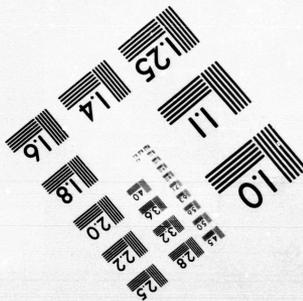
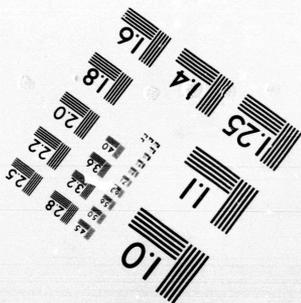
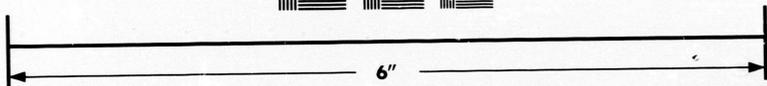
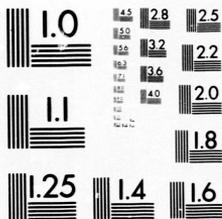


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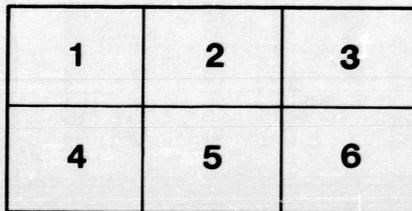
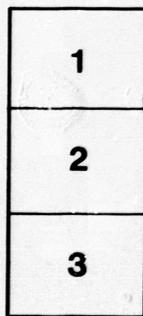
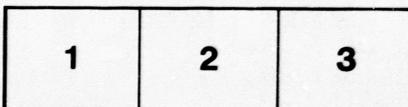
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PAPERS FOR 1899



BUILDERS OF NOVA SCOTIA

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BOURINOT, JG

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I.—*Builders of Nova Scotia: A Historical Review, with an Appendix containing Copies of Rare Documents Relating to the Early Days of the Province.*

By SIR JOHN G. BOURINOT, K.C.M.G., LL.D.

(Read 26th May, 1899.)

PREFATORY NOTE.

This paper was first read in part before the Historical Society of Nova Scotia, in the old chamber of the legislative council of the province, so full of the memories of three-quarters of a century, as well as before the professors and students of Acadia College, situated in the beautiful country, so intimately associated with the sad story of the French Acadians. Subsequently it was repeated at the special request of the Mayor and leading citizens of my native town of Sydney, whose history goes back to nearly twelve decades of years. The paper is now printed in the Transactions of the Royal Society of Canada with the addition of many interesting portraits, and of an appendix containing a number of important documents relating to the constitution and history of the oldest English province of the new Dominion, and now only found in a number of rare and expensive books not always available for students. I have also printed in this appendix the eloquent addresses delivered in 1854 by the Honourable James William Johnston, leader of the Conservative party, and the Honourable Joseph Howe, the eminent exponent of responsible government, on the occasion of the introduction of the first resolution moved and carried in a British North American legislature in favour of the union of the provinces. I have thought that these historic speeches should be known to the people of Canada generally and to the present generation of Nova Scotians especially. My readers will notice that I have not been able to give portraits of Governors Cornwallis and Lawrence, who performed such important functions in connection with the settlement of Nova Scotia after the foundation of Halifax. I have exhausted every effort to find in Europe and America portraits of these two eminent Makers of the province, but so far to no purpose. I have given, with one exception, only the portraits of public men who have long since joined the ranks of the "great majority." The exception is Sir Charles Tupper, who, despite his age of seventy-eight years, displays remarkable intellectual vigour and properly takes a place in these pages as a historical link between the ante-federation and the post-federation times of the province of which he is one of the most distinguished sons. I have also thought it due to the pioneers

in the religious development of Nova Scotia to give a brief sketch of the establishment of the five great denominations, the Roman Catholics, Presbyterians, Baptists, Church of England and Methodists—to place them in their numerical order—who comprise in their membership nearly all the population of a province, where the Church has always exercised a powerful influence on the social and moral conditions of a country where the Puritan and English element of New England has, in the course of over a century, intermingled with English, Scotch and Irish and given birth to the “Nova Scotian.” In conclusion I shall only say that I have had no other desire, in the preparation of this monograph, which comprises in as small a compass as possible the results of the studies and investigations of years, than to recall the names and services of men who did good work for their country in the most critical periods of its history. Many of these men are now almost forgotten, but it is my hope that the youth of Nova Scotia will be inspired even by so imperfect a sketch as this to revive their memories and do them some justice even at this late date. I should also like to think that some readers in the other provinces of the Dominion will be induced to take an interest in the record of the Makers of a province, of whose history and eminent men of ante-federation days Canadians outside of Nova Scotia and New Brunswick have still relatively little knowledge. Canada can never be a Nation until the peoples, who live either by the sea, or in the valley of the Saint Lawrence, or by the great lakes, or on the western prairies, or on the Pacific slope, take a common interest and pride in each other's history and in the achievements of the men who reflect lustre on the respective provinces that make up the federation to the north of the ambitious American Republic.

J. G. B.

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In collecting portraits of eminent Nova Scotians mentioned below, I have had the invaluable aid of Judge Savary, of Annapolis Royal; Reverend Mr. Armitage, of St. Paul's Church in Halifax; Mrs. Archibald, of Halifax; J. J. Stewart, Esquire, of the *Halifax Herald*; James J. O'Brien, Esquire, of the Irish Charitable Society; F. Blake Crofton, Esquire, of the Legislative Library; Attorney-General Longley, D.C.L., F.R.S.C.; Hon. Matthew Richey, D.C.L.; T. B. Flint, Esquire, M.P., of Yarmouth; President Trotter, Acadia University; Dr. S. E. Dawson, F.R.S.C., of Ottawa, and Mr. J. W. L. Forster, the well known Canadian artist, who has designed the cover. As many of the photographic copies from old oil paintings were necessarily faint and imperfect, they had to be redrawn on a small scale and only inserted in the text. But I have given full page illustrations of distinguished Nova Scotians, whenever the copies could be adequately reproduced. For instance, the portraits of Hon. J. W. Johnston, Hon. J. Howe, Hon. R. J. Uniacke (senior), Sir John Thompson and Sir Charles Tupper are of this class.

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SIR WILLIAM ALEXANDER (LORD STIRLING).

See page 5 n.

BUILDERS OF NOVA SCOTIA.



GREAT SEAL OF NOVA SCOTIA.

I.

ORIGIN OF THE PEOPLE OF NOVA SCOTIA.

I. Introduction—Historic Acadian Names.—If we study the map of Nova Scotia in the light of the history of the past, as far back as we have any records or traditions, we see that it has a legitimate claim to be considered the section of the North American continent first known to Europeans. It is quite probable that the Norsemen landed on its shores, and there are imaginative antiquaries who see Norse inscriptions on mysterious rocks that have been unearthed from time to time, and can even trace a Norse origin in the name of "Loran," which still clings to two little harbours in the vicinity of the historic ruins of Louisbourg, and appears on the oldest maps in the primitive and correct form of Lorambeque or Noreambeque. It is quite certain that the Cabots and their English sailors were the first Europeans to see its bays and harbours, and they may have given the designation of *Prima Vista* to one of the headlands of the island which now forms its eastern political division; but those famous adventurers of the sea have left no memorial of their voyages among the names that have come down to us for centuries. On the other hand the Portuguese have left us the appropriate name of Fundy (Fondo) for the great funnel-shaped bay which washes the shores of the most

interesting and fertile section of the Acadian peninsula, and through which the Atlantic pours its tides with such irresistible force into the bays, harbours and estuaries of those parts of Nova Scotia and New Brunswick. Baccaro, an islet on the southwestern coast of the peninsula, is evidently a memorial of the Basque voyages, like the same name on



SIEUR DE MONTS.¹

the eastern shores of Newfoundland, which was also called "Baccalaos" centuries ago. The oldest French name on the North American continent is "Cape Breton," which recalls the early maritime enterprise of the Bretons. The first voyage of De Monts and Champlain around the coasts

¹ The portrait I give of Sieur de Monts is taken from a copy of a water-colour drawing in the "Documents Collected in France" (i., 441), found in the Massachusetts Archives, and said to be reproduced from an original at Versailles. Such a portrait, however, on later examination, cannot be found at Versailles, and it is quite possible that the picture above simply shows the costume of a gentleman of the period. See Winsor's "Narrative and Critical History of America" (iv., 136 n), where the same portrait is given with the foregoing explanation.

of Nova Scotia in the beginning of the seventeenth century is perpetuated in the name of Lake Rossignol, which is a survival of Port Rossignol, now Liverpool, which received its first name from a fur-trader, whose ship and cargo were seized at that place for an infringement of the charter given to *Sieur de Monts* by *Henry IV.* of France in 1604. The large and beautiful La Have river—more correctly La Hève—is also a memorial of De Monts, and though Nova Scotia is a country of varied natural beauty, nowhere except on the *Bras d'Or*, in Cape Breton, are there such rare scenes of loveliness as on this grand river, so full of recollections of the days of French occupation, since it was here that *Razilly* and *Denys* first settled in the first half of the seventeenth century. A Nova Scotian poetess¹ has in melodious verse paid a fitting tribute to this picturesque stream :

“ And stranger tones have fallen where meet thy drooping trees,
And foreign songs have lingered all homesick on the breeze ;
Thy waves have caught the cadence, and seen the merry glance
Of the peasant sons and daughters from vine-clad La Belle France.”

Or let us leave the picturesque scenery of the La Hève, and seek rest in the beautiful vales where the crystal waters of the *Gaspereau*, a much smaller river, wend their devious way through low meadows of verdant *intervale*, with their wealth of wild roses, apple orchards, stately elms, aged willows, and glimpses of quaint bridges, dripping mill-wheels, and white church spires—scenes well described in the verse of an old *Acadian* student, *Arthur Lockhart*.²

Cape Breton abounds in many memorials of French discovery and occupation.³ The Port of *Louisbourg* was named in honour of *Louis Quatorze* ; the fine island of *Boularderie*, whose fertile slopes and cliffs rise from the two entrances of the *Bras d'Or* Lake, recalls the memory of a gallant French officer who was its first proprietor. The large bay of *Gabarus*, where *Boscawen's* fleet landed the troops for the siege of *Louisbourg* in 1758, is a corruption of the name of *Cabarrus*, who was a French trader of last century. The beautiful Bay of *Mira*—the “a”

¹ Mrs. Lawson (better known as *Mary Jane Katzmann*), one of the very few poets born in Nova Scotia. She was the author also of an interesting “*History of Dartmouth, Preston and Lawrencetown* (*Akins's Historical Essay*) Edited by *Harry Piers*, Halifax, N.S., 1893,” with a portrait. Cape la Hève was the name given by *De Monts* and his associates to the first land reached by them in 1604, and in honour of the Cape near *Havre* in France, the port from which these early voyagers sailed. See *DesBrisay's Lunenburg*, p. 166.

² See “*The Masque of Minstrels and other Pieces, chiefly in verse*,” by *B. U.* and *A. J. Lockhart* (*Bangor, Me.*, 1887). The authors are Nova Scotians, educated at *Acadia College*, in the land of *Evangeline*. The *Gaspereau* and *Grand Pré* are naturally the theme of their graceful and patriotic verses.

³ See *Bourinot's* “*Cape Breton and Its Memorials of the French Regime*,” in *Trans. Roy. Soc. Can.*, vol. ix., sec. 2 ; also in separate 4to form, Montreal, 1890.

being clearly a mere anglicizing of the accented "é"—received its name from a French officer. Lingan Bay, where the coal mines were well known to the French settlers, is a vulgar form of l'Indienne. The French also softened the harsh Indian names of Nericka to Arichat, and of Achepe to Aspé, and of Kamsok to Canseau. The picturesque Bras d'Or, which divides the island into two sections, is now appropriately named the Golden Arm, but on the oldest maps it is Labrador, which may have been given by some settlers from Bradore Bay on the rugged, inhospitable northeastern shores of the Gulf of St. Lawrence.

In the course of years, after the treaty of Utrecht, when the British began to settle and occupy the country in earnest, British names prevailed. Annapolis, Halifax, Windsor, Horton, Cornwallis, Cumberland, Lawrencetown, Liverpool, Guysborough, Sydney, and hundreds of other names attest the British sentiments of the later occupants of the peninsula. Lunenburg is a memorial of the first German migration to Malagash or Merligueche Bay. While French, English, Scotch, and German peoples have in their turn linked their languages to all time with the geography of the Acadian land, the tongue of the original Indian natives, the Micmacs or Souriquois, a branch of the widespread Algonquin family—whose lodges extended from Cape Breton to the far west of Canada—is still perpetuated largely in the nomenclature of the bays, harbours, rivers, and mountains of the beautiful country which stretches from Chebogue or Jebogue Point on the west to Canseau on the east, and from Arichat to Aspé. Acadie, the oldest name of Nova Scotia, is a memorial of the original Micmac occupants. In the early maps of Gastaldi, a distinguished Italian cartographer of the sixteenth century, we see the name of "Larcadia" spread over the country now known as the Maritime Provinces of the Dominion, and other mapmakers of the same or later time frequently call it Lacadia. It may be fairly presumed, in the absence of any other plausible or intelligent explanation, that these two names are simply variations of the Micmac *Kade*, or *Akade*, meaning a place or locality, which the early Breton and other French voyagers found in use on the Atlantic coast, in connection with some striking natural feature, and which survives until the present time in the names of Shubenacadie or Segubun-Akade, or place of the ground-nut, and of Passamaquoddy or Pestumoquade, the place of the pollock, and of many other localities in Nova Scotia noted for some special natural production. The French were in the habit of perpetuating these Indian names whenever they found them, as Canada, Saguenay, and Kebec (Quebec) undoubtedly prove.¹ We find the first official recognition of Acadie in the commission given by Henry IV. to

¹ See Bourinot's "Cape Breton, etc.," App. XIII., for illustrations of the use of "Akade" by the Micmacs.

Sieur de Monts, who was authorized to colonize "La Cadie."¹ The Indian name of Halifax Harbour still survives in Chebucto Head, while Shubenacadie, Musquodoboit, Chetabuctou, Tracadie, Pietou, Antigonishe, Escasoni, Mabou and Cobequid are only a few among the numerous mementos of the race whose descendants live on "reserves"—a few of them in comfort—and receive the protection of a paternal government. It is quite possible that these Indians may disappear² as a separate community in the course of another century before the aggressive competition of the white man, but whether this happens or not, their memory can never pass away

" Whilst their names of music linger
On each mount and stream and bay."

The courtier and poet, Sir William Alexander, at a later time Lord Stirling, who was ambitious to be the founder of a colony, suggested the name of Nova Scotia as early as 1621, when a few Frenchmen, a remnant of the first European settlement at Port Royal—were the only representatives of France in Acadia. "Being much encouraged hereunto by Sir Ferdinando Gorges,"³ to quote his own words, "and some others of the undertakers of New England, I show them that my countrymen would never adventure on such an enterprise unless it were as there was a new France, a New Spain and a New England, that they might likewise have a New Scotland." King James I. of England entered heartily into the schemes of his favourite, and induced his privy council to approve of the grant to him of a charter under the great seal which made him lord paramount practically of ancient Acadia, as well as of Cape Breton and Prince Edward Island, under the name of Nova Scotia. Since this first appearance of the name in a royal charter it has always clung to the peninsular province.⁴

¹ See Appendix A for full text of the commission to Sieur de Monts.

² At the present time there are a few over two thousand Micmacs in Nova Scotia—one-third of whom live on reserves in the island of Cape Breton—and the statistics of their condition show they are holding their own remarkably well as a distinct class of the total population. The Roman Catholic priests devote themselves assiduously to the amelioration of their state, and the dominion government contributes medical aid in times of illness.

³ He was a governor of New Plymouth and received a royal charter in 1620 for the colonization and government of New England.

⁴ See Appendix B for copy of the charter of 1621 given to Sir William Alexander for the plantation of Nova Scotia in America. Also *infra*, p. 34. The portrait of Sir W. Alexander that is given as a frontispiece to this volume represents him at the age of fifty-seven, and is taken from the engraving published by Marshall in 1635, and reproduced in Shafter's "Sir William Alexander and American Colonisation," Winsor's "Narrative and Critical History of America" (vol. iv., p. 156), and the Bannatyne Club's edition of "The Earl of Stirling's Register of Royal Letters relative to the affairs of Scotland and Nova Scotia from 1615-1635" (vol. I., frontispiece).

In the history of Nova Scotia there have been several well marked epochs of colonization and settlement.

The French Acadian settlement.

The foundation of Halifax.

The immigration from New England.

The coming of the Loyalists.

The Scotch settlement.

The influx of Irish.

In the course of the following pages I shall endeavour to show the salient features of the migrations of peoples who have had such important influences on the development of Nova Scotia.

II. French Settlement of Nova Scotia.—The seventeenth century is famous in the annals of North America as the period in which France and England became rivals for the possession of that continent. On the banks of the beautiful basin of Port Royal, now known as Annapolis Royal, by the side of the James River in Virginia, on the heights of Quebec, and on the shores of Massachusetts Bay, during the first quarter of that memorable century, were planted the germs of the Dominion of Canada and the United States of America. The ruins of a church tower, covered with ivy, and some mossy gravestones, are the only remains of the first permanent colony made by Englishmen in Virginia; but memorials of the French occupation of Acadia can still be seen in the sleepy town of Annapolis, with its tinkling ox-teams, apple orchards and old mansions; while picturesque Quebec, with its crowning citadel and ancient walls, its sombre convents and churches, its steep, erratic streets and its French people, recall the story of the bold Frenchmen who landed there one year after the English founded Jamestown.

Sieur de Monts, Samuel Champlain, and Baron de Poutrincourt were the pioneers and explorers of Acadia. They were the first to recognize the beauty of the basin of Annapolis when they entered it in the month of June, 1604. Their first post was erected on a little island, now known as Douchet Island, within the mouth of the St. Croix River, the present boundary between the state of Maine and the province of New Brunswick; but this spot was very soon found entirely unsuitable, and the hopes of the pioneers were immediately turned towards the beautiful basin, which was first named Port Royal by Champlain. The Baron de Poutrincourt, an enterprising and wealthy nobleman, who accompanied De Monts, obtained a grant of land around this basin, and determined to make his home in so lovely a spot. De Monts, whose charter was revoked in 1607, gave up the project of colonizing Acadia, whose history from that time is associated for years with the fortunes of the Biencourts, the family name of Baron de Poutrincourt; but the hopes of this adventurous nobleman were never realized. In 1613 an English expedition from Virginia, under the command of Capt. Samuel Argall, destroyed

the struggling settlement of Fort Royal, and also prevented the establishment of a Jesuit mission in the vicinity of the Island of Monts-Déserts, which owes its name to Champlain, who explored the coast of New England as far as Cape Cod. Baron de Poutrincourt, a ruined man, soon after met with a soldier's death, during the civil war then disturbing France. His eldest son and a few Frenchmen did not, however, leave the country, but remained in the neighbourhood of the ruins of the Fort Royal, which was originally built on the Granville or the north side of the basin, about five miles from the present town.¹

The history of Acadia as a French possession was chiefly noted for feuds between rival chiefs, and for the efforts of the people of New England to obtain control of Port Royal, which was an ever-standing menace to English colonial interests. After the destruction of the French fort by Argall, Biencourt established a post at Cape Sable, and subsequently ceded all his rights in Acadia to Charles de la Tour, who had come to the country at an early age with his father Claude, who represented himself of noble birth, though it is not now possible to verify his claims. Both, however, were men of energy and courtly manners, which enabled the father in later years to win for his wife one of the ladies in attendance on Queen Henrietta of England. He also became one of the baronets² who formed an important feature of the plan of settlement devised by Sir William Alexander, when he obtained from the English king a grant of Acadia, and first named Nova Scotia. He interested the elder La Tour in his scheme, but the son remained faithful to France, and hoped to be lord of Acadia when the country was restored to France, in 1632, by the treaty of St. Germain-en-Laye, and the Scotch settlers at Port Royal were removed by the orders of Charles the First of England. Charles de la Tour, however, was superseded by Claude de Razilly, a knight of Malta, who established his headquarters at La Hève. Among those who came to the country at the same time and engaged in trading was Nicholas Denys, who afterwards made settlements in Cape Breton and was its first governor. When Razilly died his friend and lieutenant, Charles de Menou d'Aulnay Charnisay became his successor. Charles de la Tour, then on the St. John River, where he had built a fort, was deeply incensed at the success of his rival, who had influence at the French court and was made the king's lieutenant in Acadia. For years a deadly feud raged between the two men, and the cautious merchants of Boston were constantly perplexed which of the two they could support with the best prospect of profit to themselves. Eventually, in 1645, Charnisay succeeded in taking possession of La Tour's fort on the St. John, though his wife defended it with great bravery. A number of the

¹ See Bourinot's "Story of Canada" (Nations' series) London, New York and Toronto, 1897, for short history of the early settlement of Acadie.

² See *infra*, p. 36.

defenders were hanged, and Madame de la Tour appears to have been treated with contumely by Charnisay, and died soon after the fall of the fort. Both history and romance have made her a heroine of those early Acadian days around which much glamour has been cast in the lapse of two centuries and a half. Charnisay, who is believed to have built the fort on the point of land where Annapolis Royal now stands, had sound views of colonization and might have done much for Acadia had he not been drowned in the Annapolis River. His widow subsequently married Charles de la Tour in the vain hope of settling contested claims and saving a remnant for his children. After a chequered existence as a French colony, Port Royal was captured, in 1710, by General Nicholson, at the head of an expedition composed of the colonial militia and an English fleet. Then it received the name of Annapolis Royal, in honour of Queen Anne.

The whole population of the Acadian peninsula, at the time of its cession by the treaty of Utrecht, did not exceed fifteen hundred souls, and these were nearly all descendants of the relatively few people brought to the country during a period of a century by Poutrincourt, Razilly, and Charnisay. At no time did the French government interest itself in immigration to neglected Acadia. Of the population nearly a thousand persons were settled in the beautiful country which the industry and ingenuity of the Acadian peasants, in the course of many years, reclaimed from the restless tides of the Bay of Fundy at Grand Pré and Minas. The remaining settlements were at Beaubassin, Annapolis, Piziquid (now Windsor), Cobequit (now Truro), and Cape Sable. Some small settlements were also found on the banks of the St. John River and on the eastern bays of the present province of New Brunswick.

During the eighteenth century, when gentlemen-adventurers and a little band of pioneers were struggling to maintain French interests in Acadia, the King and his ministers only saw a befogged and sterile country, which had neither gold nor silver mines, and would never repay them for the expenses of colonization. In the course of time, they recognized the importance of the magnificent country watered by the St. Lawrence, and its tributary lakes and rivers; but, with an unpardonable want of foresight, they never saw, until it was too late, that the possession of Acadia with its noble Atlantic frontage was indispensable to a power which would grasp a continent and perpetuate the language and institutions of France in the western world. Had the French government energetically supported the efforts of those enterprising and courageous men who attempted to reclaim Acadia for France and civilization, England could never have made so easy a conquest of the northern half of the continent.

In the days of the French dominion Acadia was an ill-defined region, which may be roughly stated to have included a large portion of the pre-

sent state of Maine—the portion east of the Kennebec—the province of New Brunswick in its entirety, a small part of the province of Quebec south of the St. Lawrence, and all of the peninsula of Nova Scotia. The island of St. Jean, now Prince Edward Island, and Cape Breton, also called Isle Royale after the treaty of Utrecht, when it became an important part of the French dominions on account of its commanding the entrance to the gulf of St. Lawrence, were never generally considered by France as parts of the original Acadia and were not included in the cession of Nova Scotia in 1713. The treaty ceded “likewise all Nova Scotia or Acadie with its ancient boundaries as also the city of Port Royal, now called Annapolis Royal,” but it was not long before disputes arose between the rival nations as to these “ancient boundaries”, and France eventually asserted the untenable pretension that the Acadia they had given up to England meant only one-half of the peninsula of Nova Scotia, and actually fortified the isthmus of Chignecto in the assertion of their unwarrantable claim to the rest of the Acadian region. Commissioners were appointed on behalf of the contesting nations to settle the dispute, but the only results were the complication of the question and the accumulation of documents which are now merely of interest to students of the past, since the question of our eastern boundaries no longer enters into the domain of practical international politics. No doubt, however, can exist in the minds of those who have carefully studied the history of Acadia from its first occupation by the French until the treaty of Utrecht that the name was generally given to the territory I have just mentioned and was not limited in its application to the peninsula of Nova Scotia. All disputes, however, were settled for ever by the treaty of Paris in 1763, in which the French king “renounces all pretensions which he has heretofore formed or might form to Nova Scotia or Acadie, in all its parts, and guarantees the whole of it with all its dependencies,” to the King of Great Britain. By the same treaty, France ceded to England the important island of Isle Royale or Cape Breton, which, for the greater part of its history since 1763, has formed a valuable section of the province of Nova Scotia.

