The trustees of every such school section shall be a corporation under the name of "The Board of Public School Trustees for School Section _____ of the Township of _____ in the County of _____."

(2) The board (a majority of whom shall form a quorum) shall be constituted by the election of a chairman and a secretary-treasurer.

(3) The secretary-treasurer, who may be a member of the board, shall give such security as may be required by a majority of the trustees—such security to be deposited with the clerk of the municipality. 48 V. c. 49, s. 33.

NOTE.—The trustees are a corporation. s. s. 1. The secretary-treasurer must give good and sufficient security. s. s. 3. The trustees are personally liable for school moneys, unless proper security is taken. Sec. 254.

34. It shall be the duty of the secretary-treasurer :

1. To keep a full and correct record of the proceedings of every meeting of the board in the minute-book provided by the trustees for that purpose, and to see that the minutes, when confirmed, are signed by the chairman or presiding trustee ;

2. To receive all school moneys collected from the inhabitants or ratepayers of the section or other persons, and to account for the same ;

3. To disburse all moneys in the manner directed by a majority of the trustees ;

4. To produce, when called for by the trustees, auditors or other competent authority, all papers and moneys belonging to the corporation ;

5. To call at the request in writing of two trustees a special meeting of the board of trustees. 48 V. c. 49, s. 34.

35. Notice of all meetings shall be given by the secretary to each of the trustees, or by any one of the trustees to the others, by notifying them personally, or in writing, or by sending a written notice to their residences. 48 V. c. 49, s. 35.

NOTE.—Provision is here made for notice being given by a trustee in case of incapacity on the part of the secretary-treasurer to do so. See sec. 40, s.s. 1.

36. No act or proceeding of a rural school corporation which is not adopted at a regular or special meeting of the trustees shall be valid or binding on any person affected thereby, unless notice has been given as required by this Act and unless at least two trustees are present. 48 V. c. 49, s. 36.

NOTE.—It is essential to the validity of proceedings at trustees' meetings that legal notice should be given as prescribed, otherwise on an appeal to the inspector such proceedings may be set aside. See sec. 32.

37.—(1) Every board of school trustees shall on or before the first day of December appoint an auditor, and in case of their neglect, or the neglect of the ratepayers at an annual or special meeting to do so, or in case of an auditor being appointed or elected who refuses, or is unable to act, then the inspector shall (at the request in writing of any two ratepayers) make the appointment.

(2) It shall be the duty of the trustees, or their secretary-treasurer, to lay all their accounts before the school auditors of the section, or either of them, together with the agreements, vouchers, contracts and books in their possession, and the trustees or their secretary-treasurer, shall afford to the auditors, or either of them, all the information in their or his power as to the receipts and expenditures of school moneys. 48 V. c. 49, s. 37.

NOTE—The trustees shall appoint an auditor before first of December, and in case of failure by the trustees or ratepayers to appoint an auditor, the inspector shall make the appointment, upon request, in writing, of any two ratepayers (of the section). By section 17, s.s. 2 (c), the electors may elect an auditor.

39. It shall be the duty of the auditors of every school section:

1. To examine into and decide upon the accuracy of the accounts of the section, and whether the trustees have duly accounted for and expended for school purposes the moneys received by them, and to submit the said accounts, with a full report thereon at the next annual school meeting;

2. In case of difference of opinion between the auditors on any matter in the account, it shall be referred to and decided by the county inspector;

3. If both of the auditors object to the lawfulness of any expenditures made by the trustees, they shall submit the matters in difference to the annual meeting, which may either determine the same, or submit the matter to the Minister of Education, whose decision shall be final;

4. It shall be competent for the auditors or one of them—

(a) To require the attendance of all or any of the persons interested in the accounts, and of their witnesses, with all such books, papers, and writings as the auditor or auditors may direct them or either of them to produce;

(b) To administer oaths to such persons and witnesses;

(c) To issue their or his warrant to any person named therein, to enforce the collection of any moneys by them awarded to be paid; and the person named in the warrant shall have the same power and authority to enforce the collection of the moneys mentioned in the said warrant, with

all reasonable costs by seizure and sale of the property of the party or corporation against whom the same has been issued, as any bailiff of a Division Court has in enforcing a judgment and execution issued out of such Court;

- (d) The auditors shall remain in office until their audit is completed. 48 V. c. 49, s. 39.

NOTE.—The electors may determine any objection of both auditors, or in case of failure to do so, then the Minister of Education, upon submission of the matter to him, may finally decide the same.

40. It shall be the duty of the trustees—

1. To appoint the place of each annual school meeting of the ratepayers of the section; and the time and place of a special meeting of the same for (1) the filling up of any vacancy or vacancies in the trustee corporation occasioned by death, removal or other cause; or (2) for the selection of a new school site; or (3) the appointment of a school auditor; or (4) any other lawful school purpose, as they may think proper; and to cause notices of the time and place, and of the objects of such meetings, to be posted in three or more public places of the section, at least six days before the time of holding such meeting;

- (a) Every such meeting shall be organized, and its proceedings recorded in the manner provided for in section 17 and the following sections of this Act.

2. To provide adequate accommodation and a legally qualified teacher or teachers, according to the regulations prescribed by the Education Department, for two-thirds of the actual resident children between the ages of five and twenty-one years, as ascertained by the census taken by the municipal council for the next preceding year; provided always such actual residents are not to include the children of persons on whose behalf a separate school is established according to the provisions of *The Separate Schools Act*;

3. To apply to the township council at or before its meeting in August for the levying and collecting by rate, all sums for the support of their school, or schools, and for any other school purposes authorized by this Act to be collected from the ratepayers of such section, or to raise the amount necessary for the purchase of school sites, the erec-

tion or otherwise acquiring of school-houses and their appendages and teacher's residence, either by one yearly rate or by debentures, as provided in section 129 of this Act, as may be required by the trustees;

NOTE.—Township councils are required to collect and pay over to the secretary-treasurer of each school section all moneys so collected, without any deduction, on or before the 15th day of December in each year. See secs. 117, 125. Cities, towns and incorporated villages shall also collect school taxes. See sec. 118:

4. To arrange for the payment of teachers' salaries quarterly and, if necessary, to borrow on their promissory note, under the seal of the corporation, at interest not exceeding eight per cent. per annum, such moneys as may be required for that purpose, until the taxes imposed therefor are collected;

5. To keep the school-house, furniture, outbuildings, and enclosures in proper repair, and where there is no suitable school-house belonging to the section, or where two or more school-houses are required, to build or rent a house or houses, and to keep such house or houses, its or their furniture, out-buildings and enclosures in proper repair;

6. To give notice in writing, before the fifteenth day of January in each year, to the inspector and to the clerk of the township in which their school is situate of the names and post-office addresses of the several trustees then in office, and of the teachers employed by them, and to give reasonable notice in writing from time to time of any changes therein;

7. To exempt, in their discretion, from the payment of school rates, wholly or in part, any indigent persons, notice of such exemption to be given by the trustees to the clerk of the municipality, on or before the first day of August;

8. To dismiss from the school any pupil who shall be adjudged so refractory by the trustees (or by a majority of them) and the teacher that his presence in school is deemed injurious to the other pupils, and, where practicable, to remove such pupil to an industrial school;

9. To take possession and have the custody and safe keeping of all public school property which has been acquired or given for public school purposes in the section; and to acquire and hold as a corporation, by any title whatsoever,

any land, movable property, moneys or income given or acquired at any time for public school purposes, and to hold or apply the same according to the terms on which the same were acquired or received; and to dispose, by sale or otherwise, of any school site or school property not required by them in consequence of a change of school site, or other cause; to convey the same under their corporate seal, and to apply the proceeds thereof to their lawful school purposes, or as directed by this Act;

10. To visit, from time to time, every school under their charge, and see that it is conducted according to law and the authorized regulations, and to provide school registers and a visitors' book, in the form prescribed by the Education Department;

11. To see that no unauthorized books are used in the school, and that the pupils are duly supplied with a uniform series of authorized text-books, sanctioned by the Education Department; and to procure annually, for the benefit of their school section, some periodical devoted to education, and to do whatever they may deem expedient in regard to procuring apparatus, maps, prize and library books for their school;

NOTE.—Trustees must see that no unauthorized books are used, and must procure annually some periodical devoted to education. Teachers shall not permit unauthorized books to be used. Secs. 205-207.