The Acadian settlement of Nova Scotia lasted until 1755, although the troubles of the people commenced immediately with the foundation of Halifax, and led many of them to find their way to New Brunswick, St. John's Island, and Cape Breton, before the stern mandate came to drive them from the lands they loved so well, and which they had made their own by their patient industry. In 1749 there were probably at least ten thousand French Acadians—though correct statistics on the point are not available—living in the Annapolis country, on the lands watered by the Gaspereau and other rivers that flow into the basin of Minas—the district of Grand Pré and Mines—at Piziquid (Windsor), at Cobequit (Truro), and at Beaubassin and other places on the isthmus of

Chignecto. It does not appear that more than six thousand persons were actually deported by the English in 1755, and of this number at least two-thirds were seized in the district of Grand Pré and Mines. It is believed that nearly one thousand sought refuge in the woods, and found their way to the southwestern coast. Probably three thousand, during the six years before the actual expulsion, went to the upper district of the river St. John, to the sheltered parts of the eastern coast of New Brunswick, and to the islands of St. John and Cape Breton. Parties of these refugees at Cape Sable, St. John River, and Bay of Chaleurs were also seized and deported at a later time—a fact, showing the relentless character of the persecution which dogged the movements of this hapless people. In the later times, when there was a considerable British population in Nova Scotia, and no fears of this hapless people were entertained, many of them were allowed to return to the peninsula and settle in the western part, where the township of Clare still gives illustrations of the thrift, industry, sobriety and piety of the descendants of the old proprietors of Acadia. For forty years after the treaty of Utrecht they increased and prospered, and had England treated them from the commencement with firmness, and kept in the province sufficient force to show them she was not to be trifled with, and there was no prospect of France regaining her old dominions by the sea, they might have been gradually won from their fidelity to the land of their origin, and taught to pay willing allegiance to their new masters, who, under all circumstances, had treated them with great consideration and at the same time with an obvious weakness. Had they been allowed to remain in the country, under the checks of a sufficient military force and populous English settlements, the ten thousand Acadian French, that occupied the fertile districts of the province in the middle of last century, would eventually have increased to a very large number, and exercised most important influence on the social, religious, and political conditions of Nova Scotia, even while remaining loyal to England. In other words, Nova Scotia might have been another French Canada.

As it happened, however, an inexorable Fate destroyed their happiness at one fell blow, and placed them among the most unfortunate of God's creatures. The remnant of the French Acadian race never exercised any influence on the destiny of the maritime provinces, when their institutions were being moulded and established. British influences eventually dominated in every section, and made the Acadian provinces what they have always been—most loyal dependencies of the Crown, even in those troublous times when the flag of revolt was raised in the valley of the St. Lawrence.

At the present time there are a hundred thousand people of French Acadian descent living in the maritime provinces, principally on the gulf shores of New Brunswick, in the western parts of the peninsula of

Nova Scotia, and in the counties of Richmond and Inverness in the island of Cape Breton. The total French population of Nova Scotia reached thirty thousand in 1890, when the dominion census was taken, and it is interesting to note that in the old Acadian districts of Annapolis and Kings there were only twenty persons who claimed to be descendants of the French pioneers, out of a total population of forty-two thousand souls. In Yarmouth, however, they numbered nearly one-half, and in Digby two-thirds of the whole population of those western counties. In Inverness and Richmond the proportions were one-fifth and two-thirds respectively. In the island of Cape Breton there are over twelve thousand people of this national stock, the great majority of whom live in the two counties I have just mentioned. In the district of Louisbourg, once so famous in the days of the French regime in Canada, not a single person is put down as a French Canadian by the census returns. These twelve thousand people or more are the descendants of the seven hundred old French or Acadians who remained in 1758 after the capture of the fortress of Louisbourg, and of the one hundred families who came into the island between that year and 1810. Some descendants of the same race are also found in Prince Edward Island, where there were probably four thousand people at the time of its occupation by England, and the greater number of whom were also deported with unnecessary harshness from the lovely island to which they had fled during the troublous years that followed the settlement of Halifax. Of late years the French Acadian population of the maritime provinces have shown a progressive tendency in intellectual as well as material matters, and the establishment of such colleges as St. Joseph's at Memramcook, in New Brunswick, and St. Anne's at Church Point, in Nova Scotia—institutions on the plan of French Canadian colleges—is doing excellent work by stimulating the best faculties of the youth that frequent them, and in laying the foundations of a brighter future for a race which is now improving in many ways under the influences of modern conditions to which they were very slow to yield in the past.¹ Their numbers in New Brunswick and elsewhere

¹ For an optimistic view of the prospects of the French Acadians see "Le Père Lefebvre et l'Acadie," (Montreal, 1898), by Senator Pascal Poirier, F.R.S.C., who is himself an example of the intellectual progress of the people, whose condition he naturally presents in the most favourable aspect. Father Lefebvre undoubtedly did much in connection with St. Joseph's College to entitle him to be called "le futur sauveur de l'Acadie." It was on the formal request of Archbishop O'Brien that a classical college was founded in the midst of the French Acadian communities in the western part of Nova Scotia. Senator Poirier informs us that St. Anne's College was established in 1890, under the auspices of the "Congrégation des Eudistes," and the Reverend Father Gustave Blanche of Rennes, Brittany, became *curé* of Church Point and Saunierville, to facilitate the foundation of the college. M. Placide Gaudet, who is a teacher in this young institution, is now preparing a genealogy of Acadian families which, no doubt, will be a fitting supplement to Abbé Tanguay's work on Canada. An interesting series of papers on French Acadian families is now appearing in the "New Brunswick Magazine," from the pen of Mr. James Hannay, the author of "The History of Acadia; from its discovery to its surrender to England by the treaty of Paris" (St. John, N.B., 1879).

give them a certain amount of influence in politics, and enable them to return to legislative bodies energetic representatives who protect the special interests of their people and ably assist in the general legislation of the country. Among the names of early Acadian settlers were Robicheau, Poirier, Landry, Richard, Martin, Leblanc, Girouard, D'Entremont, Gaudet, Hébert, Boudrot, Cormier (Cormié), Bourgeois, Melanson,¹ Doucet, Blanchard, and Thibaudeau, whose descendants are still well known in the country which their ancestors loved so well.²

III. Foundation of Halifax.—The foundation of Halifax³ practically put an end to the Acadian period of Nova Scotian settlement. Until that year the English occupation of the country was merely nominal. Owing largely to the representations of Governor Shirley, of Massachusetts—a statesman of considerable ability who distinguished himself in public affairs during a most critical period of American history—the British government decided at last on a vigorous policy in the province, which seemed more than once on the point of passing out of their hands. Shirley always recognized the necessity, as well as importance, of establishing a British colony in Nova Scotia on a permanent basis, and copies of his letters were given to Governor Cornwallis on account of the valuable information they contained. This eminent man, to whom full justice has never been given by Canadian historians, was governor of Massachusetts in 1745, and it was largely owing to his exertions that the expedition led by Pepperrell against Louisbourg was successfully launched; and had his influence prevailed, no doubt that fortress, so long a menace to British interests in Northeastern America, would never have been restored in 1748. He was one of the commissioners appointed by Great Britain to come to a conclusion with France as to the rightful limits of Acadie. He was instrumental in having a survey made of Nova Scotia, and otherwise showed his deep interest in the affairs of a country so long neglected by England. An American historian⁴ only does justice to this Builder of Nova Scotia when he says :

¹ This family is supposed to have sprung from one of Sir William Alexander's Scotch settlers. See "New Brunswick Magazine," Vol. I., pp. 129 *et seq.*; 360: Vol. III., pp. 17 *et seq.*

² In the following French works there are some interesting details of the early French settlers in Acadie :

"La France aux Colonies. Etudes sur le développement de la race française hors de l'Europe. (Les Français en Amérique, Acadiens et Canadiens.) Par E. Rameau, Paris, 1859."

"Une Colonie féodale en Amérique, L'Acadie (1604-1881). Par Rameau de Saint-Père, 2 vols. Paris et Montréal, 1889."

³ See Dr. Akins's "History of the City of Halifax," in vol. VIII. of Collections of the N.S. Historical Society, 1895, for interesting and minute details of the early history of the capital of Nova Scotia.

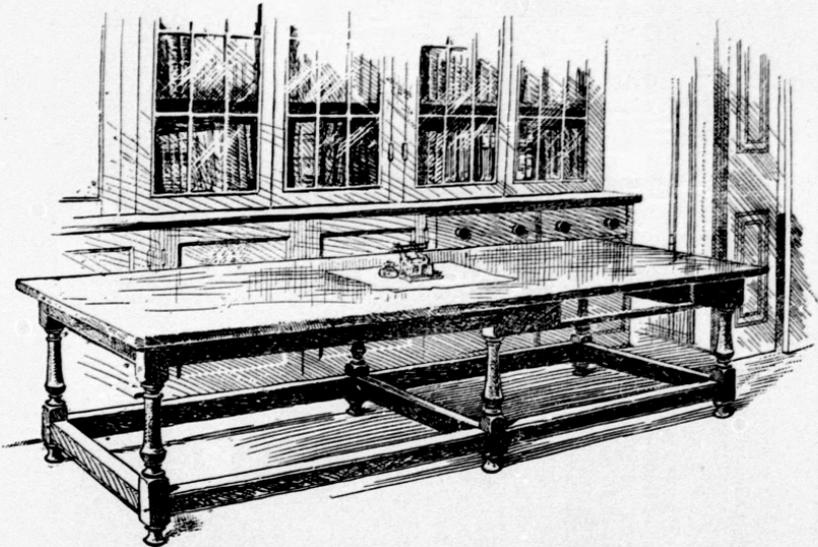
⁴ See Minot's "History of Massachusetts," (vol. I., pp. 292-297) cited by Akins in "Selections from the Public Documents of the Province of Nova Scotia," (Halifax, N.S., 1869), p. 380.



GOVERNOR SHIRLEY.

“Although he held some of the most lucrative offices within the gift of the Crown in America, yet he left nothing to his posterity but a reputation in which his virtues greatly prevailed over his faults—a reputation not surpassed by that of any succeeding governor under the English sovereignty.”

Halifax was founded by Honourable Edward Cornwallis, on the slope of the hill, whose woods then dipped their branches into the very waters of the noble harbour long known as Chebuctou, and renamed in honour of the Earl of Halifax, a member of the Montague family, who was at the



OLD COUNCIL TABLE IN PROVINCE BUILDING.

head of the Council of Trade and Plantations, which had in those days full control of the administration of colonial affairs. Colonel Cornwallis, a son of the baron of that name—a man of firmness and discretion—entered the harbour on the 21st of June, old style, or 2nd July, present style, and soon afterwards assumed his duties as governor of the province¹. The members of his first council were sworn on board one of the transports in the harbour.²

The new town was laid out by Mr. Bruce, the military engineer, and Captain Charles Morris, who had made under the orders of Governor

¹ See Appendix C for copy of royal commission to Governor Cornwallis.

² In the small council chamber, adjacent to the legislative library, in the old province building at Halifax, can still be seen the table round which Cornwallis and his council first deliberated on board the “Beaufort,” July 14, 1749. I give a sketch in the text.

Shirley of Massachusetts, a survey of Nova Scotia in 1745-46, when a plan of colonization was being formed in England. Subsequently he became the first surveyor-general of Nova Scotia, and the founder of a distinguished family, long identified with the public life of the province as members of the judicial bench, and council, and as chiefs of the public surveys.¹



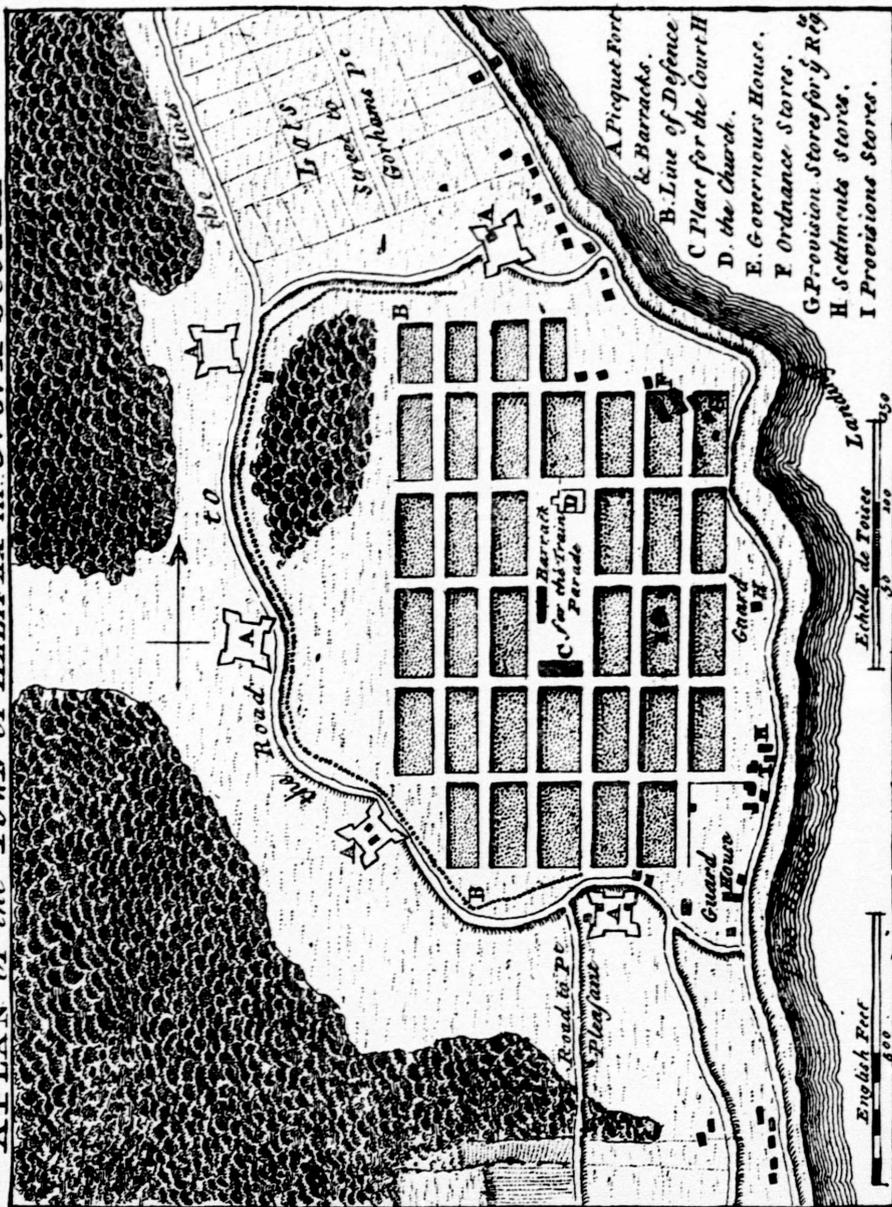
COLONEL MASCARENE.

From Savary's edition of Calnek's Annapolis.

The first council appointed by Cornwallis comprised Colonel Mascarene, John Gorham, Benjamin Green, John Salisbury, Hugh Davidson and Capt. Edward How. Colonel Mascarene had been for some years lieutenant-governor at Annapolis, the capital from 1710 until 1749. Colonel Gorham had taken part in Pepperrell's expedition against Louisbourg in 1745, and was a member of Mascarene's old council.

¹ Four members of the family, including Captain Morris, were surveyors-general in succession. A fine street in Halifax is named in their honour. The original of Morris's Map of Nova Scotia and "the Northern English Colony together with the French neighbouring settlements, taken from actual surveys and most approved drafts and other accounts," is now in the Lenox Library, New York, and a copy appears in the edition of "The Journal of Capt. W. Pote, Jr., during his captivity in the French and Indian War, &c.," printed by Dodd, Mead & Co., New York, 1896. See Appendix D of this work for further reference to the Morrises.

A PLAN of the TOWN of HALIFAX in NOVA SCOTIA



P. Andrews. Sculp.

Captain How will be best remembered by readers of Nova Scotian history on account of his tragic death at Beaubassin through the treachery of LeLoutre. Messrs. Davidson and Salisbury were Englishmen who came out with Cornwallis. Mr. Green was a graduate of Harvard University, and afterwards became treasurer of the province. Other persons were in the course of time added to the original council just named, until it reached its maximum of twelve members, as follows: Col. Mascarene, Col. Gorham, B. Green, John Salisbury, Hugh Davidson, Capt. How, W. Steele, Major Lawrence, Col. Horseman, Col. J. Francis Mercer, Col. R. Ellison, Col. Hopson. The governor *ex-officio* presided in those times. One of the first acts of the executive was the appointment of the following justices of the peace¹: John Brewse, Robert Ewer, John Collier, and John Duport.

It was first proposed to make the settlement near Point Pleasant, then called Sandwich Point, but on further exploration of the harbour a more suitable situation to the northward was chosen. The town was laid out by the engineers in square blocks, three hundred and twenty feet by one hundred and twenty in depth, and the streets were given an actual width of fifty-five instead of sixty as first contemplated. As originally surveyed, Salter street was the limit to the south, and Buckingham street to the north, but a new division of lots was immediately added, and Jacob street became the northern boundary as it appears in the early plan of the town on a separate page. The town was surrounded by a cordon of palisades or upright pickets with five quadrangular block-houses at important points. By 1753 the town, as the plan shows, contained thirty-five blocks and fourteen streets, seven running from east to west, and seven from south to north, which are still thoroughfares of the modern city. In the middle of the town was the parade, ever since a familiar feature to residents of the town. On the upper part of this ground the barracks of the Royal Artillery stood for some years. An historian of the city² tells us that before 1760 "the houses were generally built of square and round timber, some with small pickets placed upright between the stubs of the frame, and the whole covered over with clap-

¹ I give in Appendix D Dr. Akins's brief sketches of Governor Cornwallis, Colonel Mascarene, Chief Justice Belcher, Colonel (afterwards governor) Lawrence, Rev. Dr. Breynton, Hon. Richard Bulkeley, B. Green, John Salisbury, H. Davidson, Capt. How, Col. Gorham, Charles Morris (first Surveyor-General), Capt. Cotterell, W. Nesbitt (Speaker of Assembly), A. Hinshelwood, Otis Little, Rev. J. B. Moreau, J. Creighton, Col. Hopson, Capt. J. Collier, Capt. H. Gates, J. Binney, B. & J. Gerish, Major Lochman (from whom Lockman street is named, though spelt incorrectly), M. Salter, R. Gibbons (a name well known in Cape Breton), John Duport, Joshua Mauger (from whom Maugerville in New Brunswick is named), Michael Franklin and other persons who took leading parts in the establishment of the government of the new provinces.

² Akins's History, p. 219.

boards ; they were usually of one story with a hipped roof, the shops and half-doors with no glass, swinging signs, and wooden shutters opening downwards, on which goods were exposed for sale." The first government house stood on the site of the present province building, and had only one story, defended by small pieces of ordnance mounted on hogsheads of gravel and sand¹. In the plan, ground for a church is reserved at the north end of the parade, where the City Hall now stands, but as a matter of fact St. Paul's was actually built on its present site, where the Court House was to have been erected. This building was first built at the northeast corner of Buckingham and Argyle streets, where Northup's well known store and market stood for years within the memory of living citizens. Block houses and eventually batteries were raised at all important points around the harbour, whose chief defence for years was the fort on George's Island. In early years there was only a small redoubt on Citadel Hill, which was included within the original palisades. That important position was defended by a fort about or after the commencement of the rebellion of the thirteen colonies, though the present fortifications may be said to date actually from 1794-7, when the Duke of Kent, then in command of His Majesty's forces, ordered the removal of the old fort and the commencement of new works.²

¹ The present government house dates from 1800, when the corner stone was laid. It was first occupied in 1805 by the Loyalist governor, Sir John Wentworth. See paper on this building by Sir Adams G. Archibald in Collections of N. S. Hist. Soc., vol. 3. For view of old government house, see opposite p. 20.

² The plan I give of the town is taken from my copy of "A set of Plans and Forts in America reduced from actual Surveys in 1763," a rare and valuable book, from which Dr. Winsor's "Narrative and Critical History of America" (see vol. V., 444*n*) copies many illustrations. The plan, however, is the same as all the plans of the town published from 1750 to 1763, and is evidently taken from the official survey of the original settlement. This is proved by the fact that it gives the site first intended for St. Paul's, which was actually commenced in 1750, or one year after the town was laid out, on the ground intended for the Court House. The plan shows that there was a large space of ground cleared all around the new town ; and that there was a road laid out to the French settlements at Mines where the English had a small fort. The resident of Halifax will recognize the present streets : Salter, Sackville, Prince, George, Duke, Buckingham and Jacob, from east to west ; Hollis, Granville, Barrington, Argyle, Grafton, Albemarle, Barrack (Brunswick) from south to north. Water street was not in the original plan, but a space was reserved between the most easterly blocks and the shore. A road to Point Pleasant connected with Barrington street as at present. The progress of the town within thirty years can be estimated by reference to the plan printed in the "Atlantic Neptune," which contains a very perfect set of charts of the coasts and harbours of Nova Scotia and Cape Breton, as well as of the gulf and river St. Lawrence, published by Colonel DesBarres for the use of the royal navy of England, in 1777 and in 1781. The plan in question as well as the view of the town I give was probably prepared before 1780, as it does not indicate any regular fortification, but only a small inclosure on Citadel Hill. It delineates upper and lower Water street, with all the wharfs of those days to which it gave access, as well as the dock yard, and the ordnance yard—the latter having been only commenced nearly three decades of years after the foundation of the town. In addition to the two plans cited above, I have in my library,



HON. CHARLES MORRIS, FIRST SURVEYOR-GENERAL.

From a portrait in possession of Mrs. Morris of Halifax, widow of the great grandson of the first surveyor-general of Nova Scotia. (See page 14 n.)



Between two and three thousand people were brought in by the British government to found the new town and settle the country. These people were chiefly made up of retired military and naval officers, soldiers and sailors, gentlemen, mechanics and farmers—far too few—and some Swiss, who were extremely industrious and useful. On the whole, they were not the best colonists to build up a prosperous industrial community. The government gave the settlers large inducements in the shape of free grants of land, and supported them practically for the first two or three years¹. It was not until the Acadian population was removed, and their lands were available, that the foundation of the agricultural prosperity of the peninsula was really laid.

In the summer of 1753 a considerable number of Germans were placed in the present county of Lunenburg, where their descendants still prosper, and take a most active part in all the occupations of life. Many of the settlers came from Lüneberg, others from Switzerland, and not a few from Montbéliard, in the department of Doubs, between the Rhine and Rhone. The names of original settlers—of Rüdolf, Jessen, Knaut, Kaulbach, Hebb, Eisenhauer, Gaetz, and Oxner, particularly—are constantly met in the official and political records of the country for nearly a century and a half. A Kaulbach now represents the county in the House of Commons².

IV. New England Migration.—The settlement of 1749 was supplemented in 1760 and subsequent years by a valuable and large addition of people who were induced to leave Massachusetts and other colonies of New England and establish themselves on the fertile Acadian lands and other favoured parts of the peninsula. Persons not well acquainted with

one published at Nuremberg in 1756, another in Paris in 1755, both of which are the same as the one I give. The same plan was also printed at Hamburg in 1751. Opposite pages 18, 20, 24, 26, I give reprints of four old copper plates (London, 1777), engraved by John Boydell from drawings by R. Short, dedicated to Lord Halifax, and in possession of Dr. S. E. Dawson of Ottawa.

¹ In Dr. Akins's "Selections from the Public Documents of the Province of Nova Scotia," (Halifax, N.S., 1869) we find the following lists of the early settlers:

1. List of the settlers who came out with Governor Cornwallis to Chebucto in June, 1749. Page 506 *et seq.*

2. A list of the families of the English, Swiss, etc., which have been settled in Nova Scotia since the year 1749, and who are now settlers in the places hereinafter mentioned. Page 650 *et seq.* A total of 4,249 persons are given as living within the pickets and suburbs of Halifax, town of Dartmouth, on the islands and harbours, employed in the fisheries, and on the isthmus and the peninsula of Halifax. This enumeration is confined to the places named and does not comprise the British people living in Annapolis, then very few in number. The same list is given in Akins's "History of Halifax City." Coll. N.S. His. Soc., vol. VIII., 1895. Mr. Justice Burbidge, the able judge of the exchequer court of Canada, is a relative of Colonel Burbidge, one of the early English settlers, who became one of the most useful and influential inhabitants of the Cornwallis district.

² See "History of the County of Lunenburg," by Mather Byles DesBrisay, judge of County Court, etc., Toronto, Montreal and Halifax, 1895. Large 8vo, illustrated.

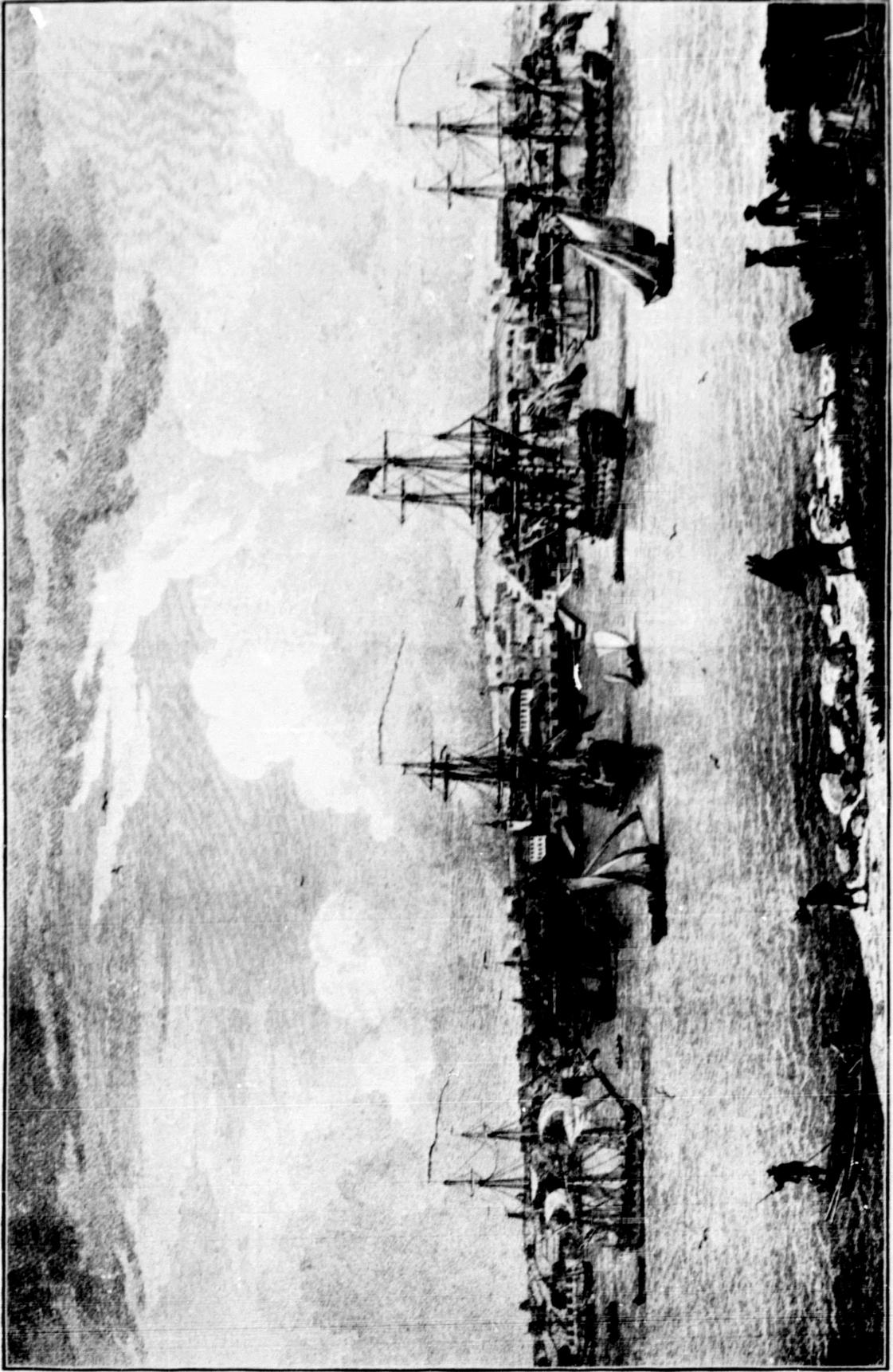
the history of the Acadian provinces are wont to attribute the material prosperity of the peninsula of Nova Scotia, mainly to the large body of Loyalists who left their homes in the old colonies, after the war of independence. As a matter of fact, however, there were two well-defined streams of immigration into the province after the expatriation of the French Acadians. The first was the influx of the people properly known as Pre-Loyalists, who settled in townships of the present counties of Annapolis, Kings, Hants, Queen's, Shelburne, Yarmouth, Cumberland and Colchester, especially in the beautiful townships of Cornwallis and Horton, where the Acadian meadows were the richest.

During the few years that had elapsed since the Acadians were driven from their lands, the sea had once more found its way through the ruined dykes, which had no longer the careful and skilful attention of their old builders. The new owners of the Acadian lands had none of the special knowledge that the French had acquired, and were unable for years to keep back the ever encroaching tides. Still there were some rich up-lands and low-lying meadows, raised above the seas, which richly rewarded the industrious cultivator. The historian, Judge Haliburton, describes the melancholy scene that met the eyes of the new settlers when they reached, in 1760, the old home of the Acadians at Mines. They found ox-carts and yokes which the unfortunate French "had used in conveying their baggage to the vessels which carried them away, and at the skirts of the forest, heaps of the bones of sheep and horned cattle that, deserted by their owners, had perished in winter for want of food." They came across a few straggling families of Acadians who "had eaten no bread for years, and had subsisted on vegetables, fish, and the more hardy part of the cattle that had survived the severity of the first winter of their abandonment." They saw everywhere "ruins of the houses that had been burned by the Provincials, small gardens encircled by cherry trees and currant bushes, and clumps of apple trees." In all parts of the country where the new colonists established themselves, the Indians were unfriendly for years, and it was necessary to erect stockaded houses for the protection of the settlements¹.

¹ For details of this early New England migration, see following authorities :

"An Historical and Statistical Account of Nova Scotia," by Thomas C. Haliburton, barrister-at-law and member of the House of Assembly of Nova Scotia. In two volumes, 8vo, with a map and several engravings, Halifax. Printed and published by Joseph Howe, 1820.

"History of the County of Annapolis," including old Port Royal and Acadia, with memoirs of its representatives in the provincial parliament, and biographical and genealogical sketches of its early English settlers and their families. By the late W. A. Calnek. Edited and compiled by A. W. Savary, A.M., judge of the county court of Nova Scotia. With portraits and illustrations, Toronto, etc., 1897. This book is ably edited by Judge Savary, whose knowledge of the eminent men of his province, and especially of his historic county, is probably not equalled by any other living Nova Scotian. I am indebted to him for many valuable details during my studies of the Loyalists and other classes of the people of Nova Scotia.



VIEW OF TOWN AND HARBOUR OF HALIFAX IN 1777
See page 17 n.



A number of the New England people also established themselves at Maugerville, and other places on the St. John River. The peopled district on the St. John River became subsequently known as Sunbury county and obtained representation in the Nova Scotia legislature. The township of Sackville was settled chiefly from Rhode Island, and had also a member in the same assembly.

No better class probably could have been selected to settle Nova Scotia than the American immigrants. The majority were descendants of the Puritans who settled in New England and some were actually descended from men and women who landed from the *Mayflower* in 1620. The county of Yarmouth has always illustrated the thrift and enterprise which were the natural heritage of the founders of New England. Governor Lawrence recognized the necessity of having a sturdy class of settlers, accustomed to climatic conditions and to agricultural labour in America, and it was through his strenuous efforts that these immigrants were brought into the province.¹ They had, indeed, the choice of the best land of the province and everything was made as pleasant as possible for them by a paternal government, only anxious to establish British authority on a sound basis of industrial development.

In 1767, according to an official return in the archives of Nova Scotia,² the total population of what are now the provinces of Nova Scotia, New Brunswick and Prince Edward Island reached thirteen thousand three hundred and seventy-four souls, of whom six thousand nine hundred and thirteen are given as Americans, nine hundred and twelve as English, two thousand one hundred and sixty-five as Irish, one thousand nine hundred and forty-six as Germans and one thousand two hundred and sixty-five as Acadian French, the latter being probably a low estimate. Many of the persons called Irish in this return came really from the north of Ireland, and were Scotch Presbyterians. They were

"Memorial of the 121st and 122nd Anniversary of the Settlement of Truro by the British, etc., Truro, N.S., 1894." It contains an interesting address by Sir Adams G. Archibald, then lieutenant-governor, a descendant of one of the first settlers of the district. Another important address is that by Mr. Israel Longworth, which is replete with valuable historical details.

"A History of the County of Yarmouth, Nova Scotia. By the Rev. J. R. Campbell, St. John, N.B., 1876." It contains (pp. 111 *et seq.*) a list of the first settlers from New England.

"Yarmouth, N.S. A sequel to Campbell's History. By George S. Brown, Boston, 1888." It contains very full data of the social, material and religious progress of this interesting and prosperous section of Nova Scotia.

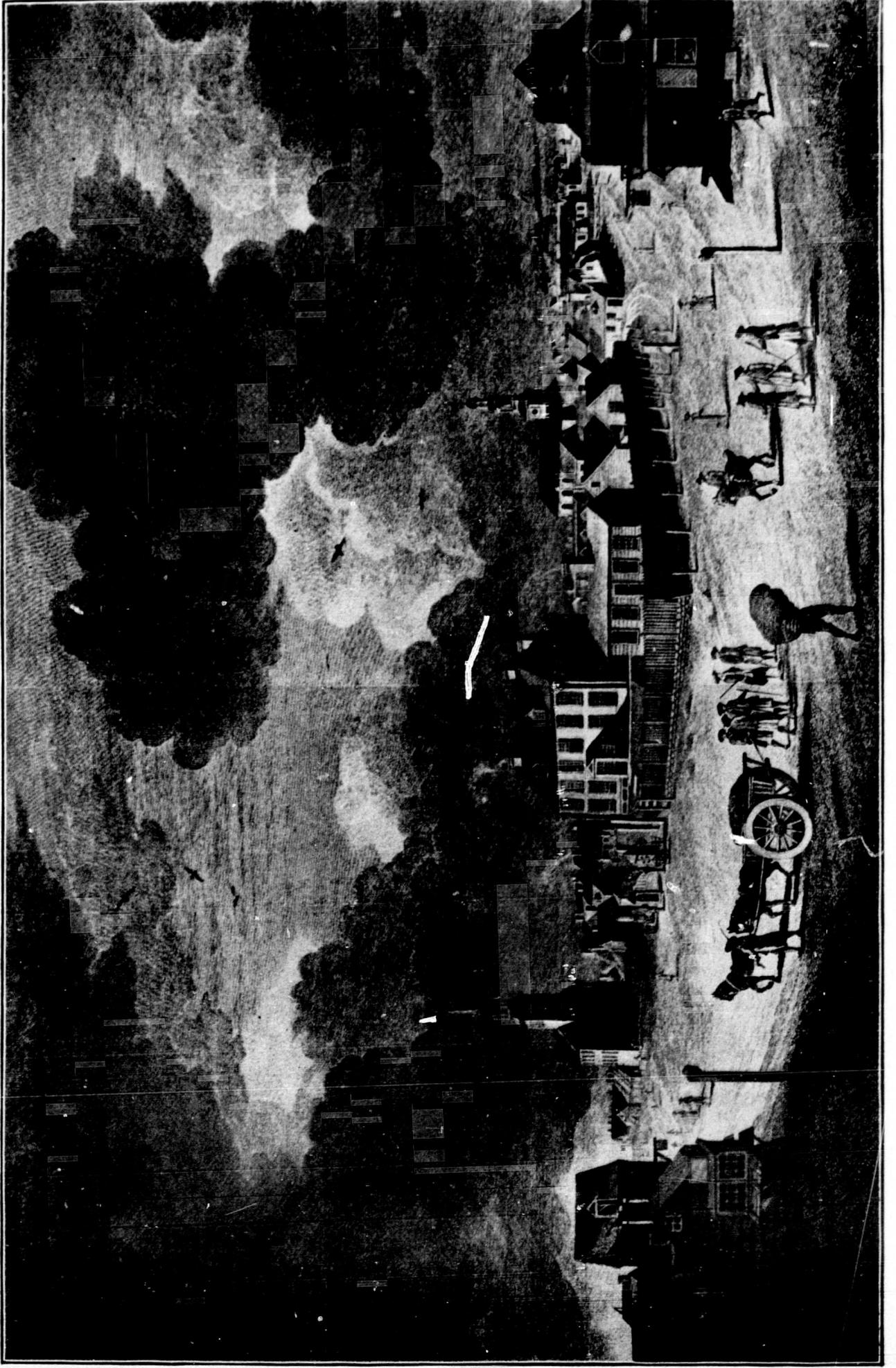
¹ See Appendix E for Governor Lawrence's proclamation, setting forth the terms on which people from New England could settle the province—aptly called "the charter of Nova Scotia" by the historian Haliburton, vol. I, p. 220.

² See Appendix F for an extract from "A General Return of the several townships in the province of Nova Scotia for the first day of January, 1767. Dr. Allison of the University at Sackville, N. B., has a valuable commentary on this return in the papers of the Nova Scotia Historical Society for 1888, vol. VII.

brought out by one Alexander McNutt, who did much for the work of early colonization ; others came from New Hampshire, where they had been settled for some years. The name of Londonderry in New Hampshire is a memorial of the migration of this important class just as the same name recalls them in the present county of Colchester. A few persons of the same class went to Amherst, Wilmot and Windsor.

Some of these people, however, were not animated by those sentiments of burning loyalty that distinguished the people who suffered so deeply during the War of Independence, and sought refuge in Acadia and Canada rather than swerve from their allegiance to England. During the war some of these inhabitants notoriously sympathized with their rebellious countrymen, and at one time it was necessary to take stringent measures to awe the rebellious element in Cumberland. The people of Truro, Onslow and Londonderry refused to take the oath of allegiance, and were for a time not allowed to be represented in the assembly. In other places a few desired to be neutral during the revolution, but the government very properly would not permit it. Some overt acts of treason were committed, but the authorities had always full knowledge of the suspected persons who were inclined to betray the government that had treated them with so much consideration from the moment they came into the country.¹ The settlers in the townships of Cornwallis, Horton, Windsor, Falmouth and Newport appear to have shown a continuous attachment to British connection, and raised several companies of volunteers for the defence of the province. The number of disaffected persons among the New England immigrants of 1760-61 were small when we consider their intimate connection with the rebellious

¹ Governor Franklin, in a letter to the Earl of Shelburne under date of 1766, gives an interesting reference to the condition of the new settlements : "The country people in general, work up, for their own use, into stockings, and a stuff called homespun, what little wool their few sheep produce ; and they also make part of their coarse linen from the flax they produce. The townships of Truro, Onslow and Londonderry, consisting in the whole of six hundred and ninety-four men, women and children, composed of people chiefly from the north of Ireland, make all their linen, and even some little to spare to the neighbouring towns. This year they raised seven thousand five hundred and twenty-four pounds of flax, which will probably be worked up, in their several families, during the winter. I cannot omit presenting to your Lordship, on this occasion, that this government has at no time given encouragement to manufactures which could interfere with those of Great Britain ; nor has there been the least appearance of any association of private persons for that purpose ; nor are there any persons who profess themselves weavers, so as to make it their employment or business, but only work at it, in their own families, during the winter and other leisure time. It may be also proper to observe to your Lordship that all the inhabitants of this colony are employed either in husbandry, fishing, or providing lumber ; and that all the manufactures for their clothing, and the utensils for farming and fishing, are made in Great Britain." See Murdoch's "History of Nova Scotia," vol. II., p. 463. Those were days when the imperial government prohibited the manufacture of all articles that were made in England, as the history of the old thirteen colonies notably shows.



VIEW (1777) OF GOVERNMENT HOUSE (IN CENTRE), MATHER'S CHURCH (TO LEFT), ST. PAUL'S CHURCH (TO RIGHT),
WITH GLIMPSE OF PARADE, CITADEL HILL.

See page 73.

colonists ; and the imperial authorities, outside of the Cumberland district, do not appear to have had reasons for serious anxiety during the progress of the war.

From this early immigration have sprung many of the best known men of Nova Scotia. For instance, T. C. Haliburton ("Sam Slick"); Sir Charles Tupper, the veteran statesman; Dr. Borden, at present minister of militia in the dominion government; Mr. R. L. Borden, who represents Halifax in the House of Commons; Senator Lovitt and Mr. Flint, M. P., of Yarmouth; Mr. Justice Barker, of St. John; Attorney-General Longley, eloquent and witty, who cultivates literature with success, even amid the depressing influences of petty provincial politics; besides the Chipmans, Ritchies, Eatons, Dickies, DeWolfses, Brechins, Burpees, and many others. Dr. S. E. Dawson, the queen's printer, at Ottawa, and an able historian and essayist, can trace a family connection to the Cobbs, who settled in Nova Scotia, and one of whom, Sylvanus, took part in the two sieges of Louisbourg in 1745 and 1758. Dr. T. H. Rand, of McMaster University, and Dr. B. Rand, of Harvard, are members of a family first notable for the Reverend Silas T. Rand, the linguist and Micmac scholar. The Archibalds, who have given so many eminent men to the public service of Canada and the Empire, are descended from four brothers of the Scotch-Irish migration of 1762, who settled in Truro, and surrounding country. One of the notable members of this family, whose name is even yet a household word in the county of Colchester and elsewhere, was Samuel G. W. Archibald, who occupied at different times the positions of speaker of assembly, chief justice of Prince Edward Island, master of the rolls, and judge of the court of vice-admiralty of Nova Scotia. He possessed a rare combination of intellectual and agreeable qualities. Although he had in his youth relatively few opportunities for education, he succeeded in acquiring a vast fund of knowledge, and at the same time made himself a sound lawyer, whose judgments on the bench were distinguished for clearness and precision. In social intercourse he possessed a rare charm which made him a delightful companion.¹ One of his sons became a judge of one of the superior courts of Great Britain, another was an eminent consul-general of England at New York for many years, inclusive of the trying period of the civil war; and both received the honour of knighthood. Sir Adams G. Archibald, who belonged to another branch of the same family, was also a distinguished figure in later colonial life, as I shall presently show when I come to give some personal reminiscences. Senator T. D.

¹ See an interesting "Life of S. G. W. Archibald" by Israel Longworth, Halifax, N. S., 1831. Also "Historical and Genealogical Record of the First Settlers of Colchester county, down to the present time. Compiled from the most authentic sources. By Thomas Miller, Halifax, N. S., 1873. It shows the large number of descendants of the Archibalds.

Archibald was also long connected with the commercial interests of Cape Breton and was one of the first members called to the upper house of the parliament of Canada. Judge Archibald of the superior court of the province of Quebec is another able descendant of one of the four brothers, whose coming to Colchester about one hundred and forty years ago was so auspicious an event for Nova Scotia.

Senators McKeen and Miller can also trace their descent from the same settlers. The Allison, whose name is so honourably connected with the foundation and development of the prosperous educational institution of a high class at Sackville—one of whose descendants is now the able president of the university—also came from the north of Ireland and settled in Horton and Newport.

It will be seen from the official return of the census of 1767 that it gives less than a thousand people as "English,"¹ but this enumeration appears to be in a measure delusive. The return, no doubt, refers only to those persons who had come direct from England since the foundation of Halifax, but as a matter of fact a large proportion of the people called "Americans"—nearly seven thousand—were of pure English origin, like the majority of the people of the old colonies of New England.

V. Early Government of the Province.—Until the foundation of Halifax the government of Nova Scotia was vested solely in a governor who had command of the garrison stationed at Annapolis. In 1719 a commission was issued to Governor Phillips, who was authorized to appoint a council of not less than twelve persons. This council had advisory and judicial functions, but its legislative authority was of a very limited scope. Their acts did not extend beyond temporary regulations relative to trade in grain in the Bay of Fundy, or else local enactments touching the people of the village of Annapolis. The Acadians had the right to choose deputies to act as arbitrators in small matters of controversy between themselves, and an appeal was allowed to the governor-in-council, who sat for this purpose three times a year. The Acadians are described by some writers as extremely litigious, but their disputes appear to have been generally decided among themselves, especially by reference to the priests, and it was rarely that they resorted to their English masters. This provisional system of government lasted until 1749, when Halifax became the seat of the new administration of public affairs. The governor had a right to appoint a council of twelve persons and to summon a general assembly "according to the usage of the rest of our colonies and plantations in America." He was, "with the advice and consent" of the council and assembly "to make, constitute and ordain laws" for the good government of the province. During nine years the governor-in-council carried on the government without an assembly, and passed a number of ordinances, some of which imposed duties on trade for the purpose of raising revenue. The legality of their acts was questioned by

See *supra* p. 19.



JUDGE S. G. W. ARCHIBALD.¹

¹ The portrait of Judge S. G. W. Archibald is from a photographic copy of an original painting in the possession of Mrs. Archibald of Halifax, who is a daughter of the well-known British Consul-General at New York, and the wife of a son of the late Senator T. D. Archibald, who was long engaged in important commercial enterprises at North Sydney, C.B., in partnership with Blowers Archibald, also a son of the Master of the Rolls.

Chief Justice Belcher—the first chief functionary of the supreme court appointed in Nova Scotia—and he was sustained by the opinion of the English law officers, who called attention to the governor's commission, which limited the council's powers. The result of this decision was the establishment of a representative assembly, which met for the first time at Halifax on the 2nd October in 1758.¹

Governor Lawrence had the honour of opening the first legislative assembly of Nova Scotia in 1758, but the records of those times also show that he had been opposed to the introduction of a popular assembly on account of the small population of the province (not more than four thousand souls probably), and his conviction that "heats, animosities and dissensions" would be created among the few inhabitants "at a time when the enemy is at our doors, and the whole should join together as one man for their mutual safety and defence." These words were written by the governor during the progress of the Seven Years' War, when a great conflict was being fought between England and France for the supremacy in North America. No doubt, as a soldier, he preferred the practically supreme control he possessed in the administration of provincial affairs by means of a council nominated by the crown and little influenced by the merchants and the people generally. Even on the eve of the first meeting of the assembly he wrote to the Lords of Trade, who administered colonial affairs at those times, that he hoped he would not find among the newly-elected representatives a disposition "to embarrass or obstruct his majesty's service" or "to dispute the royal prerogative," and he added that he feared "that too many of the members chosen are such as have not been the most remarkable for promoting unity or obedience to his majesty's government here, or indeed have the most natural attachment to the province." In his first speech to the legislature he reminded the members of the fleets and armies sent out from time to time for their protection from "a most merciless foe," and expressed the hope that they would "promote the real welfare and prosperity of the crown or, in other words, the real welfare and prosperity of the people." One Robert Sanderson, of whom we know nothing, was chosen as the first Speaker, but he held his office for only one session, and was succeeded by William Nesbitt, who presided over the House for many years. The first sittings of the legislature were held in the court house, and subsequently in the old grammar school at the corner of Barrington and Sackville streets, for very many years one of the historic memorials of the Halifax of the eighteenth century. It was removed eventually to a building on the Market Square, on the spot where the Dominion public building now stands, and here it remained until 1820, when the present parliament house was completed for its reception.

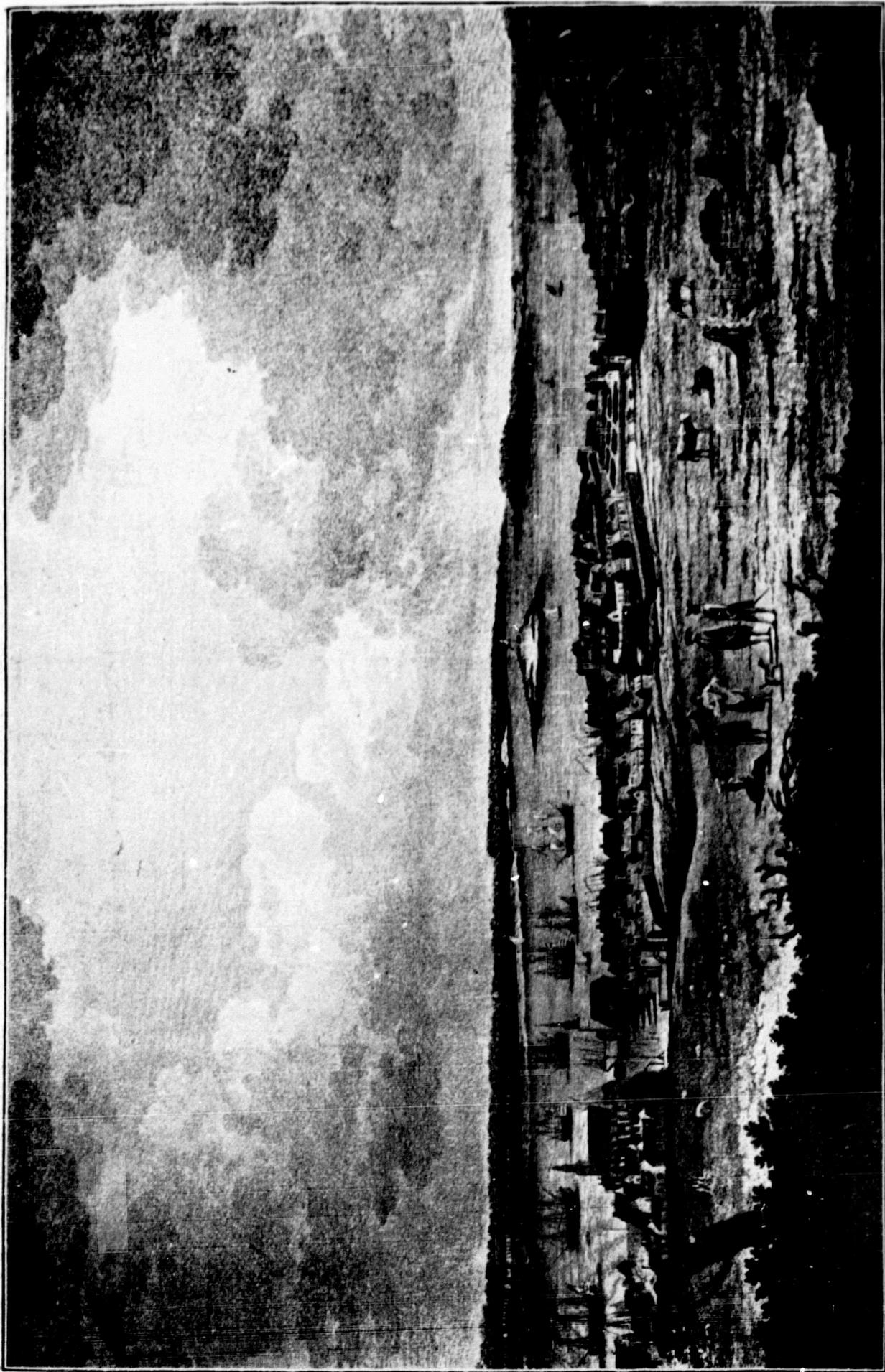
¹ See Appendix G for copy of the order-in-council establishing a House of Assembly in Nova Scotia and a report of the proceedings at the first sitting, with names of the first representatives.