12. To cause to be prepared and read at the annual meeting of the ratepayers, a report for the year then ending, containing, among other things, a summary of their proceedings during the year, together with a full and detailed account of the receipt and expenditure of all school moneys received and expended in behalf of the section, for any purpose whatever, during such year, and signed by the trustees and by either or both of the school auditors of the section;

13. To transmit to the inspector the semi-annual returns on or before the 30th day of June and 31st day of December respectively, and the annual return on or before the 15th day of January in each year, according to the forms prescribed by the Education Department. 48 V. c. 49, s. 40.

NOTE.—For penalties for neglect of duties see Secs. 242-267.

GENERAL DIRECTIONS TO TRUSTEES.

(From Regulations of the Educational Department.)

PROCEDURE AT SCHOOL MEETINGS.

243. The notice calling an annual or special meeting should be signed by the secretary by direction of the trustees, or by a majority of the trustees themselves. The corporate seal need not be attached to it.

244. Any ratepayer may call the meeting to order as soon as the hour appointed arrives, and nominate a chairman.

245. The business of all school meetings should be conducted according to the following rules of order:—

(1) *Addressing Chairman.*—Every elector shall rise previously to speaking, and address himself to the chairman.

(2) *Order of Speaking.*—When two or more electors rise at once, the chairman shall name the elector who shall speak first, when the other elector or electors shall next have the right to address the meeting in the order named by the chairman.

(3) *Motion to be read.*—Each elector may require the question or motion under discussion to be read for his information at any time, but not so as to interrupt an elector who may be speaking.

(4) *Speaking twice.*—No elector shall speak more than twice on the same question or amendment without leave of the meeting, except in explanation of something which may have been misunderstood, or until every one choosing to speak shall have spoken.

(5) *Protest.*—No protest against an election, or other proceedings of the school meeting, shall be received by the chairman. All protests must be sent to the inspector within twenty days at least after the meeting.

(6) *Adjournment.*—A motion to adjourn a school meeting shall always be in order, provided that no second

motion to the same effect shall be made until after some intermediate proceedings shall have been had.

(7) *Motion to be in writing and seconded.*—A motion cannot be put from the chair, or debated, unless the same be seconded. If required by the chairman, all motions must be reduced to writing.

(8) *Withdrawal of a motion.*—After a motion has been announced or read by the chairman, it shall be deemed to be in possession of the meeting; but may be withdrawn at any time before decision, by the consent of the meeting.

(9) *Kind of motions to be received.*—When a motion is under debate no other motion shall be received, unless to amend it, or to postpone it, or for adjournment.

(10) *Order of putting motion.*—All questions shall be put in the order in which they move. Amendments shall all be put before the main motion; the last amendment first, and so on.

(11) *Reconsidering motion.*—A motion to reconsider a vote may be made by any elector at the same meeting; but no vote of reconsideration shall be taken more than once on the same question at the same meeting.

246. At the end of every annual or special meeting the chairman should sign the minutes and send forthwith to the inspector a copy of the same signed by himself and the secretary.

247. Every trustee declared elected by the chairman of the school meeting is a legal trustee until his election is set aside by proper authority.

248. The seal of the school corporation should not be affixed to letters or notices, but only to contracts, agreements deeds, or other papers, which are designed to bind the trustees as a corporation for the payment of money, or the performance of any specified act, duty, or thing.

CARE OF SCHOOL PROPERTY.

249. The board of trustees should appoint one of its own number or some responsible person to look after petty repairs, such as repairing fences, outhouses, walks, windows, seats, blackboards, and stoves.

250. No public school house or school plot (unless otherwise provided for in the deed), or any building, furniture, or other thing pertaining thereto, shall be used or occupied for any other than public school purposes, without the express permission of the board of trustees, acting as a corporation.

251. Provision should be made by every school corporation for scrubbing and sweeping the school-house regularly, for whitewashing walls and ceilings at least annually during the summer holidays, and for making fires one hour before the time for opening school, from the first of November until the first of May in each year.

ARBOR DAY.

252. The first Friday in May shall be set apart by the board of trustees of every rural school and incorporated village for the purpose of planting shade trees, making flower beds and otherwise improving and beautifying the school grounds.

FIRE DRILL.

253. In every school-house consisting of more than one story the pupils should be regularly trained in the fire drill, in order to prevent accidents from the alarm of fire.

254. All former regulations whatsoever of the Education Department are hereby repealed.

AN ACT RESPECTING SEPARATE SCHOOLS.

(*Cup. 227, R. S. O. 1887.*)

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1. This Act may be cited as "*The Separate Schools Act.*" 49 V. c. 46, s. 1.

PROTESTANT AND COLORED SEPARATE SCHOOLS.

2.—(1) Upon the application in writing of five or more heads of families resident in any township, city, town or incorporated village, being Protestants, the municipal council of the said township or the board of school trustees of any such city, town or incorporated village, shall authorize the establishment therein of one or more separate schools for Protestants; and upon the application in writing of five or more heads of families resident in any township, city, town or incorporated village, being colored people, the council of such township, or the board of school trustees of any such city, town or incorporated village, shall authorize the establishment therein of one or more separate schools for colored people, and in every such case, such council or board, as the case may be, shall prescribe the limits of the section or sections of such schools.

(2) No person shall be a supporter of any separate school for colored people unless he resides within three miles in a direct line of the site of the school-house for such separate school. 49 V. c. 46, s. 3.

NOTE.—Under the provisions of 13, 14 V. c. 48, s. 19, the application for the establishment of a separate school was required to be made by twelve or more heads of families.

In fixing the limits of a colored separate school section, regard must be had to the distance any supporter may reside from the school house.

3. There shall be three trustees for each separate school, and the first meeting for the election of such trustees shall be held and conducted in the manner and according to section 27 of this Act. 49 V. c. 46, s. 4.

4. On the twenty-fifth day of December next, following the date of the application mentioned in section 2 of this Act, each such separate school shall go into operation, and shall, with respect to the persons for whom such school has been established, be under the same regulations as public school generally. 49 V. c. 46, s. 5.

5. None but colored people shall vote at the election of trustees of any separate school established for colored people, and none but the persons petitioning for the establishment of, or sending children to, a Protestant separate school shall vote at the election of trustees of such school. 49 V. c. 46, s. 6.

6. In any city or town the persons who make application, according to the provisions of section 2 of this Act, may have a separate school in each ward, or in two or more wards united, as the said person may judge expedient. 49 V. c. 46, s. 7.

7. No Protestant separate school shall be allowed in any school section, except when the teacher of the public school in such section is a Roman Catholic. 49 V. c. 46, s. 8.