The first assembly obviously surprised Governor Lawrence, who looked forward to its meeting with many misgivings. In one of his letters to the imperial authorities he admitted that the legislature had gone to work in a business-like manner to pass a number of necessary measures with "less altercation than from the seeming disposition of the people he had been apprehensive of." The population of the province was so insignificant at that time that it was only practicable to give a special representation of four members to Halifax and of two members to Lunenburg, while the remaining sixteen representatives had to be elected by the province at large. The representation of the province was increased and new electoral divisions were created according as the population was augmented by settlers from New England and elsewhere. By 1774 the assembly was composed of thirty-two members, representing five counties, the town of Halifax and fifteen townships—the latter division continuing until a very recent date in the history of the province to form a feature of legislative representation.

Soon after his arrival in Nova Scotia Governor Cornwallis established courts of law to try and determine civil and criminal cases in accordance with the laws of England, and by 1774 there were in the province courts of general session similar to the courts of the same name in England; courts of common pleas, formed on the practice of New England and the mother country; and a supreme court, court of assize and general jail delivery, composed of the chief justice and two assistant judges. The governor-in-council constituted a court of error in certain cases, and from its decision an appeal could be made to the king in council. Justices of peace were also appointed in the counties and townships with jurisdiction over the collection of small debts.

Among the builders of Nova Scotia Governors Cornwallis and Lawrence must always occupy a prominent place. They possessed personal qualities which eminently fitted them to establish the dominion of Great Britain in the formative and most critical period of a long neglected colony. Cornwallis appears to have been wise, prescient and energetic in his administration of public affairs, and yet, while Nova Scotia owes him so much, not a monument has been raised in his honour, and we look in vain for his portrait on the walls of public buildings of the province. Nor has full justice ever been done to the meritorious performances of Governor Lawrence, on account of the dark cloud which rests on his name ever since the expulsion of the hapless Acadians.¹ Yet

¹ In "Acadia: Missing Links of a lost Chapter in American History," by Mr. E. Richard, there is a most persistent attempt to blacken the character of Governor Lawrence, but its bitterness shows so obviously that no one is likely to have his judgment warped in recalling the services of a stern soldier who, in considering the security of the province, forgot the dictates of humanity. French historical writers too often look only to one side of the sad story, and fail in presenting such an impartial and judicial aspect of the event in question, as is given by Dr. Kingsford in his account of the expulsion. (See vol. III., cc. 6 and 7).



VIEW OF HALIFAX IN 1777, LOOKING DOWN PRINCE ST., AND SHOWING EASTERN BATTERY, GEORGE AND CORNWALLIS ISLANDS, ETC.

See page 17 n.

no doubt there is something to be said in mitigation of the severe sentence which posterity, largely influenced by the sentiment of pity to which poetry and romance have lent their powerful aid, has passed upon a man, who, in his day, did good service for the crown and for the development of the province committed to his care.

One would fain believe that other measures, less cruel in their consequences, could have been devised and successfully consummated to bring the contumacious Acadians to their senses and make them eventually loyal British subjects. But while we pity these exiles and condemn the sternness of the resolve that drove them from the lands which they had tilled with so much industry, it is well to remember that in the conflicts of old times between the French and English colonies humane councils too rarely dominated, and the annals of *la petite guerre*, which constantly devastated parts of New England, are full of the stories of murdered men, women and children. Even Frontenac, brave soldier and statesman, was ready to carry out a bold plan by which all the British and Dutch people in what is now New York state would be forcibly driven from their homes and their places taken by the French.

Lawrence was a stern soldier like Frontenac and believed that, in the deadly struggle between France and England for the supremacy in North America, the conditions of the province required that he should deal vigorously with a people who obstinately declared themselves neutrals, and might at any moment be found fighting on the side of England's hereditary foe. At the present time, so far removed from the uneasy, insecure condition of things that existed at the beginning of the Seven Years' War, it is not easy to form an impartial judgment on the severe conclusion to which Lawrence came—reluctantly we would fain hope—on the ground of stern military necessity. Lawrence was a man of inflexible purpose who had ever before him the object of establishing the authority of England beyond dispute in a province whose security was committed to his care. He conferred enormous advantages on the province by inducing the migration from New England of a large number of settlers, who possessed those industrious, thrifty qualities which have done so much for the old Puritan colonies from which they came to Nova Scotia in the middle of the seventeenth century.¹

With the names of Cornwallis and Lawrence must be mentioned that of the first chief justice, the Honourable Jonathan Belcher, the second son of a governor of Massachusetts, a graduate of Harvard College, and a student of the Middle Temple. The early enactments of the legislature were drafted by him and made the basis of the statutory law of the

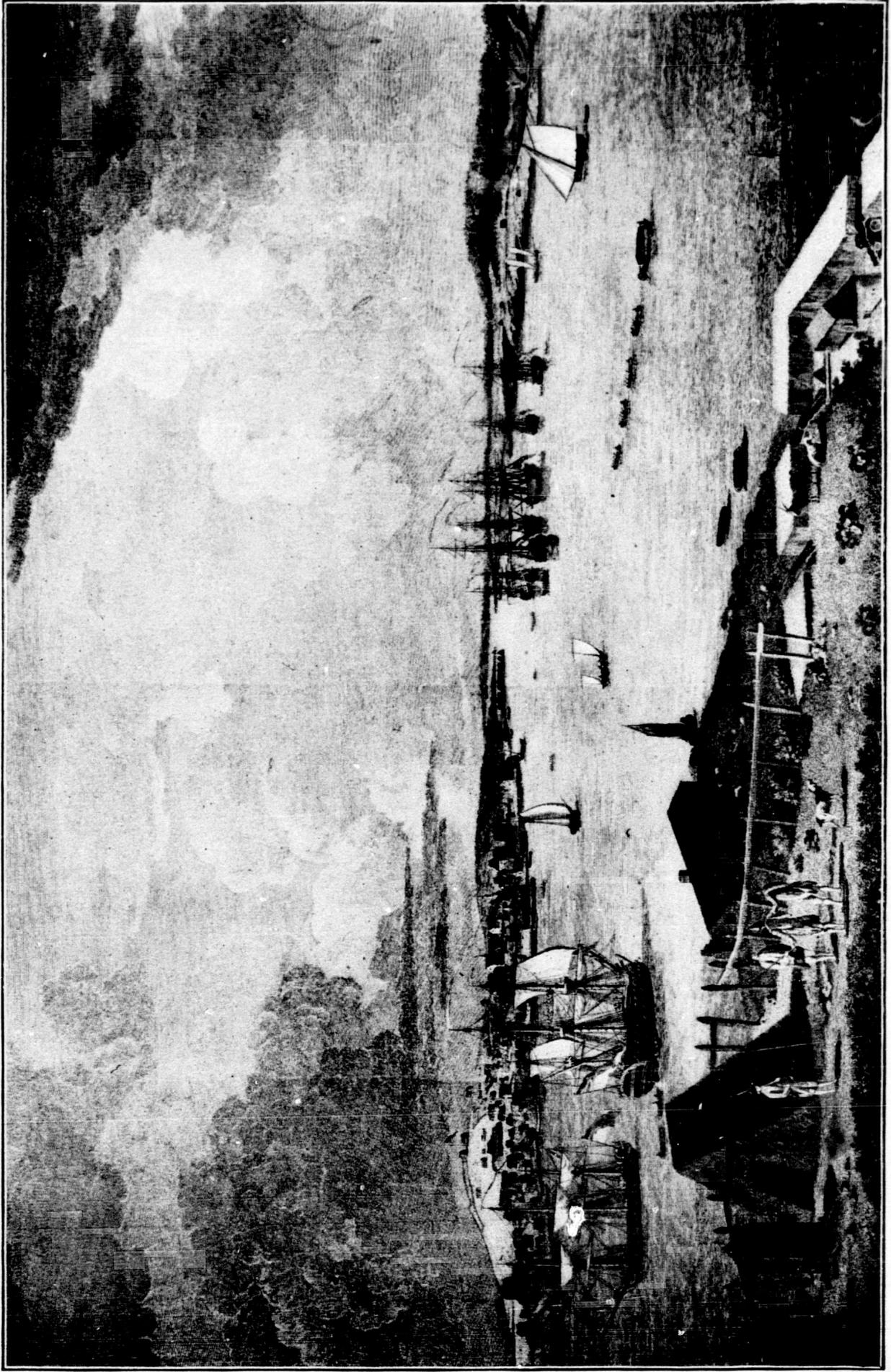
¹ Notwithstanding my efforts for a number of years I have not been able to find in England or America a portrait of either Cornwallis or Lawrence, who, above all other governors of Nova Scotia, must be regarded as the makers of the province, and entitled to special recognition in this paper.

province. It was fortunate for the formative stage of the legal and legislative history of Nova Scotia that there was at the council board and on the judicial bench a man of such varied accomplishments and such high legal acquirements as Chief Justice Belcher.

The New England element, which was represented by so able a man as Chief Justice Belcher, had not only considerable influence in the early establishment of the province, but must also be credited for the publication of the first newspaper. On the 23rd March, 1752, John Bushell, of Boston, printed the first issue of the *Halifax Gazette*, the pioneer in journalism, since it appeared twelve years before the *Quebec Gazette*. Its chief interest lies in the fact of its early publication, and not in its being an enterprising and interesting medium of news. It was soon superseded as a journal by newspapers in a true sense, and it became in the course of time the purely official gazette of the province¹

VI. Coming of the United Empire Loyalists.—By 1783 the legislative and legal institutions of Nova Scotia were fully organized, and the province received a large accession of loyal population from the old thirteen colonies, then recognized as the independent federal republic of the United States. In 1784 there were in the province, according to the most trustworthy statistics available, about forty-three thousand souls, of whom over twenty-eight thousand represented "the new inhabitants" or loyalists and disbanded troops, who had taken part in the late war. The "old British inhabitants," or the immigration previous to 1783, are given at fourteen thousand. Only four hundred Acadian-French were living at that time in the country. Of the loyalists, nearly ten thousand were already settled on the St. John River, and eight thousand in the county of Shelburne, where they had very bitter experiences. The new population also included besides black servants or slaves a large number of fugitive negroes, many of whom were deported to Africa at a later time by the imperial authorities. The province was now commencing to emerge from its early difficulties. The dykes, which had fallen to pieces in many places after the expulsion of the industrious and ingenious people who had constructed them, had been partly repaired, and the amount of products raised on the old French farms was yearly increasing. The scattered settlements of the province had few means of communication with each other except by water or "blazed" paths through the woods. In the whole peninsula there was only one great road, that leading from Halifax to Windsor, through Cornwallis and Horton, and thence along the coast of the Bay of Fundy to Annapolis Royal. But the "old inhabitants" generally, after the experience of a quarter of a century, were beginning

¹ See an interesting paper on "Early Journalism in Nova Scotia," by J. J. Stewart, in Coll. of N. S. Hist. Soc., 1887-88, vol. VI. Also Bourinot's "Intellectual Development of the Canadian People," Toronto, 1881, and in *Canadian Monthly*, 1881. Mr. Stewart refers to the presence of the famous printer, Thomas, of Boston for some time in Halifax.



VIEW OF HARBOUR OF HALIFAX IN 1777, TAKEN FROM GEORGE'S ISLAND AND LOOKING UP TO KING'S YARDS AND BEDFORD BASIN.

See page 17 n.

to have confidence in the future of the country and in its capabilities for raising all kinds of cereals and fruits. The Loyalist migration of 1783 commenced a new epoch in the history of British North America. It opened up districts, made additions of a loyal population to the older settlements and gave colonies to the empire. Nova Scotia was divided into two provinces, one of which retained the old name, which had been given to it in King James's day, and the other recalled the Brunswick-Lunenburg or Hanoverian line which had given kings to England. Cape Breton—for the name of Ile Royale disappeared after the fall of Louisbourg—also received a simple system of local government, separate from Nova Scotia. Canada was divided into two provinces, Upper and Lower Canada. The articles of peace, which were signed in 1783, afforded no adequate protection to the men who had fought and suffered for king and country. The weak congress, which then nominally governed the feeble confederation, formed in 1781, had no real influence over the independent states, when the question arose of carrying out the provisions of the treaty and granting an amnesty to the people who wished to be restored to their homes and estates, or to obtain at least some compensation for the same. The legislatures of these states were animated by a purely revengeful spirit, and few, if any, estates were given back to their lawful owners. In many places men were tarred and feathered, and even hanged, for daring to remain in the country. Many thousands had no choice open to them except to seek refuge in Florida, the West Indies, the British Isles, and in the wilderness which still belonged to Great Britain in North America.

“ They left the homes of their fathers, by sorrow and love made sweet ;
Halls that had rung a hundred years to the tread of their people's feet ;
The farms they had carved from the forest where the maples and pine trees meet.

“ He left his years of manhood, he left his place of pride ;
And she, she left the little room where her first baby died.
Ah, God, how each familiar thing to that fond mother cried.

“ The rebels held our homesteads ; ‘ Ours ’ laid them down in the moss.
The world was loud with their triumph ; the woods were dumb with our loss.
They sat on the throne as victors ; the throne of our love was a cross.

“ Mid slow, soft-footed things that creep at the edge of the eve and dawn,
The women went with their young ones, as a doe goes by with her fawn,
While the men they loved went on before, guns ready and sabres drawn.

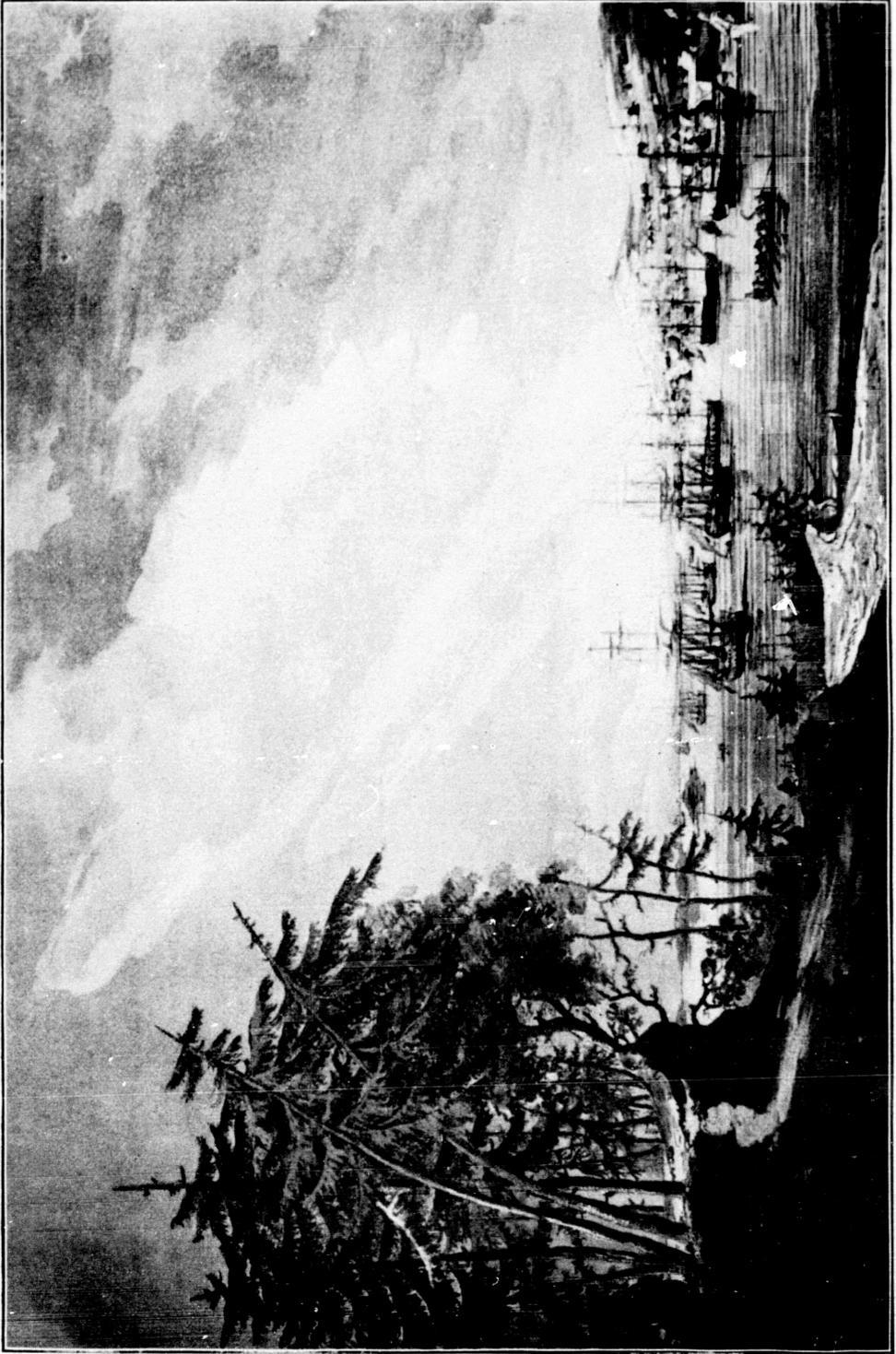
“ They passed down the silent rivers which flow to the mighty lake ;
They left what they'd made for England (but those who have made can make),
And founded a new Dominion for God and their country's sake.”¹

¹ These verses are taken from a spirited poem published by Mr. Clive Phillipps-Wolley—now a resident of British Columbia—in Longman's Magazine (London, Eng.), for June, 1897. The poem is imbued with that imperial spirit that animated the Loyalists, and is far above the average of verses yet written by Canadians on the same inspiring subject.

It is impossible to tell exactly how many persons altogether became exiles. All the men who had taken an active part in the war, and were consequently most hated by the successful revolutionists, certainly left the United States. As we know that at the very least twenty-five thousand men fought in the regularly organized royal regiments, we may fairly estimate that between eighty and one hundred thousand men, women and children, were forced to leave and scatter throughout the world. Of this number, between thirty and forty thousand people came to the provinces of the present Dominion. More than two-thirds of the exiles settled in the provinces of Nova Scotia and New Brunswick, the remainder in the valley of the St. Lawrence. The British government granted pecuniary compensation and lands to the Loyalists who had suffered such great losses—almost irreparable in many cases—for the sake of the empire. It took some years before the pecuniary claims of the numerous applicants for aid could be investigated and relief afforded. Many persons felt all the misery of "hope deferred." In 1786 a writer stated that "this delay of justice has produced the most melancholy and shocking events." Eventually the exiles, who made out their claims, were voted by parliament an allowance of nearly sixteen millions of dollars; others received considerable annuities, half pay of military officers, large grants of lands, and offices in the provinces.

In Nova Scotia, the principal settlements of the exiles were in the present counties of Annapolis, Digby, Shelburne, and Guysboro'—so named from Sir Guy Carleton—but a considerable number also found homes in the old settled townships where the American Pre-Loyalists, Irish, Germans and others had established themselves from 1749 until 1783.¹ Nearly all the men who came to Nova Scotia and New Brunswick had served in the royal regiments of the old colonies. The condition of many of the people is described in 1783 by Governor Parr, of Nova Scotia, as "most wretched." They were "destitute of almost everything, chiefly women and children, all still on board the vessels," and he had not been "able to find a place for them, though the cold was setting in very severe." Rude huts were erected for the temporary accommodation of these unhappy people when all the available buildings were crowded. At Shelburne, on the first arrival of several thousand exiles, chiefly from New York, there were seen "lines of women sitting on the rocky shore, and weeping at their altered condition." Some of these people, says Sabine, tried to make merry at their doom, by saying that they were "bound for a lovely country, where there are nine months' winter and three months' cold weather every year"—so little did they know of the climate and resources of their new homes.

¹ See Appendix H for Colonel Morse's "Return of disbanded Troops and Loyalists, settling in the province of Nova Scotia, mustered in the summer of 1784."



VIEW OF HALIFAX (circa 1780).
From the Atlantic Neptune (See page 16 n.)



The Loyalist poet Stansbury ¹ wrote the following verses from Nova Scotia to his wife to whom he did not present a very encouraging prospect for the future :

“ Believe me Love, this vagrant life
O'er Nova Scotia's wilds to roam,
While far from children, friends or wife,
Or place that I can call a home
Delights not me ;—another way
My treasures, pleasures, wishes lay.

“ In piercing, wet, and wintry skies,
Where man would seem in vain to toil
I see where'er I turn my eyes,
Luxurian^s pasture, trees and soil.
Uncharm'd I see :—another way
My fondest hopes and wishes lay.

“ Oh, could I through the future see
Enough to form a settled plan,
To feed my infant train and thee
And fill the rank and style of man ;
I'd cheerful be the livelong day,
Since all my wishes point that way.

“ But when I see a sordid shed
Of birchen bark procured with care,
Designed to shield the aged head
Which British mercy placed there
'Tis too, too much ! I cannot stay,
But turn with streaming eyes away.

“ Oh, how your heart would bleed to view
Six pretty prattlers like your own,
Expos'd to every wind that blew ;
Condemn'd in such a hut to moan.
Could this be borne, Cordelia, say ?
Contented in your cottage stay.”

“ 'Tis true, that in this climate rude,
The mind resolv'd may happy be ;
And may, with toil and solitude,
Live independent and be free.
So the lone hermit yields to slow decay,
Unfriended lives—unheeded glides away.

“ If so far humbled that no pride remains,
But moot indifference which way flows the stream ;
Resigned to penury, its cares and pains,
And hope has left you like a painted dream ;
Then here, Cordelia, bend your pensive way,
And close the evening of Life's wretched day.”

¹ See “ The Loyal verses of Joseph Stansbury and Doctor Jonathan Odell, relating to the American Revolution. Now first edited by Winthrop Sargent, Albany, 1860.” A rare book ; No. VI. of “ Munsell's Historical Series.”

At Guysboro', the first village which was hurriedly built by the settlers was destroyed by a bush fire, and many persons only saved their lives by rushing into the sea. The Loyalists had also to suffer much in the valley of the St. John. Many of the people spent their first winter in log huts, bark camps, and tents covered with spruce, or rendered habitable only by the heavy banks of snow which were piled against them. A number of persons died through exposure, and "strong, proud men," to quote the words of one who lived in those sorrowful days, "wept like children," and lay down in their snow-bound tents to die.

The difficulties of the settlers appear to have been aggravated by doubts as to the location of their promised grants of land, and the cold-



GIDEON WHITE.¹

ness and jealousy with which they were received by the old settlers on the St. John River, who, in the majority of cases, had little sympathy with the resolute loyalty that had driven them from their old homes in the United States. However, the provincial authorities, in accordance with their instructions, did their best to ameliorate the condition of the refugees. Supplies of the necessaries of life were granted to the people for three years. At Port Roseway, now Shelburne, and at the mouth of the River St. John—to quote the words of Colonel Morse, in 1784—“astonishing towns have been raised in less time, perhaps, than was ever known in any country before.” Shelburne was for some years a place of great expectations, and had a population larger than that of Quebec and

¹ From a miniature in possession of N. W. White, Q. C., Shelburne.

Montreal combined, but it transpired after a short and bitter experience that it had none of the elements of stable prosperity, largely owing to the rugged nature of the country around it: and when the British government stopped the supplies and withdrew the troops, its people began to leave and seek homes elsewhere in the provinces, and a few even in the United States. A pretty town now nestles by the side of the beautiful and spacious harbour which attracted the first ill-fated settlers, and its residents point out to the tourist the sites of the buildings of last century, one or two of which still remain, and show you many documents and relics of the days when the old inhabitants were full of hope.

If we review the lists of the Loyalists who settled in the maritime



BISHOP CHARLES INGLIS.¹

provinces, we find the names of many men who had distinguished themselves in divinity, law, medicine and commerce in the old colonies, especially in New England. Among them, there were some who were direct descendants of the famous Puritan migration of 1629-1640. A few were sprung from the Huguenots—the Bayards for instance—who fled from France on the revocation of the edict of Nantes. I shall only now recall the names of Inglis—who gave two bishops to the Church and a famous general to the British army—Mather Byles, an ancestor of Senator Almon—Isaac Wilkins, the ancestor of several men distinguished in law and politics—Gideon White, one of the founders of Shelburne and great-grandson of the first born of New England—John Howe, the

¹ This portrait of the first colonial bishop is taken from one in the Magazine of American History, vol. ix., p. 403. It is that generally given in all books relating to the Bishop.

father of the great Nova Scotian statesman, and one of the printers of the *Boston News Letter*—Miner Huntington, who was connected with the Cromwells—Foster Hutchinson, a Nova Scotia judge and brother of the famous historian and loyal governor of Massachusetts—Sampson Salter Blowers, a chief justice—Cunard, the father of the pioneer in successful steam navigation of the Atlantic—Timothy Ruggles, who had been president of the stamp act congress, of 1765—Halliburton, one of whom became a chief justice—Marshall, one of whom was a speaker of the assembly and another a well known judge—Johnston, the famous leader of the Conservative party—Jones, one of whose descendants is a well known resident of Halifax, and was a member of Mr. Mackenzie's Liberal ministry of 1873-1878—Vail, one of whose descendants was a minister in the same government. Fielding, Savary, Gesner, Seaman, Moody, Brenton,



REVEREND DR. MATHER BYLES.

From an old portrait.

Barclay, Ryerson, Nutting, Stuart, Hatfield, Church, Russell, Ray, Robie, Robertson, Blackadar, Blanchard, Van Buskirk, Coffin, Wickwire, and many other familiar names will be found in the annals of the province towards the closing years of last century. Their descendants are still influential in their respective vocations and professions at the present day. A Fielding is the able finance minister of the present dominion government; a Russell is a learned professor in Dalhousie college, and one of the representatives of Halifax in the Canadian House of Commons; a Church is a member of the provincial government; a Ray is a member of the legislative council; a Savary is a judge in the historic county of Annapolis where he relieves his judicial duties by a close study of local history; a Blackadar is still connected with the well known Halifax journal *The Acadian Recorder*, which was founded by Anthony

Henry Holland as early as 1813, and published by the Blackadars since 1837; a White was for some years a representative of the historic county of Shelburne in the dominion parliament, and is one of the leading barristers of the western district.

The town of Sydney had just been founded by Lieutenant-governor Joseph Frederick Wallet DesBarres, in 1784, as the capital of the new colony of Cape Breton, when a body of loyalists arrived under the direction of Abraham Cuyler, who had been mayor of Albany in the state of New York. Among these new settlers were Colonel Peters, Captain Jonathan Jones, Robertson, Lorway, MacAlpine, Moore, Crowdie, Grant, Haire, Gesner, Gammell, Brown, Leonard, and others, whose descendants are still to be found at Sydney, Bedeque, Louisbourg, St. Peters, and elsewhere.¹ Probably two hundred and forty persons of this class settled in the island.

It is an interesting coincidence that on those very shores, which the Acadian exiles of 1755 left in such misery, there landed the far greater proportion of the Loyalists almost in the same spirit of despondency which had been felt by their predecessors in misery less than thirty years before. More than a century has passed since the occurrence of those sad events in the history of America, and the Acadian provinces which are so intimately associated with the sufferings of those exiles have become prosperous and happy communities. On the meadows, won from the sea by the Acadian farmers, there are now many happy homes, and the descendants of the old French occupants of Acadia have villages and settlements within the limits of the ill-defined region, which was known as *Acadie* in the days of the French regime. In the beautiful valleys of the St. John and Annapolis, by the side of many spacious bays and picturesque rivers of Nova Scotia and New Brunswick we find the descendants of the Loyalists, living in content and even affluence—occupying the highest positions of trust and honour. By the St. Lawrence and the Canadian lakes we see also many thousands of people who proudly trace their lineage to the same migration; who have the same story to tell of suffering and trial in the past, of courage and patience triumphant in the end, of the wilderness made to blossom as the rose. In the records of industrial enterprise, of social and intellectual progress, of political development, we find the names of many eminent men, sprung from the people, to whom Canada owes a deep debt of gratitude for the services they rendered her in the formative period of her chequered history. If the provinces of British North America have been able at most critical periods to resist the growth of purely republican ideas, and to adhere to England, credit is largely due to the principles which the Loyalists handed down to future generations after their migration of the last

¹ See "A History of the Island of Cape Breton." By R. Brown, F.G.S., F.R.S.S., London, 1860. Also Bourinot's Cape Breton.

century to the Atlantic provinces and the country in the valley of the St. Lawrence and great lakes.¹

VII. Scotch Settlement.—The first attempt to colonize Nova Scotia with Scotch settlers was made by Sir William Alexander under the royal charter of 1621. His son took out in 1628 about seventy of his countrymen, whom he placed on the north-western or Granville side of the basin of Port Royal, under the protection of a fort which he erected on the site of the old French corn-fields. Nothing came of the experiment, as Nova



A BADGE OF THE BARONETS OF NOVA SCOTIA.

Scotia was again ceded to the French under the treaty of St. Germain-en-Laye, in 1732, and the Scotch fort was abandoned. A number of the settlers had died during their short residence in the country and the remnant went to New England or returned to Scotland.² The only memorials that remain of this unsuccessful effort to found a permanent Scotch settlement in Acadia are the present name of the province and the title which was established by the king in 1625 to assist Alexander's plan

¹ A fairly accurate list of the principal Loyalists who settled in the province of Nova Scotia, will be found in "Biographical Sketches of Loyalists of the American Revolution, with an Historical Essay, by Lorenzo Sabine. In two volumes. Boston Ed. of 1864." A list of Boston Loyalists, who migrated to England and her colonies, can be also seen in the third volume, (pp. 175-180) of "The Memorial History of Boston, edited by Justin Winsor, Boston, 1881." See also an article by the present writer on "The Loyalists of the American Revolution" in the *Quarterly Review*, October, 1898. Also an article by the same in *The Canadian Magazine*, April, 1898.

Mr. George Johnson, the able Dominion Statistician, in a letter to the author, estimates that the number of the descendants of the Loyalists reached, in 1891, over five hundred thousand in the Maritime provinces, and over seven hundred thousand for all Canada. See "Trans. of the U. E. Loyalists' Association of Ontario," for 1895, pp. 73-74.

² See a valuable paper on Sir W. Alexander's experiment by Dr. Patterson in the *Trans. Roy. Soc. Can.* vol. X., Sec. 2. Also, *supra*, p. 12n, where allusion is made to a probable descendant of one of the Scotch settlers who remained in Nova Scotia.

of colonization. Baronets of Nova Scotia were to be created to the number of one hundred and fifty on condition of paying a large fee and settling considerable grants of land attached to the title. Such a scheme was quite in accordance with the spirit of the age and it might have brought some colonists to the peninsula as well as to Cape Breton, included in the charter, had Charles of England not handed Nova Scotia back to France in his desire to please her king.¹ The title continued to be

¹ Whilst this work was in the printer's hands, Sir E. MacKenzie-Maunde-Thompson of South Yarra, Melbourne, Australia, has kindly sent me a copy of an interesting pamphlet by Major Francis Duncan of the Royal Artillery on "The Royal Province of New Scotland and her Baronets," [1878], from which I make the following extract: "The colonial policy of James I. had in it much of the paternal, as was to be expected in days when the rights of kings were considered divine, but it was also eminently shrewd, far-seeing and commercial. To persuade men to quit their homes, however poor and rough, was in the beginning of the seventeenth century a very different thing from what it is now The figuratively mailed hand had to seize the land before the naked hand could till in safety. The emigrant to a soil unsettled, uncivilized and without law, dared not go out a lonely pioneer, but must be one of a strong and sympathetic band. Temptation of no ordinary degree was needed to secure a good stamp of emigrants. In the case of New Scotland it took the form of titular honours, combined with prospective possession in a land which a patriotic king had determined should have a special alliance and sympathy with the country of his birth, James I. conceived the scheme; it was uppermost in his mind when he died; but it fell to his son to carry it into execution." Three years later than the charter given to Alexander for the colonization of Nova Scotia, "on the 18th October, 1624, King James announced to the privy council his intention of erecting the hereditary order or dignity of *Baronet* within the kingdom of Scotland *for the purpose of advancing the plantation of Nova Scotia*. With some fervour he added that he proposed to make this undertaking, of which he was so hopeful, a *work of his own*, and he felt confident that from so noble a purpose *the whole nation* would have honour and profit. In their reply¹ the Lords of the privy council showed that they clearly recognized the king's patriotic motive, for they alluded to 'His Majesty's great affection toward his ancient kingdom of Scotland, and his most judicious consideration in making choice of so excellent a means, both noble and fit, for the good of the same.'

"On his death-bed,² with plaintive but earnest words, the king again alluded to what was still uppermost in his thoughts, although to his son was to fall the *privilege* of carrying out his scheme. He spoke of it as a *good work*, a *Royal work*, and one for the good of *the kingdom in general*, as well as for the particular interest of every baronet.'

"It will thus be seen that King James I. was actuated by pure motives in founding this order; that he desired to establish across the Atlantic a country which should be a complement to his old kingdom of Scotland, and which should be knit to it by special ties of commerce and of sentiment, and that he endeavoured by the offer of titular honours, and promises of land, to tempt men to emigrate, whose social position would ensure them a considerable number of followers, and assist them in maintaining their authority as leaders in the distant community which it was proposed to form. It is to be regretted that partly through misunderstanding of the original scheme—partly through the vicissitudes of subsequent conquests—the special connection between old and new Scotland, except in the districts of Cape Breton and Pictou, has never been established. The special rights given to the baronets on their creation have long fallen into desuetude, and, except with the consent of the provincial government, could never be revived."

¹ Nov. 23, 1624. ² March 24, 1625.

conferred without reference to the conditions of the original patent until the legislative union of Scotland with England, when such separate orders were superseded by the one general title of baronet of the United Kingdom.¹

A number of natives of Scotland came to Halifax during its early days, and many of the New England immigrants of 1760-62 were of Scotch descent.² As early as the 20th March 1768, the North British Society was instituted in Halifax, and has had a continuous and successful career to the present time. On the same day St. Andrew's Lodge of Free and Accepted Masons was organized and subsequently chartered.³

The great Scotch immigration, which has exercised such an important influence on the eastern counties of Nova Scotia—and I include Cape Breton of course—commenced in 1773, when over thirty families arrived from Scotland and settled in the present county of Pictou, where a very few American colonists from Pennsylvania had preceded them.⁴

¹ By a royal warrant of Charles I. in 1629 the baronets were entitled to wear as a "personal decoration," an orange tawny riband and badge—viz. : in a scutcheon, argent, a St. Andrew's cross, azure, thereon an inescutcheon of the royal arms of Scotland, with an imperial crown above the scutcheon and encircled with the motto "Fax Mentis Honestae Gloria," being the motto of Henry Prince of Wales, the eldest son of the royal founder of the order." (See Burke's *Peerage and Baronetage*, p. 39.) The title is still borne by heirs of the baronets created in the seventeenth century. For instance, the Earl of Aberdeen, late governor-general of Canada, inherits the title from Sir John Gordon of Haddo, who was created in 1642. The premier baronet is Sir Robert Glendonwyn Gordon of Letterfourie, Banffshire, by virtue of his descent from that Sir Robert Gordon of Gordontown, a younger son of the Earl of Sutherland, who was the first person dignified with the title in 1625. The Earl of Granard dates his baronetcy to that of Sir Arthur Forbes, who was created in 1628. Sir W. Stuart Forbes, of Pitsligo, can trace the title to 1626; Sir Duncan Edwyn Hay, of Smithfield and Haystoun, Peeblesshire, to 1635; the baronetcy of Sir Arthur Henry Grant, of Monymusk, was created as late as 1705; that of the Earl of Minto (Elliot), now governor-general of Canada, in 1700; in both cases, before the union of the two kingdoms in the days of Queen Anne.

For a list of the original baronets of Nova Scotia, see "Royal Letters, Charters and Tracts relating to the colonization of Nova Scotia and the institution of the order of knights baronet of Nova Scotia, 1621-1638. Published by the Bannatyne Club, Edinburgh, 1868." The sketch of the badge in the text is taken from one sent me by Sir E. M. Maunde-Thompson, and differs slightly from the one in Debrett. In most cases the badge is described as oval in shape, but the sketch in the text shows that it was not necessarily so.

² In 1767, according to the official return of that year, there were only a hundred and seventy-three persons given as Scotch, but among the large proportion of people recorded as Americans and Irish there were a considerable number of Scotch origin. See Appendix F.

³ See "Annals of the North British Society of Halifax, N.S., for 125 years; compiled by T. S. Macdonald, Halifax, N.S., 1894." The first members of this body were as follows: John Gillespie (Moderator or President), John Taylor, James Clark (Secretary), William Scott, William McLennan, Robert Kills, John Fraser, Walter Harkness, John Geddes, Daniel Morrison, James Thomson, John McCrae, William Luke, and Thomas McLennan.

⁴ See Dr. Patterson's "History of the County of Pictou," Montreal, 1877.

In later years a steady tide of Scotch population flowed into eastern Nova Scotia and did not cease until 1820 and even later. The first direct migration of Scotch arrived at Sydney in August, 1802. A great current of population then began to flow into Cape Breton from the islands and northern parts of Scotland where the great landlords wished to rid their estates of their peasantry and turn them into pasture lands for the raising of cattle and sheep, just as in later times they have driven off the humble crofters from lands which they wish to make preserves for deer. This Highland migration settled the counties of Pictou and Antigonishe, in Nova Scotia, and then began to find its way to Cape Breton, at first to the western coast. From the close of the last century, when this population first came into the country, until the reunion with Nova Scotia when it began to practically cease, at least twenty-five thousand persons are estimated to have settled on the public lands, waste for so many years. Cape Breton from that time was no longer a French but a Scotch colony, whose old homes must be sought in the Hebrides, on the rocky, windy shores of far away Lewis or Stornoway, or in some rude sheiling by the side of a lonely loch or stream amid the mountains of northern Scotland. The Scotch population in the early days of settlement led quiet uneventful lives on that remote island of eastern North America, though sometimes their thoughts went back to the islands of their native land.

“ From the lone sheiling of the misty island
Mountains divide us, and a waste of seas,
Yet still the blood is strong, the heart is Highland
And we, in dreams, behold the Hebrides.

“ We ne'er shall tread the fancy-haunted valley
Where, 'twixt the dark hills, creeps the sma' clear stream,
In arms around the patriarch banner rally,
Nor see the moon on royal tomb-stones gleam.

“ When the bold kindred, in the time long vanished,
Conquered the soil and fortified the keep.
No seer foretold the children should be banished
That a degenerate lord might boast his sheep.”¹

But memories of the “lone sheiling of the misty island” were soon effaced by the struggle for existence in the new world, and the descendants of the Highlanders even learned to forget their poverty and wretchedness and the greed of the great lords under whom they lived, and to congratulate themselves on the complete freedom which they enjoyed on lands which were now their own, and which with industry and patience gave them at least a comfortable subsistence. The waters that surround the island, and the numerous streams which everywhere find their way to the sea, abound in fish of all kinds, and it was easy for them to live comfortably in this

¹ These verses are taken from a translation of an alleged Gælic Canadian boat song that appeared in *Tait's Magazine* for June, 1849.

new land compared with the one they had left. As the country grew older, as its means of communication increased—very slowly it must be admitted in this long neglected island—as its great coal mines were developed, the appearance of Cape Breton improved much for the better. Many of the children of the old settlers went to the American cities, and returning from time to time to their old homes, brought with them fresh ideas which have already made their influence felt, even in the remote Scotch and Acadian settlements. Sir William Alexander's dream of a new Scotland has been realized in a measure in the eastern parts of the province where it was his ambition to be "lord paramount." But now, instead of the titled proprietors, who were to divide the country amongst



REVEREND DR. FORRESTER.

them, instead of the baronets with their glittering insignia and armorial bearings, we have stalwart Scots, clad in home-spun, or broad-cloth on holidays, and answering to the historic names of Archie Campbell, Donald McDonald, Alec Fraser, Dan Morrison, Rory McLennan, Sandy McPherson, "and others of that ilk," very familiar to the Scottish glens and lochs and mountains. The total Scotch population of the country, east of Halifax and the Avon is about one hundred and twenty-five thousand, of whom at least sixty thousand are settled in the four counties of the island of Cape Breton.¹ The Scotch population for a century of our history have given to the province many men famous in education,

¹ See Brown's Cape Breton; Bourinot's French memorials of Cape Breton, and an interesting article in the *Halifax Herald* for August 11, 1892, on "Glimpses of Cape Breton" by Professor B. Rand, of Harvard University.

science, letters, divinity, law and politics. Notably the Reverend Doctors MacGregor and MacCulloch—to the latter of whom Pictou Academy owes its existence—Chief Justice Sir Brenton Halliburton, Chief Justice Sir William Young, Judge Haliburton, (“Sam Slick”), the Reverend Dr. Forrester, superintendent of education for years, the Honourable James MacNab, long prominent in the ranks of the Liberal party, Sir James William Dawson, the scientist, Principal Grant, now the able head of Queen’s University at Kingston in Ontario, the Reverend Dr. Patterson, the archæologist and historian—a descendant of one of the first Scotch settlers of Pictou—the Honourable A. W. McLelan, once finance minister of Canada and lieutenant-governor of Nova Scotia, Dr. A. H. Mackay, present superintendent of education, Mr. Simon H. Holmes, once a Conservative premier, the Reverend Dr. Forrester, now head of Dalhousie College, the Honourable William Ross, minister of militia in the dominion government of 1873-1878, Chief Justice Macdonald of the provincial supreme court, Professor MacGregor of Dalhousie—a grandson of the Reverend Dr. MacGregor—Mr. Justice Henry of the supreme court of Canada, Mr. Justice Sedgwick of the same court, whose brother was an eminent moderator of the Presbyterian Church of Canada, Bishops Fraser, McKinnon and Cameron of the Roman Catholic Church, Premier Murray of the present Liberal ministry of the province, Lieutenant-Governor McInnes of British Columbia, and very many others who might be named to show how important has been, and is still, the influence of the Scotch element on the political, material, moral and intellectual development of the province.

VIII. Influx of Irish.—I have now briefly referred to the important migrations of the Pre-loyalists, Loyalists and Scotch settlers from whom by far the greater proportion of the present inhabitants of Nova Scotia have sprung. It must not be supposed, however, that I intend to do any injustice to the Emerald Isle because I have not so far spoken of its influence on our people.

The Irish have never formed a large class as compared with the English, Scotch and New England immigrants. I have mentioned that some Ulster Presbyterians of Scotch descent settled in the present county of Colchester and in other parts of the province at an early date. The Roman Catholic Irish only came in later times, chiefly to the city and county of Halifax, where they have been for years an influential, and, on the whole, prosperous class. We can recall many men of this versatile race who have distinguished themselves in politics, in commerce, in law, in divinity, and in letters. Need I tell you of the Uniackes, more than one of whom was famous for eloquence? Of Lawrence Doyle, who illustrated the wit and genius of his nationality? Of Sir Edward Kenny, an example of great success in commerce and a member of the first dominion government, whose sons have won distinction in the church and in parliament?

The name of Uniacke recalls gentlemen distinguished in law, politics, banking and divinity, in the annals of Nova Scotia for a century, and even to the present time. The family are of Irish origin, and the first of the name to win fame in the province was Richard John¹ who became speaker of the assembly, attorney-general and member of the council. He held the position of attorney-general, with a seat in the council, for over thirty years, and had strong claims to the chief justiceship of the province, but he never reached the legitimate goal of an able lawyer's ambition. In his short legislative career as a member of the assembly, he showed that he comprehended the principles of popular government, and was found on more than one occasion asserting the privileges and rights of the people's house, though in later years as chief law officer of the Crown he showed Tory learnings at times. He had an Irishman's sense of humour, and was a fluent speaker, though he never reached the height of eloquence possessed by his fourth son, James Boyle. His eldest son, Norman Fitzgerald, became an attorney-general and judge in Lower Canada.² His third son, Richard John the younger, became a judge of the supreme court. In 1827 he moved a resolution which had the result of abolishing the test oaths, which practically shut out Roman Catholics from the legislature. Another member of the same family, James Boyle Uniacke, was even more distinguished at a later time, when responsible government was being vigorously fought for by Howe, Young, Hunting-

¹ R. J. Uniacke came first to Nova Scotia at an early age and was arrested in Cumberland county, in 1777, when a number of persons sympathized with their countrymen in New England and were engaged in treasonable practices against England. He was released and went to Ireland, where he studied law. He went then to Nova Scotia where he was given the high legal positions mentioned above. He died in 1830 in Halifax. For the on'y full account of the life of R. J. Uniacke, (the elder), see vol. IX. of collections of N. S. Hist. Soc. (1895), in which Senator Power has compiled a great many interesting details never before given to the public. Few families in Nova Scotia can claim a more distinguished lineage than the Uniackes. A writer in the *Youghal Parochial Magazine* gives the following account of the origin of the name: "Soon after the great Geraldine race had settled in Ireland, their chieftain in the west and south, who owned the whole territory called Desmond, was at war with one of the native princes. A desperate attempt was to be made on some castle or town wall, or a narrow breach entered where one should lead the way. When the proposal was made to the whole army as to who would undertake this exploit, or 'lead the forlorn hope,' as it would be called in modern times, a young man, named Fitzgerald, immediately came forward and undertook the venture. He succeeded beyond the expectations of all; and as no one else had seemed inclined to attempt the feat, he was ever afterwards called 'Unicus' (the only one); and this epithet, which assumed the form of 'Unick' or 'Unak' for years among the posterity of the brave knight, gradually glided into the present family name of 'Uniacke.'" The mottoes of the family are "Unicus Est" and "Faithful and Brave."

² Morgan's "Celebrated Canadians" falls into the error of confounding this son with the father who was never attorney-general of Lower Canada. See "The New Brunswick Historical Magazine" for December, 1898 (p. 395), where Norman F. Uniacke's death at Halifax in 1846 and details of his career are given.



ATTORNEY-GENERAL R. J. UNIACFE

See note, p. 41.

ton and others. Uniacke joined the liberal forces at a critical time, when Sir Colin Campbell, an honest but obstinate old soldier, and confirmed Tory, was throwing obstacles in the way of the establishment of responsible government. In later years Howe and Uniacke became colleagues in several administrations, and when the latter died the great Liberal paid to his memory an eloquent tribute. "His noble form," said Howe, "easy deportment, graceful manners, and ready flow of language, are familiar to many. . . . A mind ever fruitful, a tongue ever eloquent, humour inexhaustible, and pathos which few could resist, were among



ARCHBISHOP CONNOLLY.

the gifts or attainments of my honourable friend. His colloquial powers were even more marvellous than his forensic or parliamentary displays. He charmed the senate by his eloquence; but how delightful was he when surrounded by a knot of friends beneath the gallery or seated at the head of his own hospitable board." But the very exuberance of his social gifts, his irrepressible love for companionship, during the close of his brilliant life, impaired the vigour of an intellect which might have achieved much more for Nova Scotia under happier and wiser conditions.¹

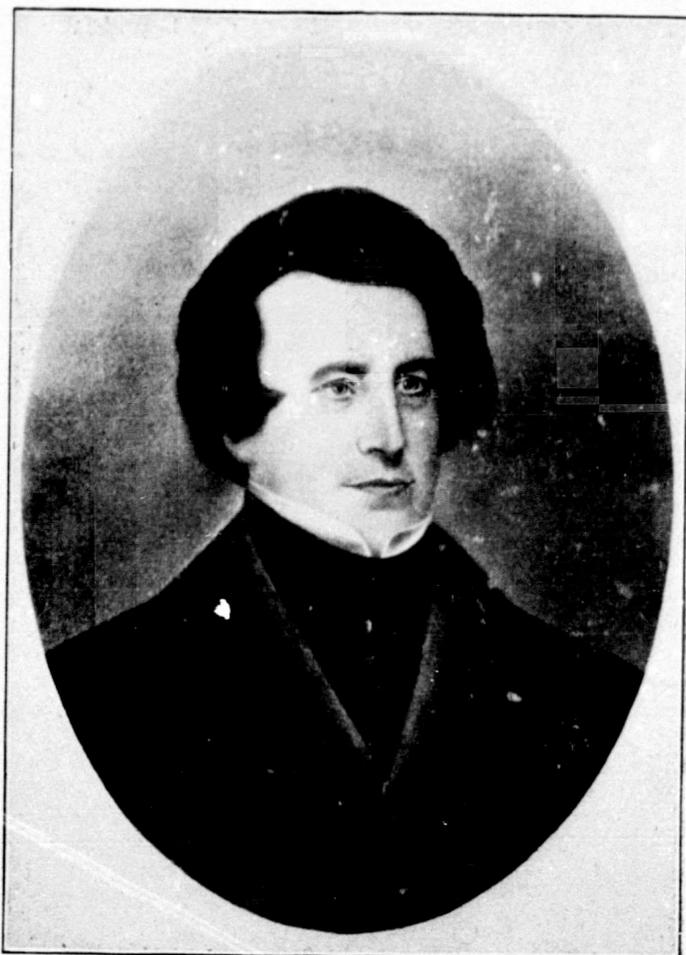
¹ I am indebted to Mr. James J. O'Brien, secretary of the Irish Charitable Society, for the portraits of the two Uniackes that appear in this book. I understand that the portraits in the possession of this society are taken from the original paintings in the possession of the Rev. J. B. Uniacke, of Mt. Uniacke, the well known country seat of the family. Attorney-General R. J. Uniacke was the first president of this society, which was founded on the 17th January, 1786, and continues to show every evidence of usefulness. The other officers were: vice-president, Thomas Cochran; first assistant vice-president, G. W. Sherlock; treasurer, Charles Hill; and secretary, Gerald Fitzgerald. For interesting details of distinguished men connected with this historic society, see a paper by Mr. O'Brien contributed to the *Halifax Herald* of the 17th March, 1896.