8. In all cities, towns, incorporated villages and township public school sections in which separate schools exist, every Protestant or colored person (as the case may be) sending children to such school, or supporting the same by subscribing thereto annually an amount equal to the sum at which such person, if such separate school did not exist, must have been rated in order to obtain the annual legislative public school grant, shall be exempt from the payment of all rates imposed for the support of the public schools of such city, town, incorporated village and school section respectively, and of all rates imposed for the purpose of obtaining the public school grant. 49 V. c. 46, s. 9.

9. The exemption from the payment of school rates, as herein provided, shall not extend beyond the period during which such persons send children to or subscribe as aforesaid for the support of such separate school; nor shall the exemption extend to school rates or taxes imposed or to be imposed to pay for school-houses, the erection of which was undertaken or entered into before the establishment of such separate school. 49 V. c. 46, s. 10.

10. Separate schools shall not share in school money raised by local municipal assessment for public school purposes. 49 V. c. 46, s. 11.

11. Every separate school shall share in such legislative public school grant according to the yearly average number of pupils attending such separate school, as compared with the average number of pupils attending the public schools in each such city, town, incorporated village or township; the

mean attendance of pupils for winter and summer being taken. 49 V. c. 46, s. 12.

12. The trustees of every separate school shall, on or before the thirtieth day of June, and thirty-first day of December of each year, transmit to the county inspector a correct return of the names of all Protestant or colored persons (as the case may be) who have sent children to, or subscribed as aforesaid for the support of, such separate school during the then last preceding six months, and the names of the children sent, and the amounts subscribed by them respectively, together with the average attendance of pupils in the separate school during such period. 49 V. c. 46, s. 13.

13. The county inspector shall, upon the receipt of the return, forthwith make a return to the clerk of the municipality in which the separate school is established, stating the names of all the persons who, being Protestants or colored persons (as the case may be), contribute or send children to the separate school. 49 V. c. 46, s. 14.

14. Except for any rate for building school-houses undertaken before the establishment of such separate school, the clerk shall not include in the collector's roll for the general or other school rate, and the trustees or board of trustees shall not include in their school rolls any person whose name appears upon the last mentioned return. 49 V. c. 46, s. 15.

15. The clerk or other officer of the municipality within which a separate school is established, having possession of the assessor's or collector's roll of the said municipality, shall allow any one of the said trustees, or their authorized collector, to make a copy of such roll so far as it relates to their school section. 49 V. c. 46, s. 16.

16. The provisions of sections 28 to 39 inclusive of this Act, shall apply to the trustees and teachers of such separate schools. 49 V. c. 46, s. 17.

17. The trustees of every separate school shall be a body corporate under the name of "The Trustees of the Protestant Colored or Separate School of (as the case may be), in the township (city or town, as the case may be) of _____," and shall have such power to impose, levy and collect school rates or subscriptions, upon and from persons sending children to, or subscribing towards the

support of, the separate school as are provided in section 53 of this Act. 49 V. c. 46, s. 18.

NOTE.—By the Revised Statutes of Quebec, dissentient schools may be established.

Article 1985, vol. 2, of the Revised Statutes of Quebec, enacts as follows: "If in any municipality the regulations and arrangements made by the school commissioners for the management of any school are not agreeable to any number whatever of the proprietors, occupants, tenants or ratepayers professing a religious faith different from that of the majority of the inhabitants of such municipality, such proprietors, occupants, tenants and ratepayers may signify such dissent in writing to the chairman of the commissioners such notice of dissent, which may be in the form appended to this title, shall be made and signed in triplicate; one copy shall be served upon the chairman of the school commissioners, one copy shall be kept in the archives of the trustees, and one copy shall be sent to the Superintendent of Public Instruction." C. S. L. C. c. 15, s. 55, (1); 32 V. c. 16, s. 11; 51, 52 V. c. 36, s. 31.

Within one month after notice of dissent is given to the commissioners three trustees must be elected. Notice must be given to the chairman of commissioners within eight days after election or nomination.

Article 1987: "If in any municipality the minority which declared itself to be dissentient increases and becomes the majority, the dissentients shall, in consequence thereof, have a right to organize themselves: that is to say, to elect in the usual manner five commissioners in the month of July. On the other hand, the former majority having become the minority, may declare itself to be dissentient and may elect three trustees for the management of its school affairs. 41 V. c. 6, s. 25.

ROMAN CATHOLIC SEPARATE SCHOOLS.

18. The sections and provisions hereinafter in this Act contained are enacted in respect of separate schools for Roman Catholic, whether now or hereafter established. 49 V. c. 46, s. 19.

19. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears :

1. "Rural school" shall signify and mean a separate school for Roman Catholics now or hereafter established within a township ;

2. "Urban school" shall signify and mean a separate school for Roman Catholics now or hereafter established within a city, town or incorporated village ;

3. "Separate school" shall signify and mean a separate school for Roman Catholics now or hereafter established. 49 V. c. 46, s. 20.

AN ACT RESPECTING THE ASSESSMENT OF PROPERTY.

(*R. S. O. 1887, Cap. 193.*)

(CONTINUED.)

NOTE.—It will be seen that sub-section 25, exempting ministers' stipends and parsonages, has been repealed.

8. Where any person derives from some trade, office, calling or profession, an income which is entitled by law to exemption from assessment, he shall not be bound to avail himself of such right to exemption, but if he thinks fit, he may require his name to be entered in the assessment roll, for such income, for the purpose of being entitled to vote at elections for the Legislative Assembly and municipal councils, and such income shall in such case be liable to taxation like other assessable income or property, and it shall be the duty of the assessor to enter the name of such person in the assessment roll. R. S. O. 1877, c. 180, s. 7.

NOTE.—To enable a person to vote at a municipal election, the amount of assessment required is \$400. R. S. O. c. 84, s. 79. To vote at a Legislative election, \$250. R. S. O. c. 9, s. 7.

9. All real property situate within, but owned out of the Province, shall be liable to assessment in the same manner and subject to the like exemptions as other real property under the provisions of this Act. R. S. O. 1877, c. 180, s. 8.

10. All personal property within the Province in the possession or control of any agent or trustee for, or on behalf of any owner thereof, who is resident out of this Province, shall be liable to assessment in the same manner, and subject to the like exemption as in the case of the other personal property of the like nature under this Act. R. S. O. 1877, c. 180, s. 9.

11. The exemption to which certain officers connected with the Superior Courts were, at the time of their appointment, and on the 5th day of March 1880, entitled by Statute, in respect of their salaries, is abolished as respects all

persons appointed by the Lieutenant-Governor to such offices after the said 5th day of March, 1880, or hereafter, and continues in respect of such officers only as were appointed before that date. 43. V. c. 27, s. 5; 50 V. c. 7, s. 19.

NOTE.—The distinction made in this section does not appear consistent.

APPOINTMENT OF ASSESSORS AND COLLECTORS.

(See also cap, 184, ss. 254-257)

12. The councils of every municipality, except counties, shall appoint such numbers of assessors and collectors for the municipality as they may think necessary, but no assessor or collector shall hold the office of clerk or treasurer. R. S. O. 1877, c. 180, s. 10; 44 V. c. 25, s. 12.

13. Such councils may assign to such assessors and collectors the assessment district or districts within which they shall act, and may prescribe regulations for governing them in the performance of their duties. R. S. O. 1877, c. 180, s. 11.

NOTE.—“And may prescribe regulations for governing them in the performance of the duties.” When an assessor has made the statutory declaration of office, and has become conversant with the duties imposed by sections 14 to 51 inclusive, additional regulations would in most cases interfere with the performance of such duties and result in an imperfect assessment. Councils might better confine their actions to the powers conferred in sections 28, 52, 53 and 54.

DUTIES OF ASSESSORS.

14.—(1) The assessor or assessors shall prepare an assessment roll, in which, after diligent inquiry, he or they shall set down according to the best information to be had—

1. The names and surnames in full, if the same can be ascertained, of all taxable persons resident in the municipality who have taxable property therein, or in the district for which the assessor has been appointed;

2. And of all non-resident owners who have given the notice in writing mentioned in section 3, and required their names to be entered in the roll;

3. The description and extent or amount of property assessable against each. R. S. O. 1877, c. 180, s. 12 (1-3).

(2) In the case of every township, town or incorporated village, it shall also be the duty of the assessor or assessors, when making the annual assessment, to inquire of each resident taxable party whether there has been a birth or death in the family within the previous twelve months, and if either, whether the same has been registered or not; if it has not been registered the assessor shall put the figure 1 opposite the name, in the column headed "Birth" or "Death," as the case may be; if registered, the letter "R" in the column (28) set apart for "Registered." 44 V. c. 4. s. 1 (*part*); 50 V. c. 7, s. 20.

(3) The assessor shall set down the particulars in separate columns, as follows:

Column 1.—The successive number on the roll. R. S. O. 1877, c. 180, s. 12 (4).

Column 2.—Name and post-office address of taxable party. 42 V. c. 32, s. 1.

Column 3.—Occupation, and in the case of females, a statement whether the party is a spinster, married woman or widow, by inserting opposite the name of the party the letter "S," "M" or "W," as the case may be. R. S. O. 1877, c. 180, s. 12 (4); 48 V. c. 42, s. 13.

Column 4.—Statement whether the party is a Freeholder, Householder, Tenant, or Landholder's Son, by inserting opposite the name of the party the letter "F," "H," "T," or "L. S." as the case may be. But where any person being a landholder's son is also, within the meaning of *The Municipal Act*, a "Farmer's Son," the assessor shall, instead of the letters "L. S.," insert in the assessment roll the letters "L. and F. S." R. S. O. 1877, c. 180, s. 12 (5); 50 V. c. 7, s. 15.

Column 5.—The age of the assessed party.

Column 6.—Name and address of the owner, where the party named in column 2 is not the owner.

Column 7.—School section, and whether public or separate school supporter.

Column 8.—Number of concession, name of street, or other designation of the local division in which the real property lies.

Column 9.—Number of lot, house, etc., in such division.

Column 10.—Number of acres, or other measure, showing the extent of the property.

Column 11.—Number of acres cleared (*or*, in cities, towns, or villages, whether vacant or built upon.)

Column 12.—Value of each parcel of real property.

Column 13.—Total value of real property.

Column 14.—Value of personal property other than income.

Column 15.—Taxable income.

Column 16.—Total value of personal property and taxable income.

Column 17.—Total value of real and personal property and taxable income.

Column 18.—Statute labor (in case of male persons from twenty-one to sixty years of age), and number of day's labor.

Column 19.—Dog tax; number of dogs and number of bitches.

Column 20.—Number of persons in the family of each person rated as a resident.

Column 21.—Religion.

Column 22.—Number of cattle.

Column 23.—Number of sheep.

Column 24.—Number of hogs.

Column 25.—Number of horses.

Column 26.—Birth.

Column 27.—Death.

Column 28.—Registered.

Column 29.—Acres of woodland.

Column 30.—Acres of swamp, marsh, or waste land.

Column 31.—Acres of orchard and garden.

Column 32.—Number of acres under fall wheat. 45 V. c. 28, s. 4.

Column 33.—Date of delivery of notice under section 47. R. S. O. 1877, c. 180, s. 12 (4); see Schedule B.

(4) In any case where the trustees of any Roman Catholic separate school avail themselves of the provisions contained in section 120 of *The Public Schools Act*, for the purpose (amongst others) of ascertaining through the assessors of the municipality the persons who are the supporters of separate schools in such municipality, the assessor shall accept the statement of, or on behalf of any ratepayer that he is a Roman Catholic, as sufficient *prima facie* evidence for placing such person in the proper column of the assessment roll for separate school supporters, or if the assessor knows personally any ratepayer to be a Roman Catholic this shall also be sufficient for placing him in such last mentioned column. 42 V. c. 32, s. 2.

MISCELLANEOUS.

HON. T. D'ARCY MCGEE'S ORATION ON
CONFEDERATION.

MR. SPEAKER,—I rise to endeavor to fulfil the promise made in my name last evening by the Lower Canadian leader of this House. After the four speeches that have already been delivered from this quarter of the House, it may very well be supposed that little of essential importance remains to be said. On Monday, the Attorney-General West, in exposing the case for the Government, in moving this Address to Her Majesty, went very fully through all the items of the resolutions agreed upon at the Quebec Conference, and gave us a full analysis of the whole project, with his own constitutional commentaries upon the proceedings of that body. On the next evening, the Attorney-General East gave us his views also, treating chiefly of the difficulties in Lower Canada. The same night, my honorable friend, the Minister of Finance, gave us a financial view of the whole subject; and last evening the Hon. President of the Council gave us another extended financial and political address, with some arguments from "the Upper Canadian point of view," as the phrase is. It may well, therefore, seem that after these speeches little of essential importance remains to be stated. Still this subject is so vast, the project before the House is so vast, and comprehends within it so many objects of interest, the atmosphere that surrounds a subject of this importance is so subtle and fluctuating, that there may be, I am fain to believe, a little joiner-work still left to do—there may be a hiatus here and there to fill up; and although, as far as what is called "the preliminary case" is concerned, the question might perhaps, very well have rested with the four speeches already delivered—there may be some slight additional contribution made, and, such as it is, in my own humble way, I propose to make it to-night. (Hear, hear.) We all remember that in the nursery legend of the Three Kings of

Cologne, Caspar brought myrrh, and Melchior incense, and Baltassar gold, but I am afraid my contribution will be less valuable than any of these; yet such as it is I cheerfully bring it, particularly when there are so many in this and the other provinces who would like to know what my own views are in relation to the present crisis. (Hear.) With your approbation, sir, and the forbearance of the House, I will endeavor to treat this subject in this way:— First, to give some slight sketch of the history of the question; then to examine the existing motives which ought to prompt us to secure a speedy union of these provinces; then to speak of the difficulties which this question has encountered before reaching its present fortunate stage; then to say something of the mutual advantages, in a social rather than political point of view, which these provinces will have in their union, and lastly to add a few words on the Federal principle in general, when I shall have done. In other words, I propose to consider the question of union mainly from within, and as far as possible to avoid going over the ground already so fully and so much better occupied by honorable friends who have already spoken upon the subject. My honorable friend, the member for Hochelaga, though he did a very clever thing the other evening when he disinterred an old newspaper article of mine, entitled "A New Nationality," and endeavored to fix on me the paternity of the phrase—destined to become prophetic—which was employed by a very distinguished personage in the Speech from the Throne at the opening of the session. I do happen to remember the article alluded to as one of my first essays in political writing in Canada; but I am quite sure that the almost forgotten publication in which it appeared was never known, even by name, to the illustrious person who delivered the speech on that occasion. But I will own when I saw my bantling held up to the admiration of the House in the delicate and fostering hands of the honorable member for Hochelaga, I was not ashamed of it; on the contrary, perhaps there was some tingling of parental pride when I saw what ten years ago I pointed out as the true position for these colonies to take, about to be adopted by all the colonies under such favorable circumstances. I do not think it ought to be made a matter of reproach to me, or a cause for belittling the importance of the subject, that ten years ago I used the identical phrase employed in the Speech from the Throne. The idea itself is a good one, and it may have floated through the minds of many men and received intellectual