I might also refer to the Tobins, once conspicuous in public affairs, as the annals of the old council chamber show; to the Powers, one of whom is now an energetic and able member of the upper house of the Dominion; to Judge McKeagney, of Sydney, who died a member of the supreme court of Manitoba. Martin J. Griffin, formerly a clever journalist, and now an accomplished librarian of the dominion parliament, is of the same origin. Archbishop Connolly, that generous, whole-souled, hospitable prelate, was not a Nova Scotian by birth, but he always identified himself with its best interests and must claim honourable mention here. The present archbishop, Dr. O'Brien, is a native of



SIR EDWARD KENNY, KNT.

Prince Edward Island, but we must also place him on the list of those adopted sons of Nova Scotia who have won a reputation not only in the church but in letters. The present lieutenant-governor, Mr. Daly, bears also an honoured Irish name, long identified with colonial history, and all Nova Scotians will admit that the province was exceptionally favoured when he was chosen to preside at government house with that ability, dignity and discretion, which place him deservedly in the foremost rank of dignitaries who have filled the same position since it was opened to the laudable ambition of Canadians by the formation of the Dominion.



HON. JAMES BOYLE UNIACKE.

See note, p. 41.

II.

ESTABLISHMENT OF THE GREAT CHURCHES.

I. Roman Catholics.—This review of the founders of Nova Scotia would be very incomplete, did it not include some mention of the great influence exercised on the social and moral development of the people by the clergy of various denominations in the early days of the province. The French missionaries to Acadia were necessarily the first to enter on the field of religious effort within the limits of the present dominion of Canada. Two priests, one of whom was Father Aubry, as well as two Huguenot ministers, accompanied Sieur de Monts in 1604, and religious controversy is said by Champlain to have raged, consequently, with much vehemence at Port Royal. The Huguenots, however soon disappeared, and the Jesuit Fathers, Pierre Biard, Ennemond Massé, and Guertin, and Brother Du Thet entered into the wilds of Acadie between 1611 and 1613. The first convert among the Indians, the old Micmac Sachem Membertou, a steadfast friend of the French colonists, was brought into the church by Father LaFlèche. The ruthless freebooter Argall, of Virginia, in 1613 broke up the little mission near the mouth of the Penobscot (Pentagoët) and the settlement on the western bank of the lovely basin of Port Royal. In the course of time, as the Acadian settlements grew up in the province, Récollet and other priests were sent to the province by the ecclesiastical authorities at Quebec, and accounts have come down to us of faithful and unselfish devotion to their flocks. These French missionaries were loyal to France previous to 1755, when the Acadians were expelled, but only one of them, LeLoutre, appears to have forgotten the duties of their peaceful office, and acted as a dangerous secret emissary of the French government. One of the most notable missionaries was Antoine Maillard, who was vicar-general at Louisbourg until the capture of the town by the English in 1758, when he was invited to come to Halifax and assist the government in the pacification of the Indians of the province. On his death in 1762, he was succeeded by Father Bailly, an earnest, useful

missionary, who did good service in reconciling the Indians to British rule. At a later time, when the Acadian settlements were populous and prosperous, the Abbé Sigogne, a most scholarly priest, made for himself an historic name for the fidelity and ability which he showed for nearly fifty years in the western parts of the province.

For some years after the foundation of Halifax, the British authorities passed various statutes which prevented Irish or English speaking Roman Catholics from holding titles to land, building churches, or obtaining the ministrations of their own clergy, although there was a large number of Irish, nearly all Roman Catholics, living in Halifax. In 1783 these obnoxious regulations, chiefly inspired by the New England element that so largely prevailed in the province, were repealed, and in 1784 the frame of the first Roman Catholic church was raised in the capital on the site where now rises stately St. Mary's Cathedral, on Spring Garden road, and in 1785 the Reverend James Jones, the first Irish priest in Nova Scotia, was given charge of the parish. Other useful workers in the infancy of the Irish Catholic Church in the peninsula of Nova Scotia were Fathers Power, Grace, Whelan, and J. McDonald. The founder of the Trappist Monastery at Tracadie, Father Vincent, was also a prominent worker in those early days.

The first priest who came to Nova Scotia in connection with the Scotch migration was the Reverend James McDonald, who arrived in Pictou in 1791, and laboured there and in other places. Father Angus Beattie McEachran, afterwards bishop of Prince Edward Island, also ministered at a very early date to the spiritual wants of the Roman Catholics of eastern Nova Scotia and Cape Breton, especially of the Gulf shore. The first Highland Catholic Church in Nova Scotia was St. Margaret's at Arisaig, and was begun and built of logs in one day. Father Alexander McDonald—not the vicar-general of the same name at a much later time—became the first regular pastor of St. Margaret's in 1802, and for over twelve years divided with Father McEachran the labour of ministering to the religious necessities of the Scotch and English speaking Catholics of the eastern parts of Nova Scotia and Cape Breton. In later years the following priests were the workers: Fathers Gaulin, consecrated Bishop of Kingston in 1832; Thomas Chisholm, Colin Grant, James Grant, William Dollard, afterwards first bishop of New Brunswick; William Fraser, later a bishop; William McLeod, Neil McLeod, afterwards vicar-general, whom the present writer in his boyhood often met at East Bay, and I must add the present venerable parish priest of Sydney, Father Quinan, loved by Protestant and Catholic alike.

The first missionary to labour among the Acadians in Cape Breton from 1798 to 1808 was Father Gabriel Champion who was driven by the revolution from Avranches, in France. Later workers in the same field in Cape Breton were: Fathers Amable Richard, Antoine Manseau,

Magloire Blanchet, the bishop of Walla-Walla in 1848, who transferred his see to Nesqually in 1850, and died at Vancouver in 1887; Julien Courteau, Le Jamtel, Auguste Lairey, Mgr. Gaulin, mentioned above; Hyacinthe Hudon, afterwards vicar-general of Montreal; J. B. Potvin, J. B. Maranda, Joseph Trudel and M. Vincent, the founder of the Trappist monastery at Tracadie.¹

The most notable incident in the beginning of the present century was the arrival of the scholarly, earnest priest, Reverend Edmund Burke, who had for years been a faithful worker in the provinces of Canada.² He performed a meritorious work for religion and education among the



BISHOP BURKE.

people for whom he laboured so conscientiously for nearly twenty years. In 1817 he was appointed bishop of Zion, and first vicar-apostolic of Nova Scotia, though he was not consecrated until the following year. He was succeeded as vicar-apostolic by the Reverend William Fraser, who became in 1842, bishop of Halifax³—including then Nova Scotia and Cape Breton—

¹ For these minute details of Roman Catholic missions in eastern Nova Scotia, I am indebted to Vicar-General Quinan, D.D. (Laval).

² "Memoirs of the Right Rev. Edmund Burke, Bishop of Zion, first Vicar Apostolic of Nova Scotia, by the Most Rev. Cornelius O'Brien, D.D., Ottawa, 1894". 8vo. (Illustrated). This interesting little volume contains in the appendix "a partial list of missionaries who laboured in Acadia from 1604 to the expulsion, 1755", as well as "a complete list of priests who laboured in the mission of Nova Scotia", which included Nova Scotia, Cape Breton, Prince Edward Island and the eastern part of New Brunswick, from the expulsion, 1755, to the death of Bishop Burke, 1820.

³ As some confusion exists as to the actual date of the foundation of the Roman Catholic See of Halifax, I give the following note from His Grace Archbishop

and when he was transferred in 1844 to the new diocese of Arichat, the Right Reverend William Walsh, who had been his coadjutor, became his successor in the see of Halifax, and, in 1852 the first archbishop. He organized the diocese very thoroughly, and was an important entity in the affairs of the province, where he died in 1858. His successors in the archiepiscopal see have been the Most Reverend Thomas Connolly, Michael Hannan, and Cornelius O'Brien. The diocese of Arichat as established in September, 1844, comprised the three eastern counties of Pictou, Antigonishe, and Guysboro', and all of the island of Cape Breton. Bishop McKinnon succeeded Bishop Fraser in 1852, and when he died in 1877, the Right Reverend John Cameron, who had been his coadjutor since 1870, was elevated to the see over which he continues to preside with energy and ability. In 1886 the title was changed from Arichat to Antigonishe, where the bishop resides and has a fine cathedral. The college of St. Francis Xavier, founded by Bishop McKinnon in 1853, is also established in the same pretty town, embowered in willows, and surrounded by picturesque hills with well cultivated slopes.

The Roman Catholics are now the most numerous denomination in Nova Scotia. By the census returns of 1890-91 they numbered over a hundred and twenty-two thousand souls. The number of priests at the present time in Nova Scotia proper and Cape Breton island are a hundred and eight with about a hundred and seventy-three chapels to attend.

II. Church of England.—I have given priority to the Roman Catholic Church because its missionaries were the pioneers in Acadia. The Church of England, however, had its teachers in the province, when Nova Scotia became an English possession by the treaty of Utrecht, and eventually when Halifax was founded it became practically a State church for very many years in the formative period of English institutions. Army chaplains necessarily for a while performed religious services at Annapolis, but the Society for the Propagation of the Gospel extended their operations to the province as early as 1722. The Reverend Mr. Watts was the first school-master and missionary who was paid by that old and historic

O'Brien, who is always ready to aid his fellow students in history and literature : " The Vicariate of Nova Scotia was erected into a diocese and called the See of Halifax in January, 1842. Bishop Fraser, previous vicar apostolic, was appointed its first bishop, and Dr. Walsh his coadjutor. I have not at hand the official document, or Bull of erection, but proofs of the fact abound. (1.) I have letters of Bishop Fraser's up to November 20, 1841, and he always signs Bishop of Tanca. The first of his which I have in 1842 is dated 20th October, and he signs Bishop of Halifax. (2.) Bishop Walsh in a brief memorandum of events in his life says: ' Coadjutor-Bishop of Halifax *cum jure successione*, January, 1842.' Shortly after his arrival in Halifax, viz., on 4th November, 1842, he officially signs ' Coadjutor of Halifax ' to documents and letters. Later on he speaks of, and addresses Dr. Fraser as ' Bishop of Halifax.' There are other proofs, but these suffice. Both Bishop Fraser and Bishop Walsh knew their correct titles. Their letters establish the erection of the Diocese of Halifax in 1842. In Sept., 1844, the diocese was divided, and Bishop Fraser transferred to the new See of Arichat. For a few months Dr. Walsh was ' Apostolic Administrator ' of the diocese of Halifax, and then became its second bishop. "

institution so intimately associated with the establishment of the church in all the colonies of the British crown. The first missionaries, sent out in 1749 and the following years, were Reverend Messrs. Anwell, Moreau, Tutty, and Breynton. St. Paul's Church—the oldest Protestant church in the Dominion—was commenced in 1750 on its present site, with materials brought from New England, and was opened for service in an



OLD SAINT PAUL'S CHURCH IN 1800 AND LATER.

incomplete state on the 2nd September, 1750, by the Reverend Mr. Tutty, who died in 1754, and was succeeded by the Reverend Mr. Breynton. The present St. Paul's¹ has had additions made in the course of a hundred

¹ St. Paul's church contains more mural tablets and escutcheons than even the Anglican Cathedral at Quebec. Governor Lawrence was first buried in its vaults and his escutcheon has been placed on its walls. Other eminent men buried here are the following: Baron de Seitz, Baron Kniphausen, both Hessian officers; Lord Charles Greville Montagu, another distinguished military man; Vice-Admiral John Parr, a governor of Nova Scotia, at the time of the coming of the Loyalists, in honour of whom St. John, N. B., was first called Parrtown; Sir John Wentworth, Bart., the Loyalist governor of Nova Scotia, formerly of New Hampshire; Chief Justices Jonathan Belcher, Bryan Finucane, Sir Brenton H. Halliburton; Right Reverend Charles Inglis, first bishop, and a number of other distinguished persons identified with the early history of Nova Scotia. Among the mural tablets are those of the first bishop, Charles Inglis, and of his son, John Inglis, third bishop; Sir John Wentworth, named above; Captain Evans of H. M. S. *Charlestown*, killed in action 1781; Lord Montagu, mentioned above; Sir John Harvey, a lieutenant-governor of Nova Scotia, the hero of Stoney Creek in the war of 1812-14; Chief Justices Blowers and Halliburton; Mr. Justice Uniacke, to whom I refer on page 40; Brigadier General McLean; Hon. M. W. B. Aimes; Mr. Justice Norman F. Uniacke of the Superior Court of Lower Canada; Mr. Justice J. W. Ritchie of the Supreme Court of Nova Scotia (see *infra*, page 78); Archdeacon Willis, long a

and fifty years but its main framework is the same as in the middle of last century. Old St. George's, the next oldest historic church, always kept in repair since 1760, is to be seen on Brunswick street at the corner of Gerrish, so named from one of the early settlers. It is now always called the "Little Dutch Church" because it was built for German converts soon after the completion of St. Paul's. A church first called "Mather's" in honour of the famous Cotton Mather, of New England, was built in 1760 on Hollis street, for the Congregationalists, many of whom came from New England, and the Reverend Mr. Cleveland, great-great-grandfather of a president of the United States, was the first minister. It became, subsequently, the property of the Church of Scotland, and was called St. Matthew's. It was burnt down in 1859, and its congregation moved their church to Pleasant street, at the foot of



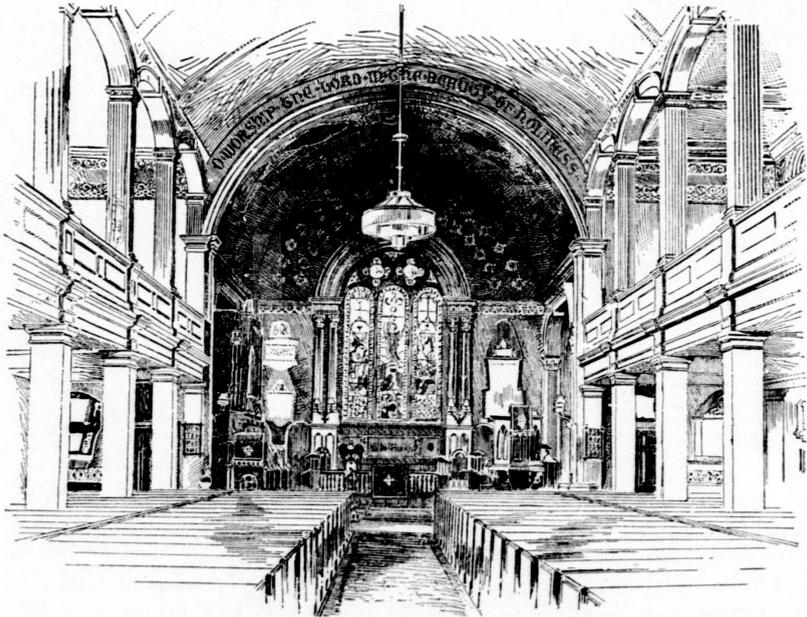
REVEREND DR. BREYNTON OF ST. PAUL'S.

Spring Garden road. The Reverend Mr. Moreau, a most accomplished man, was connected for years with the county of Lunenburg, where he laboured assiduously among the German and French Swiss Protestants. Two other notable clergymen who laboured in the early times of Lunenburg were the Reverend Messrs. Bryzelius and De la Roche.

Among Church of England missionaries from the foundation of Halifax until the Loyalists came in large numbers in 1783 to the lower provinces, we find the following names: The Reverend Messrs. Joseph

familiar figure in Halifax, and many representatives of old Halifax families. The massive silver services for the communion were presented by George II. See St. Paul's Parish "Year Book" (Halifax, N.S., 1899), kindly given me by the Reverend Mr. Armitage, rector, to whom I am also indebted for photographs of Dr. Breynon and others.

Bennett, Robert Vincent, William Ellis, Thomas Wood, John Eagleson, and John Wiswell, whose mission field extended over the districts of Lunenburg, Hants, Kings, Annapolis and Cumberland, where the New England migration had brought a considerable population. Mr. Wood had been an assistant to Reverend Mr. Breynton of St. Paul's, and was noted for his knowledge of the Micmac language, to the study of which he had been directed by his acquaintance with Abbé Maillard. He wrote a grammar, and translated various religious services, which enabled him to be especially useful to the Indians, among whom he worked assiduously.



INTERIOR OF ST. PAUL'S, HALIFAX, AT PRESENT TIME.

The coming of the Loyalists gave a great impulse to the growth of the Church of England, as nearly all of the twenty-eight thousand people, who found their way to the maritime provinces, belonged to that faith. Over thirty clergymen sought refuge in these provinces, between 1776 and 1786, and the majority made their homes in the new colony of New Brunswick. A very few soon left for England, or returned to the United States, where the distinguished Mr. Seabury, of Connecticut, became the first Episcopalian bishop. The following gentlemen remained in Nova Scotia, and ministered to the religious necessities of the exiles whom they had accompanied: The Reverend Messrs. Jacob Bailey, Brudenell, Isaac

Brown, William Clarke, Bernard Michael Howseal, Nathaniel Fisher, John Hamilton Rowland, John Rutgers Marshall, George Panton, Roger Veits, William Walter—the first pastor at Shelburne—Joshua Wingate Weeks, Mather Byles and John Wiswell.

At Sydney, which was made the capital of Cape Breton in 1784, the first clergyman was the army chaplain, the Reverend Benjamin Lovell, but in 1786 the Reverend Ranna Cosset, who was of French extraction, and had officiated in New England, was appointed to the incumbency of St. George's Church, which still stands, though much changed in



OLD KING'S COLLEGE, WINDSOR, N. S.

appearance, on its old site, and has the honou. of being the pioneer church of the English regime in the island.¹

The Rev. Dr. Charles Inglis, who had been a leading divine for many years in New York, and forced to fly from the country when the revolution was successful, was consecrated at Lambeth on the 12th August, 1787, as the first bishop of Nova Scotia—and of the colonies in fact—with jurisdiction over the provinces of Upper and Lower Canada, New Brunswick, Prince Edward Island, Bermuda and Newfoundland,

¹ See an interesting article on "The Historic Anglican Church of Sydney", in the *Halifax Herald*, June 27, 1896, by Archdeacon Smith, D.D., rector of St. George's. The same paper has also published a series of valuable papers on "Historic Churches of Nova Scotia".

until the Right Reverend Jacob Mountain was consecrated in 1793 first Anglican bishop of Quebec. Bishop Inglis was a member of the executive council and exercised great influence in the government of the province. He was the founder of the University of King's, which had its beginning as an academy, in 1787, became a college in 1789, and received a royal charter in 1802. It received large imperial and provincial grants for many years, and was a power in the politics of the country, when a fierce controversy raged between the supporters and opponents of denominational colleges. Among the distinguished men who were educated within its walls in its palmy and prosperous days were Judge Haliburton ("Sam Slick"), Sir John Eardly Wilmot Inglis, of Lucknow fame, Chief Justice Cochran, of Gibraltar, Judge R. J. Uniacke, Bishop John Inglis, Chief Justice Stuart, of Lower Canada, Reverend Dr. Crawley, Judge Wilkins, Martin J. Wilkins, Rev. Dr. McCawley (a president of the college), Judge Bliss, Sir Edward Cunard, Judge John Gray, Honourable J. Boyle Uniacke, Chief Justice Jarvis, of Prince Edward Island. Until the separation of the executive from the legislative council, and the foundation of a responsible system of government, the Church of England was practically dominant in official life. In an address of the assembly to the king in 1837, praying for an elective legislative council and other constitutional changes, it was set forth that the Church of England though only one-fifth of the population of the province, had nine members in the council, while the Presbyterians, who were more numerous, had only two members, and the Roman Catholics, who were about equal, had only one, and the other religious bodies none at all, on the board. The Episcopalian bishop had also a seat at the council, but the same privilege was not extended to the Roman Catholic episcopacy. The Church of England has made more progress since it is removed from the political animosities and religious jealousies which its position evoked in old times. At present, it comprises between sixty and seventy thousand people, and upwards of two hundred and ten churches, with one hundred and eight clergymen.¹

¹ For interesting particulars respecting the Church of England in Nova Scotia, see:—"The Church of England in Nova Scotia, and the Tory Clergy of the Revolution, by Rev. A. W. Eaton, B.A., New York, 1891." Mr. Eaton is a descendant of one of the New England settlers of 1760-1762. The successors of Bishop Charles Inglis were the Right Reverend Doctors R. Stanser (1816-24), John Inglis (1825-50), Hibbert Binney (1851-87), and Frederick Courtney, who still occupies the position. "Early History of the Parish of St. George's, Halifax," by Rev. Canon Partridge, in *Collectors of N.S. His. Soc.*, vols. VI. and VIII., 1887-8, 1891.

"A Sketch of the Rise and Progress of the Church of England in the B.N.A. Provinces. By T. Beamish Akins, Halifax, 1849, 12 mo."

"The University of King's College, Windsor, N.S., 1790-1890, by H. Y. Hind, M.A., New York, 1890."

III. Baptists.—The new settlers who came to Nova Scotia from New England between 1760-1763 were, for the most part Congregationalists, and by 1769 there were six churches of this denomination, at Barrington, Liverpool, Chester, Halifax, Cornwallis and Cumberland, each with a pastor; but in the course of time those people became Presbyterians or Baptists. The Rev. Mr. Alline, called the Whitfield of Nova Scotia, was a popular preacher between 1776 and 1784, who established several "new light" churches which eventually became, for the most part, Baptist. The same body gradually embraced a large portion of the most influential families of New England origin, and differences in the Church of England at Halifax added to their numbers. One of the early Baptist ministers was the father of the eminent Canadian statesman



REVEREND DR. CRAWLEY.

(See page 54n.)