hospitality even from the honorable member for Hochelaga himself. One is reminded by this sort of thing, of Puff in the *Critic*. "Two people" happened "to hit upon the same thought, and Shakespeare made use of it first—that's all." (Laughter.) My honorable friend is in this respect, no doubt, the Shakespeare of the new nationality. (Renewed laughter.) If there is anything in the article he has read to the House which is deserving of disapprobation, he is *particeps criminis*, and equally blamable if not more blamable than myself. He is, indeed, the older sinner, and I bow to him in that character with all proper humility. (Renewed laughter.) Really, Mr. Speaker, the attempt to fix the parentage of this child of many fathers is altogether absurd and futile. It is almost as ridiculous as the attempt to fix the name of this new Confederation, in advance of the decision of the Gracious Lady to whom the matter is to be referred. I have read in one newspaper published in a western city not less than a dozen attempts of this nature. One individual chooses Tuponia, and another Hochelaga, as a suitable name for the new nationality. Now I would ask any honorable member of this House how he would feel if he woke up some fine morning and found himself, instead of a Canadian, a Tuponian or Hochelagander. (Laughter.) I think, sir, we may safely leave for the present the discussion of the name as well as the origin of the new system proposed; when the Confederation has a place among the nations of the world, and opens a new page in history, it will be time enough to look into its antecedents, and when it has reached this stage there are a few men who, having struggled for it in its earlier difficulties, will then deserve to be honorably mentioned. I shall not be guilty of the bad taste of complimenting those with whom I have the honor to be associated; but when we reach the stage of research, which lies far beyond the stage of deliberation in these affairs, there are some names that ought not to be forgotten. (Hear, hear.) So far back as the year 1800, the Honorable Mr. Uniacke, a leading politician in Nova Scotia at that date, submitted a scheme of Colonial Union to the Imperial authorities. In 1815, Chief Justice Sewell, whose name will be well remembered as a leading lawyer of this city and a far-sighted politician, submitted a scheme. In 1822, Sir John Beverley Robinson, at the request of the Colonial Office, submitted a project of the same kind; and I need not refer to the report of Lord Durham on Colonial Union in 1839. These are all memorable, and some of them are great names. If we have

dreamed a dream of union (as some honorable gentlemen say), it is at least worth while remarking that a dream which has been dreamed by such wise and good men, may, for aught we know or you know, have been a sort of vision—a vision foreshadowing forthcoming natural events in a clear intelligence. A vision (I say it without irreverence, for the event concerns the lives of millions living, and yet to come) resembling those seen by the Daniels and Josephs of old, foreshadowing the trials of the future; the fate of tribes and peoples; the rise and fall of dynasties. But the immediate history of the measure is sufficiently wonderful without dwelling on the remoter predictions of so many wise men. Whoever, in 1862, or even in 1863, would have told us that we should see, even what we see in these seats by which I stand—such a representation of interests acting together, would be accounted, as our Scotch friends say, “half-daft;”—and whoever, in the Lower Provinces about the same time, would have ventured to foretell the composition of their delegations, which sat with us under this roof last October, would probably have been considered equally demented. (Laughter.) But the thing came about, and if those gentlemen, who have had no immediate hand in bringing it about, and therefore naturally felt less interest in the project than we who did, will only give us the benefit of the doubt, will only assume that we are not all altogether wrong-headed, we hope to show them still further, as we think we have already shown them, that we are by no means without reason in entering on this enterprise. I submit, however, we may very well dismiss the antecedent history of the question for the present; it grew from an unnoticed feeble plant, to be a stately and flourishing tree, and for my part any one that pleases may say he made the tree grow, if I can only have hereafter my fair share of the shelter and the shade. (Cheers.) But in the present stage of the question, the first real stage of its success—the thing that gave importance to theory in men’s minds—was the now celebrated despatch, signed by two members of this Government and an honorable gentleman formerly their colleague, a member of the other House; I refer to the despatch of 1858. The recommendations in that despatch lay dormant until revived by the Constitutional Committee of last session, which led to the Coalition, which led to the Quebec Conference, which led to the draft of the Constitution now on our table, which will lead, I am fain to believe, to the union of all these provinces. (Hear, hear.) At the same time that we mention the distinguished

politicians, I think we ought not to forget those zealous and laborious contributors to the public press, who, although not associated with governments, and not themselves at the time in politics, addressed the public mind, and greatly contributed to give life and interest to this question, and indirectly to bring it to the happy position in which it now stands. Of these gentlemen, I will mention two. I do not know whether honorable gentlemen of this House have seen some letters on colonial union, written in 1855, the last addressed to the late Duke of Newcastle, by Mr. P. S. Hamilton, an able public writer of Nova Scotia, and the present Gold Commissioner of that province; but I take this opportunity of bearing my testimony to his well-balanced judgment, political sagacity and the skilful handling the subject received from him at a very early period. (Hear, hear). There is another little book written in English, six or seven years ago, to which I must refer. It is a pamphlet, which met with an extraordinary degree of success, entitled *Nova Britannia*, by my honorable friend the member for South Lanark (Mr. Morris); and as he has been one of the principal agents in bringing into existence the present Government, which is now carrying out the idea embodied in his book, I trust he will forgive me if I take the opportunity, although he is present, of reading a single sentence to show how far he was in advance and how true he was to the coming event, which we are now considering. At page 57 of his pamphlet—which I hope will be reprinted among the political miscellanies of the provinces when we are one country and one people—I find this paragraph:—

The dealing with the destinies of a future Britannic empire, the shaping its course, the laying its foundations broad and deep, and the erecting thereon a noble and enduring superstructure, are indeed duties that may well evoke the energies of our people, and nerve the arms and give power and enthusiasm to the aspirations of all true patriots. The very magnitude of the interests involved, will, I doubt not, elevate many amongst us above the demands of mere sectionalism, and enable them to evince sufficient comprehensiveness of mind to deal in the spirit of real statesmen with issues so momentous, and to originate and develop a national line of commercial and general policy, such as will prove adapted to the wants and exigencies of our position.

There are many other excellent passages in the work, but I will not detain the House with many quotations. The spirit that animates the whole will be seen from the extract I have read. But whatever the private writer in his closet may have conceived, whatever even the individual

statesman may have designed, so long as the public mind was uninterested in the adoption, even in the discussion of a change in our position so momentous as this, the union of these separate provinces, the individual labored in vain—perhaps, sir, not wholly in vain, for although his work may not have borne fruit then, it was kindling a fire that would ultimately light up the whole political horizon, and herald the dawn of a better day for our country and our people. Events stronger than advocacy, events stronger than men, have come in at last like the fire behind the invisible writing to bring out the truth of these writings and to impress them upon the mind of every thoughtful man who has considered the position and probable future of these scattered provinces. (Cheers.) Before I go further into the details of my subject, I will take this opportunity of congratulating this House and the public of all the provinces upon the extraordinary activity which has been given to this subject since it has become a leading topic of public discussion in the maritime, and what I may call relatively to them, the inland provinces. It is astonishing how active has been the public mind in all those communities since the subject has been fairly launched. I have watched with great attention the expression of public opinion in the Lower Provinces as well as in our own, and I am rejoiced to find that even in the smallest of the provinces I have been able to read writings and speeches which would do no discredit to older and more cultivated communities—articles and speeches worthy of any press and of any audience. The provincial mind, it would seem, under the inspiration of a great question, leaped at a single bound out of the slough of mere mercenary struggles for office, and took post on the high and honorable ground from which alone this great subject can be taken in in all its dimensions,—had risen at once to the true dignity of this discussion with an elasticity that does honor to the communities that have exhibited it, and gives assurance that we have the metal, the material, out of which to construct a new and vigorous nationality. (Cheers.) We find in the journals and in the speeches of public men in the Lower Provinces a discussion of the first principles of government, a discussion of the principles of constitutional law, and an intimate knowledge and close application of the leading facts in constitutional history, which gives to me at least the satisfaction and assurance that, if we never went further in this matter, we have put an end for the present, and I hope for long, to bitterer and smaller controversies. We have given the

people some sound mental food, and to every man who has a capacity for discussion we have given a topic upon which he can fitly exercise his powers, no longer gnawing at a file and wasting his abilities in the poor effort of advancing the ends of some paltry faction or party. I can congratulate this House and province and the provinces below, that such is the case, and I may observe, with some satisfaction, that the various authors and writers seem to be speaking or writing as if in the visible presence of all the colonies. (Hear, hear.) They are no longer hole-and-corner celebrities; they seem to think that their words will be scanned and weighed afar off as well as at home. We have, I believe, several hundred celebrities in Canada—my friend Mr. Morgan, I believe, has made out a list of them—(laughter)—but they are no longer now local celebrities; if celebrities at all they must be celebrities for British North America; for every one of the speeches made by them on this subject is watched in all the provinces, and in point of fact by the mere appearance of political union, we have made a mental union among the people of all these provinces; and many men now speak with a dignity and carefulness which formerly did not characterize them, when they were watched only by their own narrow and struggling section, and weighed only according to a stunted local standard. (Hear, hear.) Federation, I hope, may supply to all our public men just ground for uniting in nobler and more profitable contests than those which have signalized the past. (Hear, hear.) We on this side, Mr. Speaker, propose for that better future our plan of union; and, if you will allow me, I shall go over what appear to me the principal motives which exist at present for that union. My honorable friend the Finance Minister mentioned the other evening several strong motives for union—free access to the sea, an extended market, breaking down of hostile tariffs, a more diversified field for labor and capital, our enhanced credit with England, and our greater effectiveness when united for assistance in time of danger. (Cheers.) The Hon. President of the Council also enumerated several motives for union in relation to the commercial advantages which will flow from it, and other powerful reasons which may be advanced in favor of it. But the motives to such a comprehensive change as we propose, must be mixed motives—partly commercial, partly military, and partly political; and I shall go over a few—not strained or simulated—motives which are entertained by many people of all these provinces, and are rather of a social, or,

strictly speaking, political, than of a financial kind. In the first place, I echo what was stated in the speech last night of my honorable friend, the President of the Council—that we cannot stand still; we cannot stave off some great change: we cannot stand alone, province apart from province, if we would; and that we are in a state of political transition. All, even honorable gentlemen who are opposed to this union, admit that we must do something, and that that something must not be a mere temporary expedient. We are compelled, by warning voices from within and without, to make a change, and a great change. We all, with one voice, who are unionists, declare our conviction that we cannot go on as we have gone; but you, who are all anti-unionists, say—“Oh! that is begging the question; you have not yet proved that.” Well, Mr. Speaker, what proofs do the gentlemen want? I presume there are three influences which determine any great change in the course of any individual or state. First—his patron, owner, employer, protector, ally, or friend; or, in politics, “Imperial connection.” Secondly—his partner, comrade, or fellow-laborer, or near neighbor. And, thirdly,—the man himself, or the state itself. Now, in our case, all three causes have concurred to warn and force us into a new course of conduct. What are these warnings? We have had at least three. The first is from England, and is a friendly warning. England warned us by several matters of fact, according to her custom, rather than verbiage, that the colonies had entered upon a new era of existence, a new phase in their career. She has given this warning in several different shapes—when she gave us “Responsible Government”—when she adopted Free Trade—when she repealed the Navigation laws—and when, three or four years ago, she commenced that series of official despatches in relation to militia and defence which has ever since poured in on us, in a steady stream, always bearing the same solemn burthen—“Prepare! prepare! prepare!” These warnings gave us notice that the old order of things between the colonies and the Mother Country had ceased, and that a new order must take its place. (Hear, hear.) About four years ago, the first despatches began to be addressed to this country, from the Colonial Office, upon the subject. From that day to this there has been a steady stream of despatches in this direction, either upon particular or general points connected with our defence; and I venture to say, that if bound up together, the despatches of the lamented Duke of Newcastle alone would make a respect-

able volume—all notifying this Government, by the advices they conveyed, that the relations—the military apart from the political and commercial relations—of this province to the Mother Country had changed; and we were told in the most explicit language that could be employed, that we were no longer to consider ourselves, in relation to defence, in the same position we formerly occupied towards the Mother Country. Well, these warnings have been friendly warnings; and if we have failed to do our part in regard to them, we must, at all events, say this, that they were addressed to our Government so continuously and so strenuously that they freed the Imperial power of the responsibility for whatever might follow, because they showed to the colonies clearly what, in the event of certain contingencies arising, they had to expect. We may grumble or not at the necessity of preparation England imposes upon us, but, whether we like it or not, we have, at all events, been told that we have entered upon a new era in our military relations to the rest of the Empire. (Hear, hear.) Then, sir, in the second place, there came what I may call the other warning from without—the American warning. (Hear, hear.) Republican America gave us her notices in times past, through her press, and her demagogues, and her statesmen—but of late days she has given us much more intelligible notices—such as the notice to abrogate the Reciprocity Treaty, and to arm the lakes, contrary to the provisions of the addenda to the Treaty of 1818. She has given us another notice in imposing a vexatious passport system; another in her avowed purpose to construct a ship canal around the Falls of Niagara, so as “to pass war vessels from Lake Ontario to Lake Erie;” and yet another, the most striking one of all, has been given to us, if we will only understand it, by the enormous expansion of the American army and navy. I will take leave to read to the House a few figures which show the amazing, the unprecedented growth, which has not, perhaps, a parallel in the annals of the past, of the military power of our neighbors within the past three or four years. I have the details here by me, but shall only read the results, to show the House the emphatic meaning of this most serious warning. In January, 1861, the regular army of the United States, including of course the whole of the States, did not exceed 15,000 men. This number was reduced, from desertion and other causes, by 5,000 men, leaving 10,000 men as the army of the States. In December, 1862—that is, from January, 1861, to January, 1863, this army of 10,000 was increased