Sir Charles Tupper. Acadia College, which was established as early as 1829, as an academy at Horton, owed much of its success to the ability and energy of the Reverend Drs. Pryor and Crawley, who with the Honourable Mr. Johnston, always a supporter of denominational colleges, were seceders from the Church of England. The most striking figure in the history of the Baptists of Nova Scotia is undoubtedly that of Dr. Crawley, a member of a family which had always held an honourable position among the gentry of England. His father was a commander in the Royal Navy, where, as a midshipman, he had served under Nelson. The captain settled in the island of Cape Breton, and the present writer well remembers his beautiful home across the harbour of Sydney, where the boyhood of Dr. Crawley was passed among the trees and flowers

which were cultivated and tended with such loving care by his father and mother, who brought with them their fine English tastes and habits. For more than sixty years, after he had left the Bar, for which he was educated, and joined the Baptist Church in 1827, he exerted a remarkable influence in its affairs, especially in connection with Acadia College, which he was proud to see established on a firm foundation long before his death. Originally connected with the Church of England, and educated in old King's, he formed an association with the Granville Street Baptist Church when it was established nearly three-quarters of a century ago, principally by individuals who had recently separated from the communion of the Church of England—notably the Honourable James W. Johnston, the Pryors and others of high standing in the social and political life of the province.¹ Up to that time the Baptists were, as a body, poor, illiterate and unimportant in every sense, from a worldly point of view. The ministry were ignorant and even antagonistic to regular theological or liberal training. The conversion of such men as Dr. Crawley, with superior intellectual powers and learned attainments, brought about a remarkable change in the mental development and numerical growth of the Baptist Church in the Maritime Provinces, where it still occupies a position much in advance of that held by the same body in other parts of the Dominion. Dr. Crawley was in every sense a gentleman, not simply by artificial training, but by natural instincts inherited from a fine strain of blood. He was dignified and urbane, full of benevolent sympathy for young and old, and the language in which he clothed the elevated

¹ See "Origin and formation of the Baptist Church in Granville Street, Halifax, N.S., constituted on the 30th September, 1827, in which some notice is taken of the influence of Evangelical truth and of the motives which induced a recent separation from the Church of England. Halifax: Printed at the Nova Scotian Office, 1828." 8vo. See also in this connection a series of interesting articles on the "History of St. Paul's Church," by the Reverend G. W. Hill, D.C.L., in the Collections of the N. S. Hist. Soc., for 1878, 1879-80, 1882-83, vols. I, II, III. Dr. Hill gives copies of the original document, showing the nature of the serious dispute, which commenced in 1824 and ended eventually in the secession of a number of influential people from the Church of England. The difficulty originated with the appointment by the Imperial Government of the Reverend Robert Willis, afterwards Archdeacon, to the rectorship of St. Paul's on the elevation of Dr. Inglis to the Episcopal See vacant by the death of Bishop Stanser. The members of the congregation were generally in favour of the appointment of the Reverend John Thomas Twining, who had been for nearly eight years assistant to Dr. Inglis, and strenuously resisted the contention—undoubtedly right in law—that it was the prerogative of the Crown to choose a successor to the rectorship of the parish. Dr. Willis was "inducted" in due course, as the Crown refused to give up its right, and the Society for the Propagation of the Gospel, which contributed to the support of the church, also selected the new rector as its missionary. The schism was too deep to be bridged over by any conciliatory counsels, and such men as the Honourable James W. Johnston, who had very democratic ideas as to the control of parochial affairs, ere long joined the Baptists and gave them new vigour. I remember perfectly well the Venerable Archdeacon Willis who remained in charge of the parish for forty years, and won, as Dr. Hill, his successor, very truly says, "by his conciliatory spirit and benevolent course of life the good-will of the people."

thoughts to which he gave utterance in the pulpit or on the public platform were chaste, clear and impressive. Even to his ninetieth year, when he closed a long, brilliant and useful career, his face retained that intellectual, refined cast which in his youth was a positive beauty.¹ The Baptists of Nova Scotia now number over seventy-three thousand persons, and are consequently the third largest denomination, and occupy three hundred and forty churches, with one hundred and nineteen ministers. The "Free Will" Baptists also number upwards of twelve thousand members.



REVEREND WILLIAM BLACK

From Reverend Dr. Richey's Memoirs.

IV. Methodists.—The pioneer of the Methodist church of Nova Scotia, and indeed of the maritime provinces, was the Reverend William Black,² who preached for half a century but made his first success at Sackville in New Brunswick, where in the course of years, was established

¹ For an eloquent and judicious estimate of Dr. Crawley's life, see "The Crawley Memorial Address" (Halifax, N.S., 1889), by Judge J. W. Johnston, D.C.L.,—a son of the old Conservative chief and Judge in Equity,—delivered on June 4, 1889, at Acadia College, Wolfville. The portrait I give represents him in the winter of his days, and has been kindly lent me by Mrs. A. W. Savary, of Annapolis Royal.

² See "Memoir of the late Rev. W. Black, Wesleyan Minister"; by M. Richey, A.M., Halifax, N.S., 1839.

the prosperous university which owes its name of Allison to the liberal gentleman whose liberality gave it birth. So slow, however, was the progress of this church that by 1800 it only had five ministers in all Nova Scotia, while at the present time the Conference comprises one hundred and thirty-four members, who minister in two hundred and eighty churches, to between fifty and sixty thousand persons. In 1786, Mr. Black made Halifax his base of operations for work from time to time among the societies which he established in various parts of the province. Mr. Wesley corresponded with him and encouraged him in his pioneer labours in a field untrodden until he took it up. He was



REVEREND DR. MATTHEW RICHEY.

undoubtedly one of the most successful missionary ministers of the province, when we consider the progress Methodism made through his untiring energy. Dr. Alder, who became one of the secretaries of the Wesleyan Missionary Society in the parent state, was also a useful worker for his church in its formative period.¹ One of the most eloquent ministers of this church, who obtained a reputation beyond the province, was the Reverend Dr. Matthew Richey, whose son became, in 1883, a lieutenant-governor of Nova Scotia in succession to Sir Adams Archibald. Dr. Richey was for a while president of Victoria College, and also president of the

¹ See "Memorials of Missionary Life in Nova Scotia" by Charles Churchill, Wesleyan Missionary, London, 1845. Also "History of Methodist Church, including Nova Scotia, New Brunswick, Prince Edward Island and Bermuda," by Rev. Dr. T. Watson Smith, who has recently issued an interesting essay on Slavery in Canada in Collections of Nova Scotia Hist. Soc., vol. X.

Canadian, as well as of the Eastern British American Wesleyan Methodist Conference.¹ He possessed a degree of scholarship which was more exceptional in those days among the ministers of his church than it is at the present time when the necessity of university training is generally recognized.

V. Presbyterians.—The Presbyterians of Nova Scotia now number upwards of one hundred and ten thousand persons and consequently rank second among religious denominations—the Roman Catholics coming first. They own over two hundred and sixty churches, and enjoy the services of a hundred and twenty-four ministers. The first Presbyterian ministers in Nova Scotia were the Huguenot missionaries who accompanied De Monts in 1604 to St. Croix and Port Royal, but this experiment did not succeed and we hear no more of Calvinist efforts until Halifax was founded. In a previous paragraph I have referred to the establishment of old St. Matthew's and to the growth of Presbyterianism among the New England people, who gradually withdrew from the Congregational forms peculiar to the old colonies. When St. Matthew's became the property of the Church of Scotland the following clergymen officiated within its walls for half a century: Reverend Messrs. Russell, Brown, Gray, Knox, Renny, and Scott. The first presbytery of the Church of Scotland was formed in 1833 by an act of the legislature. As early as 1769 there was built in Lunenburg a German Presbyterian or "Dutch Calvinistic" church. Its minister in 1770 was the Reverend Bruin Romas Comingo, a native of Holland, who was the first Presbyterian ordained in Nova Scotia. When a schism took place during 1733 in the old Presbyterian church of Scotland, the Secession Church turned its attention to Nova Scotia. The Reverend Mr. Kinloch was the first Presbyterian missionary to Nova Scotia in 1766, but he returned to Scotland in 1769. In 1785 and 1786 we hear of Reverend Messrs. Daniel Cock, David Smith, James Murdoch, George Gilmore and Hugh Graham, regularly settled at Truro, Londonderry, Horton, Windsor and Cornwallis respectively. The Reverend James Murdoch, who was ordained by the Presbytery of Newton Limavady "for the Province of Nova Scotia or any other part of the continent where God in his Providence, may call him," was among the notable pioneers of the Presbyterian Church during the last thirty-three years of the eighteenth century. For twenty years he ministered to the religious necessities of the people at Horton, Windsor, Cornwallis, Parrsboro, Amherst and other places. He was not supported by any missionary society, but depended entirely on free-will offerings. One of his descendants was Beamish Murdoch, the historian and annalist, and the well-known families

¹ See an excellent though short sketch of Dr. Riehey's life by Fennings Taylor in "Portraits of British Americans" (Montreal, 1865), illustrated by Notman. The portrait I give is taken from this book.

of Cunard, Morrow, Henry, Ritchie and Sangster, are connected with him through his daughters.¹

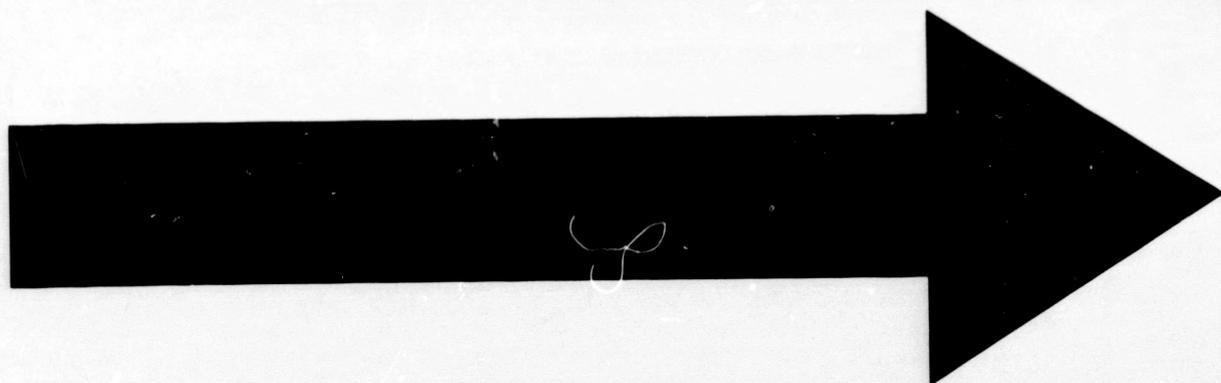
The most prominent clergymen long identified with the early development of Presbyterianism, were the Reverend Drs. MacGregor and MacCulloch of Pictou. The Secession Church arose in 1733 out of the hostility of a few conscientious ministers of the established Church of Scotland to the corrupting influences of a system of patronage which facilitated the growth of a time-serving and ignorant ministry, and also in the course of time divided into what were known as Burghers and Antiburghers. These differences of opinion actually anticipated that momentous controversy which agitated the Church of Scotland many years later with regard to the freedom of the church from all dependence on the civil power. The origin of these names is explained by Dr. Patter-

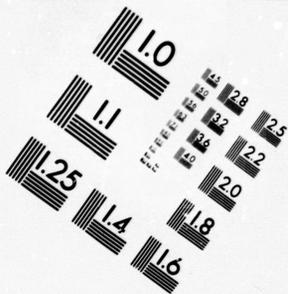
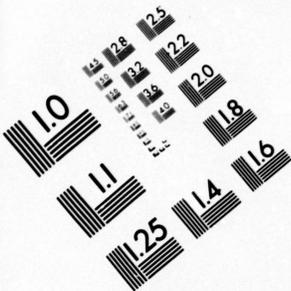


REVEREND DR. MACCULLOCH.

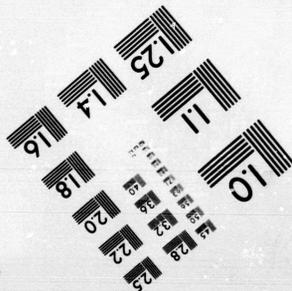
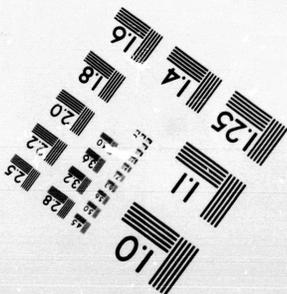
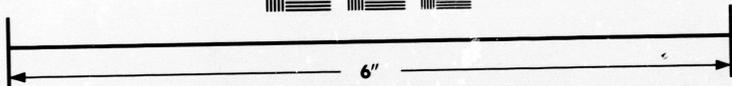
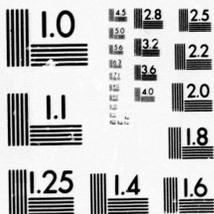
son in his life of Dr. MacGregor, of whom he was a grandson. It appears that the burgesses of Edinburgh, Glasgow and Perth were required by the law to take an oath, in which there was this religious clause: "Here I protest before God and your Lordships, that I profess and allow with my heart the true religion presently professed within this realm, and authorized by the laws thereof; I shall abide thereat and defend the same to my life's end, renouncing the Roman religion called Papistry." Dr. Patterson explains that this clause was held by some ministers and elders "as implying an approval of the corruptions of the Church of Scotland against which the Secession was testifying, and they therefore refused to take the oath; but others held that it only meant the true religion itself in opposition to that of the

¹ See a short paper on Reverend James Murdoch in the Collections of the N. S. Hist. Soc., vol. II.





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Roman Catholics, and therefore were willing to take the oath, or at least, regarded the point as one on which conscientious men might honestly differ, and which therefore might properly be made a matter of forbearance." Those who condemned the taking of the oath were usually known as Antiburghers, while those who did not object to its terms were called Burghers. Dr. MacGregor and other ministers who formed the presbytery of Pictou, were representatives of the Antiburghers, and the presbytery of Iruro consisted of ministers sent out by the Burghers Synod of Scotland. Dr. Patterson, whose memoirs of his grandfather are especially interesting on account of the record they give of the difficulties and privations of the pioneers of the churches in Nova Scotia, tells us that Dr. MacGregor on his first coming to the colony refused to unite with the Presbyterian ministers, but at the same time carried out the instructions of the Antiburghers Synod that he was not to make seceders, and eventually took a prominent part in uniting the different presbyteries of the Secession Church on the basis of their common presbyterianism—the forerunner of the larger union which in recent times has united all branches of the Presbyterian church in Canada.

The name of Dr. MacCulloch, who came to eastern Nova Scotia in 1803, is intimately associated with the history of Pictou Academy,¹ of which he was the founder. It never realized his original broad conception in consequence of the opposition it met from the friends of King's in the legislative and executive council. Indeed the early trials of this institution more or less affected the politics of the country. The supporters of the academy represented the spirit of liberal free education in opposition to the too selfish sectarianism of King's. Indeed had there been more liberality of thought and idea in the early days of old King's, it might now be the most prosperous university in the provinces, instead of being an institution more interesting from an historical point of view than conspicuous for its success in these modern times. The narrow spirit that confined it from the very outset practically to the Church of England also gave it a rival eventually in Dalhousie College, which was founded by Lord Dalhousie when governor of the province with the avowed object of affording the advantages of higher education to the

¹ Pictou Academy has given many distinguished men to law and politics. Among others, Dr. Patterson in his *History of Pictou*, p. 359, mentions Sir T. D. Archibald, of the English Court of Exchequer; Sir William J. Ritchie, chief justice of New Brunswick, and later chief justice of the Supreme Court of Canada; Sir Hugh Hoyles, chief justice of Newfoundland; Sir Adams G. Archibald, K.C.M.G., lieutenant-governor of Manitoba and Nova Scotia; Judge Young, of Prince Edward Island; George R. Young, M.P.P., politician and journalist; Sir W. J. Dawson, F.R.S., so long identified with McGill College. On the same authority we learn that largely owing to the influence of the same institution in its early days, "the county has ever since given a larger proportion of the best of her sons to the ministry than any population of the same size in the Dominion." Dr. Patterson gives a list in an appendix to his history.

youth of all denominations. "It is particularly intended" said Lord Dalhousie, in laying the foundation stone in May, 1820, "for those excluded from Windsor. Its doors will be open to all who profess the Christian religion." At a much later time King's had even an opportunity to unite with Dalhousie but its too conservative supporters would not avail themselves of the occasion offered them of giving vitality to their ancient institution, around whose time-worn walls the tide of progress surges in vain. While Dalhousie still shows evidences of Presbyterian influences in its staff, yet it is non-sectarian in its teachings and is doing a useful work in the promotion of higher education.¹ Acadia, which also had its origin in the old times of bitter antagonism to King's and the church which governed it, is also a prosperous institution from which have graduated not a few men who have made their impress on the intellectual thought of the world. Among those who have won a reputation beyond the province are President Schurman of Cornell University; Dr. Wallace, chancellor of McMaster University; Dr. Welton, professor of Oriental languages in the same institution; Dr. Corey, president of the Theological College at Richmond, Virginia; Dr. T. H. Rand, ex-chancellor of McMaster University, poet and scholar, who was superintendent of education in Nova Scotia as well as New Brunswick; Dr. Silas McVane, an accomplished professor of history and economics in Harvard University; Dr. C. T. Hart, president of the Geological Survey of Brazil; Dr. B. Rand, an assistant professor of economics in Harvard University. Judges Graham and Weatherbe, of the supreme court of Nova Scotia; Judge McLeod, of the supreme court of Prince Edward Island; Judge Johnston, of the Halifax county court, eldest son of Hon. J. W. Johnston, and the versatile attorney-general of the province, Hon. J. W. Longley, F.R.S.C., were also educated in the same progressive institution.

Presbyterian missionaries appear to have been laggard in coming to the island of Cape Breton after the Scotch migration in the first quarter of the nineteenth century. For some years the island was visited at distant intervals by Dr. MacGregor and other clergymen in Eastern Nova Scotia, and it was not until after 1830 that the Reverend Mr. Farquharson was specially sent out by the generosity of a rich lady in Scotland. In a few years, there were labouring in the different places, the following ministers: Reverend Mr. Stewart, at St. George's Channel; Reverend Mr. Wilson, at Sydney Mines; Reverend Mr. McLean, at Whycomagh; Reverend Mr. Miller, at Mabou; Reverend John Gunn, at Broad Cove;

¹ See "Memoirs of James MacGregor, D.D., by Rev. George Patterson, D.D., Philadelphia and Halifax. 8vo, 1859." No portrait of Dr. MacGregor is in existence.

"A history of the County of Pictou" by the same, Montreal, 8vo, 1877.

"History of the Mission of the Secession Church to Nova Scotia and Prince Edward Island from its commencement in 1765, by Rev. J. Robertson, 12mo, Edinburgh, 1847."

Reverend Norman McLeod, at St. Ann's; Reverend Mr. Ferguson, at Sydney; all of whom may be justly considered the pioneers in the mission field of the Presbyterians of Cape Breton.¹

VI. Lutherans, etc.—Conclusion.—Many of the Germans, who came into the province in 1749 and later years, were Lutherans, and their first church in Lunenburg was formally opened as early as 1771. The clergyman who first preached within its walls was the Rev. Mr. Muhlenberg. The names of the ministers most identified with the early development of the Lutheran Church were Messrs. Frederick Schultz, Johann Gottlob Schmeisser, Ferdinand Conrad Temme, and Charles Ernst Cossmann. The total number of Lutherans in the province at the last census was less than six thousand, of whom five thousand five hundred members lived in the county of Lunenburg.² The conference of the Evangelical Lutheran Church of Nova Scotia comprises only five ministers, all of whom are connected with the churches of the historic German county. The Congregationalists now number less than four thousand persons, while the Disciples, Adventists and Quakers respectively comprise less than two thousand, and do not require any special mention in these pages.

The trials, sufferings and devotion of the missionaries of the several churches of the province form materials for a most interesting history from the time when the Roman Catholic priests and Calvinist ministers arrived in the province with *Sieur de Monts* down to the fourth decade of the present century, when the province had attained a condition which rendered the labours of the clergy relatively easy. Most of the histories that have been printed of the labours of the pioneer clergy have so far failed to do full justice to the men who performed such an invaluable work for the social and moral development of the people.³ All that I attempt, or am able to do in this short imperfect review is to recall the names of some of the worthy pioneers of the principal churches, and express the hope that a competent pen will ere long take up the subject and record the heroism, pathos, and self-sacrifice which illustrate the lives of the religious builders of Nova Scotia.

¹ See "A brief sketch of the Cape Breton Mission, with a notice of the late Mrs. Mackay, of Rockfield, who was the main instrument in establishing the mission, and by whom its affairs were almost solely conducted. For private circulation, (Edinburgh) 1851."

I have had also the advantage of the perusal of the MSS. of a lecture delivered by Mrs. Edith J. Archibald, on the "Early Scotch Settlers in Cape Breton." before the N. S. Historical Society, in February, 1898.

² See DesBrisay's Lunenburg for interesting details of the different religious bodies in that historic section.

³ The Relations of the Jesuit Fathers, Patterson's "MacGregor," Richey's "Black," cited in these pages, and some of the reports of the missionaries sent out by the Society for the Propagation of the Gospel, form an exception to the remark in the text above.

III.

REMINISCENCES OF EMINENT NOVA SCOTIANS FOR FORTY YEARS.

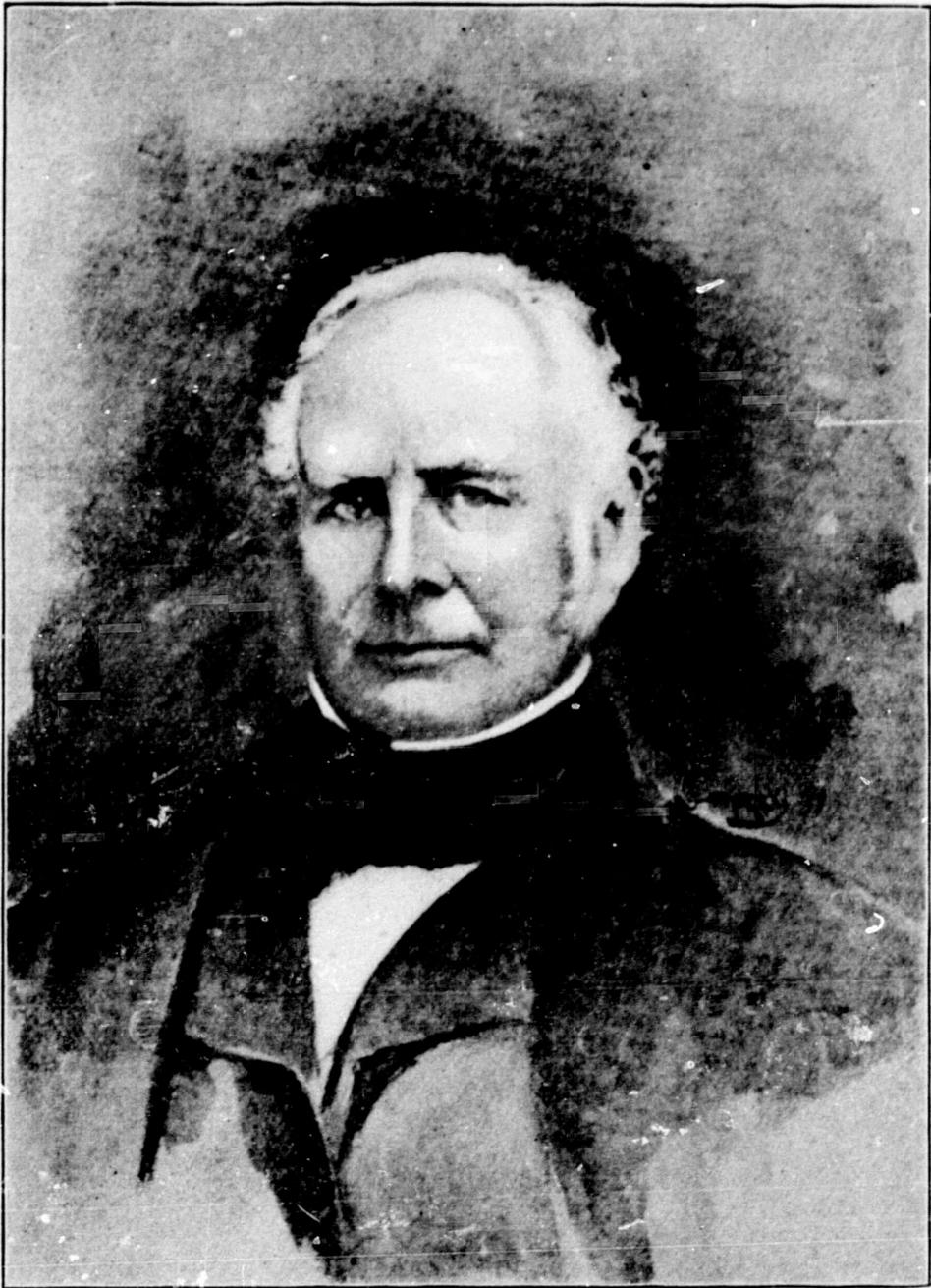
I. Racial Elements of the Nova Scotian People.—The short historical review which I have given in the first part of this monograph shows that the people of Nova Scotia can claim a most honourable ancestry—that many important racial elements have entered into their composition in the course of two centuries and longer. French Catholics and Huguenots, Puritans and Cavaliers of the days of the Stuarts, German Lutherans from the old kingdom of Hanover, Protestants from Montbéliard between the Rhine and the Rhone, Scots from the Highlands, the Hebrides and the Lowlands, Scotch-Irish Presbyterians from the north and Catholic Celts from the south of Ireland, Englishmen from the hop gardens of Kent and the meadows of Devon, from all parts of the ancient kingdoms where Celt, Saxon and Norman have blended in the course of centuries—all these have contributed to form the people who have made the Acadian peninsula and the island of Cape Breton such prosperous and influential sections of the Dominion. I have shown that each class has contributed its quota of men who have made the name of Nova Scotia so well known in many lands. The dark stone floors of the gloomy corridors of the old legislative building in Halifax have echoed to the tread of many men, statesmen, jurists, journalists, historians and poets, associated with the most interesting epochs of provincial history. These legislative halls seem to me like myself full of the voices of men who proved the energy, the eloquence, the vitality of their national origin. To me those corridors and halls are familiar ground—associated with memories of my early manhood. When I visit the old town of Sydney, where I was born, or walk the streets of the old city of Halifax where I was a journalist from 1859 till 1867, I begin to recognize the fact that I am growing old and becoming a man of reminiscences. As I look at the faces I meet, or enter the legislative chambers of the province building, it is chiefly memories now that come to greet me.