to 800,000 soldiers actually in the field. (Hear, hear.) No doubt there are exaggerations in some of these figures—the rosters were, doubtless, in some cases filled with fictitious names, in order to procure the bounties that were offered; but if we allow two-thirds as correct, we find that a people who had an army of 10,000 men in 1861, had in two years increased it to an army of 600,000 men. As to their ammunition and stock of war material at the opening of the war—that is to say, at the date of the attack upon Fort Sumpter—we find that they had of siege and heavy guns 1,952; of field artillery, 231; of infantry firearms, 473,000; of cavalry firearms, 31,000; and of ball and shell, 363,000. At the end of 1863—the latest period to which I have statistics upon the subject—the 1,952 heavy guns had become 2,116; the 231 field pieces had become 2,965; the 473,000 infantry arms had become 2,423,000; the 31,000 of cavalry arms had become 369,000, and the 363,000 ball and shell had become 2,925,000. Now, as to the navy of the United States, I wish to show that this wonderful development of war power in the United States is the second warning we have had, that we cannot go on as we have gone. (Hear, hear.) In January, 1861, the ships of war belonging to the United States were 83; in December, 1864, they numbered 671, of which 54 were monitors and iron-clads, carrying 4,610 guns, with a tonnage of 510,000 tons, and manned by a force of 51,000 men. These are frightful figures for the capacity of destruction they represent, for the heaps of carnage that they represent, for the quantity of human blood spilt that they represent, for the lust of conquest that they represent, for the evil passions that they represent, and for the arrest of the onward progress of civilization that they represent. But it is not the figures which give the worst view of the fact—for England still carries more guns afloat even than our war-making neighbors. (Cheers.) It is the change which has taken place in the spirit of the people of the Northern States themselves which is the worst view of the fact. How far have they travelled since the humane Channing preached the unlawfulness of war—since the living Sumner delivered his addresses to the Peace Society on the same theme! I remember an accomplished poet, one of the most accomplished the New England States have ever produced, took very strong grounds against the prosecution of the Mexican war, and published the Bigelow Papers, so well known in American literature, to show the ferocity and criminality of war. He thus made Mr. Bird-of-freedom Savin sing:—

Ef you take a sword an' draor it,
 An go stick a feller thru,
 Guv'ment won't answer for it,
 God'll send the bill to you !

(Laughter.) This was slightly audacious and irreverent in expression, but it was remarkably popular in New England at that time. The writer is now one of the editors of a popular Boston periodical, and would be one of the last, I have no doubt, to induce a Northern soldier to withdraw his sword from the body of any unhappy Southerner whom he had, contrary to the poet's former political ethics, "stuck thru." (Laughter.) But it is not the revolution wrought in the minds of men of great intelligence that is most to be deplored—for the powerful will of such men may compel their thoughts back again to a philosophy of peace; no, it is the mercenary and military interests created under Mr. Lincoln—which are represented, the former by an estimated government outlay of above \$100,000,000 this year, and the other by the 800,000 men whose blood is thus to be bought and paid for; by the armies out of uniform who prey upon the army; by the army of contractors who are to feed and clothe and arm the million; by that other army, the army of tax-collectors, who cover the land, seeing that no industry escapes unburdened, no possession unentered, no affection even, untaxed. Tax! tax! tax! is the cry from the rear! Blood! blood! blood! is the cry from the front! Gold! gold! gold! is the chuckling undertone which comes up from the mushroom *millionaires*, well named a shoddy aristocracy. Nor do I think the army interest, the contracting interest, and the tax-gathering interest, the worst results that have grown out of this war. There is another and equally serious interest—the change that has come over the spirit, mind and principles of the people, that terrible change which has made war familiar and even attractive to them. When the first battle was fought—when, in the language of the Duke of Wellington, the first "butcher's bill was sent in"—a shudder of horror ran through the length and breadth of the country; but by-and-by, as the carnage increased, no newspaper was considered worth laying on the breakfast table unless it contained the story of the butchery of thousands of men. "Only a couple of thousand killed! Pooh, pooh, that's nothing!" exclaimed Mr. Shoddy as he sipped his coffee in his luxurious apartment; and nothing short of the news

of ten, fifteen, twenty thousand human beings struck dead in one day would satisfy the jaded palate of men craving for excitement, and such horrible excitement as attended the wholesale murder of their fellow-creatures. Have these sights and sounds no warning addressed to us? Are we as those who have eyes and see not; ears and hear not; reason, neither do they understand? If we are true to Canada—if we do not desire to become part and parcel of this people—we cannot overlook this the greatest revolution of our own times. Let us remember this, that when the three cries among our neighbors are money, taxation, blood, it is time for us to provide for our own security. I said in this House, during the season of the year 1861, that the first gun fired at Fort Sumter had "a message for us;" I was unheeded then; I repeat now that every one of the 2,700 great guns in the field, and every one of the 4,600 guns afloat, whenever it opens its mouth, repeats the solemn warning of England—Prepare! prepare! prepare! (Cheers.) But I may be told by some moralizing friend, Oh! but when they get out of this, they will have had enough of it, and they will be very glad to rest on their laurels. They! Who? The shoddy aristocracy have enough of it? The disbanded army of tax-gatherers have enough of it? The manufacturers of false intelligence have enough of it? Who is it possible will have had enough of it? The fighting men themselves? I dare say they would all like to have a furlough, but all experiences teach us, it is not of war soldiers tire, but of peace; it is not of the sea sailors tire, but of the land. Jack likes to land, and have a frolic and spend his money, so does Jack's brother, the fighting landsman—but the one is soon as much out of his element as the other, when parted from his comrades; when denied the gipsy joys of the camp, when he no longer feels his sword, he looks up to it where it hangs, and sighs to take it down and be "at work" again. He will even quit his native country, if she continues perversely peaceful, and go into foreign service, rather than remain what he calls "idle." (Hear.) This is experience, which I beg respectfully to cite in opposition to the seductive, disarming fallacy of my moralizing friend. (Hear, hear.) The Attorney-General East told us in his speech the other night, that one of the features of the original programme of the American Revolutionists was the acquisition of Canada to the United States. They pretend to underrate the importance of this country, now that they are fully occupied elsewhere; but I remember well that the late Mr. Webster—who was not a

demagogue—at the opening of the Worcester and Albany Railway, some years since, expressed the hope that the railways of the New England States would all point towards Canada, because their influence and the demands of commerce would in time bring Canada into the union and increase the New England element in that union. (Hear, hear.) I think, sir, I am justified in regarding the American conflict as one of the warnings we have received; and the third warning, that things cannot go on in this country as they are, is a warning voice from within—a warning voice from our own experience in the government of these provinces. (Hear, hear.) On these internal constitutional difficulties existing among ourselves, which were so fully exposed last evening by my honorable friend the President of the Council, I need say little; they are admitted to have been real, not imaginary, on all hands. An illustration was used in another place in explaining this part of the subject by the venerable and gallant knight, our Premier, than which nothing could be more clear. He observed that when we had had five administrations within two years, it was full time to look out for some permanent remedy for such a state of things. True—most true—Constitutional Government among us had reached its lowest point when it existed only by the successful search of a messenger or a page, after a member, willingly or unwillingly absent from his seat. Any one might in those days have been the saviour of his country. (Laughter.) All he had to do was, when one of the five successive governments which arose in two years, was in danger, to rise in his place, say “Yea!” and *presto* the country was saved. (Laughter.) This House was fast losing, under such a state of things, its hold on the country; the administrative departments were becoming disorganized under such frequent changes of chiefs and policies; we were nearly as bad as the army of the Potomac, before its “permanent remedy” was found in General Grant. Well! we have had our three warnings. One warning from within and two from without. I dare say, sir, we all remember the old class-book story of Mrs. Thrale’s “Three Warnings;” how Death promised not to come after a certain individual he had unintentionally intruded on, on his wedding day. I say unintentionally—for Death is a gentleman, and seldom walks in unannounced—(laughter)—but he promised not to call upon this particular person without giving him three distinct warnings. Well, the honorable gentleman in question—I dare say he was honorable, and a member of some House,—he, like all

the rest of us, expected to outlive everybody. But in process of years he fell lame, then afterwards he became deaf, and at last he grew blind; then Death's hour had come, and in spite of some admirable pleading on behalf of the defendant in the case, he had his "three warnings" like a Parisian editor, his case was closed, his form was locked up, and his impression was struck off the face of the earth, and Death claimed and had his own. (Laughter.) Now, sir, we have had three warnings, and if we do not take heed of them and prepare for the possible future condition into which we may be plunged, woe to us if we are found unprepared when the hour of destiny strikes! (Cheers.) We have submitted a plan preparing us for such a contingency, and the Attorneys-General East and West have analyzed its constitutional character, while the Minister of Finance and the President of the Council have treated it in its financial aspects. There are some objections taken to the plan, I understand, but I do not believe that any member will get up in this House and declare that he is an anti-unionist, that he is opposed to all union, and that he considers union unnecessary and inexpedient. (Hear hear.) I do not know that there is one man out of the one hundred and thirty who compose this House, in view of the circumstances in which we are placed, who will declare that he is opposed to any sort of union with the Lower Provinces. One may say that he does not like this or the other clause—that he does not like this or that feature of the proposed scheme; but still all admit that union of some kind would increase our protection and be a source of strength. Some honorable gentlemen, while admitting that we have entered, within the present decade, on a period of political transition, have contended that we might have bridged the abyss with that Prussian pontoon called a Zollverein. But if any one for a moment will remember that the trade of the whole front of New Brunswick and Nova Scotia gravitates at present along-shore to Portland and Boston, while the trade of Upper Canada, west of Kingston, has long gravitated across the lakes to New York, he will see, I think, that a mere Zollverein treaty without a strong political end to serve, and some political power at its back, would be, in our new circumstances, merely waste paper. (Hear, hear.) The charge that we have not gone far enough—that we have not struck out boldly for a consolidated union, instead of a union with reserved local jurisdictions, is another charge which deserves some notice. To this I answer that, if we had had, as was proposed, an Intercolonial Railway twenty years ago, we

might by this time have been, perhaps, and only perhaps, in a condition to unite into one consolidated Government; but certain politicians and capitalists having defeated that project twenty years ago, special interests took the place great general interests might by this time have occupied; vested rights and local ambitions arose and were recognized; and all these had to be admitted as existing in a pretty advanced stage of development, when our Conferences were called together. (Hear, hear.) The lesson to be learned from this squandering of quarter centuries by British Americans is this, that if we lose the present propitious opportunity, we may find it as hard a few years hence to get an audience, even for any kind of union (except American union) as we should have found it to get a hearing last year for a Legislative union, from the long period of estrangement and non-intercourse which had existed between these Provinces, and the special interests which had grown up in the meantime in each of them. (Cheers.) Another motive to union, or rather a phase of the last motive spoken of, is this, that the policy of our neighbors to the south of us has always been aggressive. There has always been a desire amongst them for the acquisition of new territory, and the inexorable law of democratic existence seems to be its absorption. They coveted Florida, and seized it; they coveted Louisiana, and purchased it; they coveted Texas, and stole it, and then they picked a quarrel with Mexico, which ended by their getting California. (Hear, hear.) They sometimes pretend to despise these colonies as prizes beneath their ambition; but had we not had the strong arm of England over us, we should not now have had a separate existence. (Cheers.) The acquisition of Canada was the first ambition of the American Confederacy, and never ceased to be so, when her troops were a handful and her navy scarce a squadron. Is it likely to be stopped now, when she counts her guns afloat by thousands and her troops by hundreds of thousands? On this motive, a very powerful expression of opinion has lately appeared in a published letter of the Archbishop of Halifax, Dr. Connolly. Who is the Archbishop of Halifax? In either of the coast colonies, where he has labored in his high vocation for nearly a third of a century, it would be absurd to ask the question; but in Canada he may not be equally well known. Some of my honorable friends in this and the other House, who were his guests last year, must have felt the impress of his character as well as the warmth of his hospitality. (Hear, hear.) Well, he is known as one of

the first men in sagacity as he is in position, in any of these colonies ; that he was for many years the intimate associate of his late distinguished confrere, Archbishop Hughes, of New York : that he knows the United States as thoroughly as he does the provinces, and these are his views on this particular point ; the extract is somewhat long, but so excellently put that I am sure the House will be obliged to me for the whole of it :

Instead of cursing, like the boy in the upturned boat, and holding on until we are fairly on the brink of the cataract, we must at once begin to pray and strike out for the shore by all means, before we get too far down on the current. We must at this most critical movement invoke the Arbiter of nations for wisdom, and abandoning in time our perilous position, we must strike out boldly, and at some risk, for some rock on the nearest shore—some resting place of greater security. A cavalry raid or a visit from our Fenian friends on horseback, through the plains of Canada and the fertile valleys of New Brunswick and Nova Scotia, may cost more in a single week than Confederation for the next fifty years ; and if we are to believe you, where is the security even at the present moment against such a disaster ? Without the whole power of the Mother Country by land and sea, and the concentration in a single hand of all the strength of British America, our condition is seen at a glance. Whenever the present difficulties will terminate—and who can tell the moment ?—we will be at the mercy of our neighbors ; and victorious or otherwise, they will be eminently a military people, and with all their apparent indifference about annexing this country, and all the friendly feelings that may be talked, they will have the power to strike when they please, and this is precisely the kernel and the only touch-point of the whole question. No nation ever had the power of conquest that did not use it, or abuse it, at the very first favorable opportunity. All that is said of the magnanimity and forbearance of mighty nations can be explained on the principle of sheer inexpediency, as the world knows. The whole face of Europe has been changed, and the dynasties of many hundred years have been swept away within our own time, on the principle of might alone—the oldest, the strongest, and as some would have it, the most sacred of all titles. The thirteen original states of America, with all their professions of self-denial, have been all the time, by money, power, and by war, and by negotiation, extending their frontier until they more than quadrupled their territory within sixty years ; and believe it who may, are they now of their own accord to come to a full stop ? No ; as long as they have the power, they must go onward ; for it is the very nature of power to grip whatever is within its reach. It is not their hostile feelings, therefore, but it is their power, and only

their power, I dread ; and I now state it, as my solemn conviction, that it becomes the duty of every British subject in these provinces to control that power, not by the insane policy of attacking or weakening them, but by strengthening ourselves—rising, with the whole power of Britain at our back, to their level ; and so be prepared for any emergency. There is no sensible or unprejudiced man in the community who does not see that vigorous and timely preparation is the only possible means of saving us from the horrors of a war such as the world has never seen. To be fully prepared is the only practical argument that can have weight with a powerful enemy, and make him pause beforehand and count the cost. And as the sort of preparation I speak of is utterly hopeless without the union of the provinces, so at a moment when public opinion is being formed on this vital point, as one deeply concerned, I feel it a duty to declare myself unequivocally in favor of Confederation as cheaply and as honorably as possible—but Confederation at all hazards and at all reasonable sacrifices.

After the most mature consideration, and all the arguments I have heard on both sides for the last month, these are my inmost convictions on the necessity and merits of a measure which alone, under Providence, can secure to us social order and peace, and rational liberty, and all the blessings we now enjoy under the mildest Government and the hallowed institutions of the freest and happiest country in the world.