“Let me review the scene,
And summon from the shadowy past
The forms that once have been.”

II. Memories of Some Men of the Old Times.—The years of which I am about to speak—1858-1867—were the close of the “old times,” and the beginning of a new era in the history of Nova Scotia. The “old times” had been noted for the presence of eloquent, witty, versatile, accomplished men, but by 1859 their ranks had been severely thinned, some by the course of nature, and others, unhappily, by the excess of social pleasures, which, as in the days of Fox and Pitt, were no social crime in Halifax. To drink deep potations and disappear regularly under the table, was then no dishonourable or unpopular feat. I can still well remember the evil consequences to Halifax and other towns in Nova Scotia of the mad enjoyment of drink. Assuredly life in Nova Scotia and other parts of Canada has in this respect vastly improved for the better, and no one can now taunt public men with excess as in old times.

It was in 1859 that I first took my seat at the official reporters' desk and saw many men who have been most closely identified with the political history of the province. For the second half of this century. James Boyle Uniacke, Lawrence Doyle, Herbert Huntington, and other men of the generations who had taken part in the struggle for responsible government, had passed away, although as a boy I had seen and heard some of them. I can well remember hearing James Boyle Uniacke address a jury in the old court house at Sydney—long since levelled to the ground—where the old judge—the famous author of “Sam Slick” was presiding—one of his last appearances on the bench where an innate sense of humour often got the better of the judicial dignity. I can still hear the sonorous voice of the eminent lawyer when he drew himself up in his most stately fashion, and, as it were, embraced with voice and gesture “this sea-girt isle”—a phrase which local parliamentarians would hardly now use with the same effectiveness in the relatively placid, dull debating hall of the assembly where speeches are no longer delivered with the *ore rotundo* that was so successful in the old times of Uniacke, Lewis Wilkins and their contemporaries.

As I have already said, I was only a boy when I first saw Judge Haliburton, who soon afterwards removed to England from the province where he had been for so many years a conspicuous figure, and consequently I have nothing to say of his personal characteristics from my own knowledge. I can well remember, however, the complex feelings with which his name was once mentioned by many Nova Scotians who were proud of his reputation as an author, and at the same time inclined somewhat to resent his sarcastic allusions to foibles and weaknesses of the Nova Scotian people. “It's a most curious unaccountable thing, but it's a fact, said the clockmaker, the blue-noses are so conceited, they think they know everything. . . They reckon themselves here, a chalk above us Yankees, but I guess they have a wrinkle or two to grow afore they progress ahead on us yet. If they ha'nt got a full cargo of conceit here,



JUDGE HALIBURTON.

then I never see'd a load' that's all. They have the hold chock full, deck piled up to the pump handles, and scuppers under water."

In these times, when all of us can afford to be less touchy than the generation among whom the humourist lived, we cannot fail to be amused at his references to the self-satisfaction which was and is a conspicuous trait of our fellow-countrymen and to the want of "go-aheaditiveness" which was too prevalent among a people whose relations with the restless world of progress beyond them were relatively insignificant. Even in these days Nova Scotians, who mix little with communities beyond their provincial limits, carry about them an air of superiority and a shade of disappointment that there are so many people who have not had the advantage of being born and bred in the land of the mayflower. Such traits were notably prevalent in the old times when Nova Scotia had a distinct colonial government, and Haliburton could not resist the temptation to hit off the self-conceit of a large class in his inimitable book "The Clockmaker," and at the same time the brag "of the most free and enlightened citizens on the face of the airth," whom Sam Slick was always representing "as takin' the shine off all creation." Sam Slick remains still one of the few original creations of American humour, and new editions continue to be printed from time to time. All his other books are readable and full of "spicy" observations, which show his keen knowledge of human nature, but they are little read now-a-days and his reputation must always rest on the sayings and doings of Sam Slick. His history of Nova Scotia in two octavo volumes is distinguished by that lucidity of narrative which was one of his merits as a writer, but it is no longer an authority in view of the new light thrown upon the various epochs of our annals by the copying and publication of important archives with which he was entirely unacquainted. In his first volume he is open to a charge of plagiarism, since the narrative of the events of the seven years war, and especially the account of the second siege of Louisbourg are either condensed, or taken *verbatim et literatim*, from the English history by Smollet. The second volume is largely made up of contributions from residents of the counties and townships, of which he gives interesting geographical and topographical descriptions. For instance, the very full account of the island of Cape Breton was written by Mr. W. H. Crawley, who was connected with the surveys of that island, and is much above the average merit of the volume from a literary as well as economic point of view. I do not, however, mention these facts with any desire to detract from the undoubted merit of a history which at the time it was published—seventy years ago—was the first attempt of importance made by a Nova Scotian to give to the world of letters a history of the province, and at the same time, describe its interesting scenery and valuable resources then relatively little known to the great world of commerce and enter-

prise. Even now, it is more interesting and readable than Beamish Murdoch's valuable summary of provincial archives and rare books, or the latest history written in 1892 by a Mr. Duncan Campbell, a Scotchman by birth and education, who had been only a few years in the country when he ventured to write a history which has never risen beyond the level of ordinary contributions to newspapers.

The Judge's books should assuredly find a place on the shelves of every public library in the Dominion¹. One of his sons has been recently elevated to the peerage of England on account of his usefulness as a member of the staff of the war office, but he does not appear to have made any venture into the world of literature where his father has made a permanent name. Another son, who in his early manhood had some literary aspirations, has disappeared from public view—perhaps lost in those mysterious Pleiades where he passed in imagination so many of his brightest years, in an endeavour to connect "the sweet influence" of those seven stars with the holding of "festivals of the dead"—All Halloween, All Saints, All Souls, etc.—among many peoples from immemorial times. To prove the unity of the origin of the human race by the universality of certain superstitions, he did not consider the human, and very comforting act of sneezing beneath elaborate comment in learned treatises which, though necessarily confined to a very limited class of readers, showed much evidence of thought and learning which, profitably and perseveringly directed, might have enabled him to realize the promise of his youth.

In connection with these brief references to the literary labours of Judge Haliburton, mention may be made of an interesting fact, not generally known, which is one example of many that might be adduced to show that the historian and humourist was always alive to the material interests of his province. Indeed the second volume of his history, and the frequent references in his humorous books to the stagnant industries and the absence of a spirit of enterprise in his native provinces, show that he had a very practical side to his character. The fact to which I allude is the part he took in initiating steam navigation across the Atlantic in connection with Mr. Howe, of whom he was always a warm friend, though their views on political questions as the years passed by were not

¹ For a correct bibliography of the Judge's writings see one by J. Parker Anderson of the British Museum in "Haliburton, a centenary chaplet, printed for the Haliburton Club, King's College, Windsor, N.S., at Toronto, 1897."

A complete set of the first editions of the Judge's books are now difficult to purchase in London, where they were all published, and is worth about sixty dollars at the very least. His history is frequently offered in catalogues of old books from five to eight dollars, according to its condition. It contains a map and several illustrations, one of which, the province building, is given on page 74 of this book.

An excellent criticism of "Haliburton: the man and the writer" has been written by F. Blake Crofton (King's College, Windsor, Haliburton series, 1889).

always identical ; for the old judge eventually, as some of his later books show, developed a vein of Tory cynicism. In 1838 he and Mr. Howe went to England in the English ten gun brig "Tyrian," and on the passage were overtaken—and here I give Mr. Howe's own account as it appears in his "Speeches and Letters"¹—by the steamship "Sirius," which was making its trial trip, in defiance of the opinion of Doctor Lasdner, the popular scientist of those days. The captain of the "Tyrian" decided to send his mails by the steamer, and when this was accomplished, the "Sirius" steamed off out of sight while the "Tyrian" was left to roll with flapping sails in a dead-calm. "Such a practical illustration of the contrast between the two motive powers," says the writer of the volume before me "was not likely to be lost upon such men as those who were left behind. On landing, Judges Haliburton and Mr.



SIR SAMUEL CUNARD, BART.

Howe went down to Bristol to confer with the owners of the 'Sirius' and 'Great Western.' In London they discussed the subject with other colonists, and, aided by Henry Bliss and William Crane of New Brunswick, endeavoured to combine all the North American interests in an effort to induce Her Majesty's government to offer such a bounty as would secure to these provinces the advantages of ocean navigation." An able letter was at once addressed by Mr. Howe to Lord Glenelg, then secretary of state for the colonies, urging the imperial importance of continuous steam navigation between England and her dependencies, and the result of this energetic discussion of the question was the announcement a few months later that contracts for the conveyance of mails by steam were awarded to Mr. Samuel Cunard, a Nova Scotian, who won

¹ See vol. I., p. 180.

both fame and fortune. "All honour to the Nova Scotian who has carried forward this great work with such signal success. But those gentlemen¹ ought not to be forgotten who, at this early period, first turned the attention of British statesmen to a subject of so much importance."

Mr. Lawrence Doyle was born in Nova Scotia of Irish parents and educated at Stoneyhurst, where he acquired a very thorough knowledge of the classics for which he showed a special aptitude. His legal learning—undoubtedly considerable—his natural eloquence—never surpassed by any of his compeers—his thorough insight into any subject which he



HON. L. O'CONNOR DOYLE.

studied, well fitted him to win a high place at the bar as well as in the legislature of the province, but his tendency to wit, his geniality of manner, his love of society, led him to form habits which gradually lost him the confidence of his countrymen. Many people still remember the stories their grandfathers and fathers have told them of his ready humour and repartee, and do not know that he was in the early part of

¹ The most enthusiastic of these was Major Robert Carmichael Smith, who did much in his life-time in directing public attention to the importance of railroad communication between old Canada and the eastern provinces. The late Judge Fairbanks, long an important figure in Nova Scotia, was also one of the passengers, and an earnest advocate of the necessity of the steam navigation of the Atlantic. (See note, p. 180, to Howe's "Speeches and Letters.") The name of Fairbanks, I may add, is that of a family also long connected with the commercial interests of the colony.

his legislative career an industrious and useful representative. Among the measures he carried was one for the reduction of the term of the assembly from seven to four years—a practical extension of the control of the people over their representatives. "Have you heard," said one of his friends on one occasion—to relate one of many anecdotes of his wit—"that Street, the tailor, has been found in a well on Argyle street?" "Yes," replied the wit, "but you have not heard how he was discovered. An old woman, it seems, while drinking her tea was taken with a violent stitch in her side, and called out that there must be a tailor in the well!" Judge Savary, of Annapolis, also tells a story of Doyle's ready wit at a public dinner in Halifax many years ago, when public and social life



HON. HERBERT HUNTINGTON,¹

was more brilliant than it has been ever since. The late Thomas Kerny, a brother of Sir Edward, happened to drink a glass of champagne somewhat hastily, and was nearly choked by a bit of cork that had escaped into the glass. The chairman called out, "Anything wrong at your end of the table, Mr. Vice?" Honourable James Boyle Uniacke, the vice-chairman, replied, "Oh, nothing serious, only a little champagne gone the wrong way to Cork!" Whereupon Doyle exclaimed, "but it has gone the right way to kill Kenny (Kilkenny)!" In striking contrast to the versatile, eloquent, witty *bon convive*, "Larry Doyle," as he was always called, was Herbert Huntington, of Yarmouth, whose physical proportions, courageous character, were typical of the

¹ The portrait of Mr. Herbert Huntington is from an original in the possession of his son at Yarmouth, N.S., and has been kindly given me by Mr. Flint, M.P.

Cromwells from whom he was descended—whose sound sense, love of freedom, adherence to principle, and solidity of argument were characteristic of men of the Hampden school of parliamentary debate. Under ordinary conditions he was a pleasant companion, but at other times when his mind was overburdened or ill-health oppressed him, he became, according to his friends, "as moody and irascible as Oliver himself."¹ No man in the legislature evoked more interest or confidence. Mr. Howe, of whom he was always a personal friend, found him his most useful and even powerful ally in the stern fight for liberal government. Like S. G. W. Archibald, and Howe himself, as well as many other able public men of those days, Huntington was self-taught, but no one had a larger store of general knowledge or better understood the social and political conditions of the people.

A notable figure in Halifax when I first made the acquaintance of Nova Scotians, eminent in law, politics and divinity, was the venerable Chief Justice who had sat on the provincial bench for the remarkably long term of fifty-three years, during twenty-seven of which he had been chief judge. He was the son of a loyalist, Dr. Halliburton, who came from Rhode Island to Halifax in 1782, and succeeded Chief Justice Blowers, also a distinguished loyalist, who had sat on the bench for thirty-five years. Sir Brenton received the honour of knighthood in 1859, and was probably the first acting judge of the province to obtain this royal recognition.² He was deeply versed in the principles of English law and equity and in his prime was noted for his acute analytical power. He was dignified and urbane in deportment and gifted with a facile pen. He was a strong advocate of imperial unity and wrote an able pamphlet

¹ See note to Howe's "Speeches and Public Letters," vol. I, p. 209.

² Chief Justice Strange (1791-1796) was knighted in 1797, but he went to England in 1796 and appears to have resigned his seat on the Nova Scotia bench before he received the honour and was appointed recorder in Bombay. If this be so, Chief Justice Halliburton was the first Nova Scotian judge who was made a knight. A number of native Nova Scotians have been enrolled among the Knights Bachelor, or placed on the list of the orders of merit like the Bath, and St. Michael and St. George, which take precedence of the former. Admiral Belcher, a grandson of the first chief justice, was a K.C.B. Admiral Provo Wallis, who took command of the "Shannon" when Captain Broke was disabled in the famous fight with the "Chesapeake," was made a G.C.B. Sir William Robert Wolseley Winniett, son of Sheriff Winniett, of Annapolis—the oldest family of English origin resident in Nova Scotia—and a governor of British colonies in Africa, was a Knight Bachelor. Governor Darling of Victoria, also born in Annapolis, was a K.C.B. Chief Justice Cochrane of Gibraltar was a Knight Bachelor. Sir Samuel Cunard was a baronet, and his grandson, Sir Bache, now bears the title and lives in England. Sir Edward Kenny was a Knight Bachelor. Williams of Kars was a G.C.B. and a Baronet before his death. Inglis of Lucknow was a K.C.B. Sir Charles Tupper is a Grand Cross of St. Michael and St. George as well as a Baronet. Sir T. Dickson Archibald, a son of Judge S. G. W. Archibald, master of the rolls, and a justice of the court of king's bench in England, was made a Knight Bachelor in 1873. Another eminent son, Sir Edward M. Archibald, consul-general of England in New York, was a K.C.M.G. The late Chief

on the importance of the North American colonies to Great Britain.¹ Sir Brenton's son John, clerk of the legislative council, was also for years a well known figure in Halifax society, though his only claim to celebrity was the fact that he had in his youthful days fought a harmless duel² with the great Liberal, Joseph Howe, who fired into the air. Howe had, in his opponent's opinion, reflected upon his father in the course of a criticism of the salaries of the bench at a time when there was a fierce conflict going on between the popular leaders in the assembly and the united legislative and executive councils, of which the chief justice was the most prominent member.

Judge Lewis Wilkins, the grandson of the loyalist, Isaac Wilkins, was a familiar figure for years on the streets of Halifax. In his general intercourse with men, and in his public utterances he assumed a great deal of dignity, which sometimes was called pomposity by his sarcastic friends, though it was well carried off by a tall and erect form. He was too apt in his speeches on the floor of parliament to sacrifice substance to form, and his witty brother gauged him fairly well on one occasion when in reply to the question—"Was not that a sound speech, Martin?" "Yes, Lewis, all sound." Still he was a learned lawyer and had scholarly tastes, which were characteristic of many men in the old times of Nova Scotia. Somehow old fashioned courtesy and graceful conversation are not so much cultivated in these practical days as in the old times when common school education was confessedly wretched, but individualism was nevertheless stimulated by the habits of study and reflection, which men gave to every subject.

In those days I was editor of the *Halifax Reporter* and at the same time chief official reporter of the debates of the assembly. Under these circumstances I had the advantage of hearing some of the best men and reporting them as well, in association at first with the father of Sir John S. D. Thompson, and subsequently with that able man himself, who was

Justice of the supreme court of Canada, Sir J. W. Ritchie, was a Knight Bachelor. Sir Adams Archibald, Sir John Thompson, Sir Charles Hibbert Tupper and Sir John G. Bourinot received the K.C.M.G. Sir J. W. Dawson was a Knight Bachelor. Baron Halliburton was a G.C.B. before elevated to the Lords. The distinction of Knight Bachelor is chiefly official in its character, and is consequently conferred as a rule on judicial functionaries. The recipient has to pay a fee and has no right to decorations. The Orders are given, free of all expenses, for imperial or other special services, and carry with them a star and badge. The distinguished order of St. Michael and St. George is chiefly intended for services in the dependencies of the crown, and has the following motto on a badge (suspended by a Saxon-blue ribbon, with a scarlet stripe), *Auspicium melioris ævi*. Sir John Thompson was a "Right Honourable" as a member of the Queen's Privy Council.

¹This essay is reprinted in the Reverend George Hill's "Memoir of Sir Brenton Halliburton, late chief justice of the province of Nova Scotia," published at Halifax in 1864. The essay also appeared in pamphlet form at Halifax in 1825 and in London, 1831.

²See "Life and Times of the Hon. Joseph Howe, with brief references to some of his prominent contemporaries, by G. E. Fenety, St. John, N.B., 1834." I find no reference to this incident in Howe's "Speeches and Letters."

to become the first minister of the Dominion, while I was—as I am still—the chief clerk of the House of Commons. It was my good fortune to hear the Honourable William Young, the leader of the Liberal party. He belonged to a Scotch family who came to Nova Scotia in 1815, when he was still a lad, and several members of whom besides himself were conspicuous in the public affairs of the



CHIEF JUSTICE SIR W. YOUNG, KNT.

maritime provinces. His father was an able member of the assembly for years and wrote under the pseudonym of "Agricola"¹ a number of valuable letters which gave a decided stimulus to agriculture on scientific principles. His brother George was a journalist and literary man of no

¹ "The Letters of Agricola on the Principles of Vegetation and Tillage written for Nova Scotia and published first in the *Acadian Recorder* by John Young, Secretary of the Provincial Agricultural Board, etc., Halifax." Printed by Holland & Co., 1822. 8vo., half roan, xvi., 462 and index of 10 pp. In Campbell's "History of Nova Scotia," a dull though accurate book, so far as it goes, I find the following anecdote of Mr. John Young and Mr. James Boyle Uniacke: "In a debate in the House of Assembly on a grant of money for the importation of horses for the province, several members expressed their opinion as to the most suitable breed. John Young was in favour of horses for farming purposes, of which he was considered a good judge. James B. Uniacke was in favour of importing horses, half-blood, and in his remarks spoke sarcastically about the kind of horses kept by Mr. Young, who lived at Willow Park, and which were occasionally employed in driving agricultural produce to market. Mr. Uniacke was an eloquent speaker, graceful in manner and appearance, and by his ready wit and a sly allusion to Mr. Young's cabbages, turned the laugh of the House against that gentleman. Mrs. Uniacke was a lady possessed of a large fortune at the time of her marriage, but happened, like many of the very best of her sex, not to be remarkable for her beauty. Mr. Young, who had sat dreamily listening to Mr. Uniacke, by-and-by rose to reply, and with a complacent smile beaming on his countenance, said: 'We, in Scotland, Mr. Speaker, select our horses upon the same principle that some gentlemen select their wives—not for their beauty but for their sterling worth.' All eyes were immediately on Mr. Uniacke, and there followed a universal burst of laughter."

mean qualifications and a politician of note for many years.¹ William Young's own Scotch shrewdness and tenacity of purpose, his vast store of legal knowledge and experience, made him a power at the bar and in politics, although his public utterances, always conspicuous for their Doric accent, failed to make any deep impression on my mind since I can hardly now revive them in my imagination. He was, however, a man of ripe scholarship and high culture though he never rose to the heights of eloquence which his great rival, James W. Johnston, often reached, or captivated the mind, like Joseph Howe, to both of whom I shall refer at length in a few minutes. His Scotch qualities of shrewdness and acquisitiveness enabled him to acquire a fair fortune, a goodly portion of which he devoted to public objects, especially to the construction of the roads



SPEAKER MARSHALL (1867).

over which the citizens of Halifax can drive so agreeably amid fragrant spruce groves through Point Pleasant Park, from which so noble a prospect can be had of the harbour and ocean glistening away beyond.

Both John J. Marshall and Martin Wilkins had lost their seats at the previous general election in 1859, but they were men of marked ability and were borne by the anti-confederation wave of 1867 into the legislature where one became speaker and the other attorney-general. Speaker Marshall—a descendant of a Loyalist—was a man gifted with great volubility of expression, but the attorney-general—a grandson of Isaac Wilkins—was by far more interesting to hear, since he added to the qualities of a great advocate a fund of natural humour which unfortun-

¹ "On Colonial literature, science and education written with the view of improving the literary, educational and public institutions of British North America, in three volumes, by Geo. R. Young, Halifax, N.S., &c., 1842. Only one volume was ever published."

ately is hardly now heard in our legislative halls at Ottawa and elsewhere, except when my versatile friend Mr. Nicholas Flood Davin now and then airs his Hibernian temperament. It was in 1860 that I first made the acquaintance of the present chief justice of Nova Scotia who, in later times, became a minister of justice of the Dominion. Many of my readers will remember how forcibly and even passionately he gave utterance to his opinions, and I can well imagine that before he accepted his present dignified position he must have been a most aggressive opponent to meet on the political platform. I can see before me the stately proportions of William A. Henry, afterwards a judge of the supreme court at Ottawa, also a prominent man in those days. He was an acute politician, gifted with a great flow of language, but it lacked clearness of expression and logical arrangement. He possessed many amiable qualities which made him very popular in a constituency, and I have heard it said that when there was a vote or two in question he would spend much time in his



SIR ADAMS G. ARCHIBALD, K.C.M.G.

district, and smoke many a pipe on the fences with the doubtful elector. On the supreme court he was a success, for he possessed an excellent judgment, and understood perfectly well that it was often a mistake for a judge to enter into a lengthy disquisition on the merits of a case. Another public man who won much distinction in the larger field of Dominion statesmanship, was Sir Adams Archibald, to give him his later title. His suavity of demeanour was allied to sound legal attainments and a great fund of discretion, which won for him much confidence as a minister of the Crown and a lieutenant-governor, at a most critical period of the affairs of Manitoba. He was never a man of words, but rather one of thought and argument at opportune moments.

A. W. McLellan, who died in government house at Halifax, took a conspicuous part in the politics of his native province as a representative

of Colchester, as well as in those of the Dominion for a decade of years or so. His success was largely due to the fact that he was a shrewd man of Scotch descent, who never failed to make practical use of those opportunities for personal advancement, which often offer themselves to a keen politician in the operation of party government. His specialty was finance—he was a successful business man for some years before he entered politics—and his speeches were always carefully committed to heart and handed to the reporters in manuscript. Never did he rise to eloquence, but his studied essays were as icy as his general personal demeanour. He opposed the financial terms of the Quebec resolutions with some reason, and when they were amended largely to the advantage of Nova Scotia, and Joseph Howe felt it his duty to give up what was clearly then a useless opposition to federation, Mr. McLelan found it expedient, like all the opponents of federation in the House of Commons, to yield to the irresistible logic of circumstances, which held out abundant promise for the gratification of his personal ambition. He became a senator, a commissioner of railways, cabinet minister, and lieutenant-governor in succession to Mr. Matthew Richey. Though only a few years have passed since his death in government house before the expiration of his term of office, his name is almost forgotten, perhaps because his career was in some degree selfish—more noted for the attainment of office than for the display of qualities which appeal to the hearts and sympathies of men and women.

Another eminent man who became a member of Dr. Tupper's ministry with a seat in the legislative council, when Mr. Johnston was elevated to the bench, was the Honourable John W. Ritchie, a member of a family identified with the history of Nova Scotia for a century, and distinguished for having given not only a chief justice to Canada but three judges to Nova Scotia.¹ His reputation rested chiefly on his legal knowledge which was very extensive and sound, and on his acuteness of intellect which made him an admirable legal counsel, but he occupied no notable place in the political life of the country, and never attained any measure of popularity in the province at large. He became a member of the Senate, when first organised, and was very soon appointed to the judicial bench for which his long legal experience and intellectual temperament eminently fitted him.

Jonathan McCully, who sat in the legislative council—for he never

¹ Judge Savary in the History of Annapolis (p. 396) gives a list of members of the Ritchie family, distinguished in politics, law and divinity. The most notable are Hon. Thomas Ritchie, judge of the inferior Court of Common Pleas,—the second son of John Ritchie, M.P.P.—who was father of Hon. J. W. Ritchie, mentioned above; Sir W. J. Ritchie, Chief Justice of Canada; Hon. J. Norman Ritchie, judge of the Supreme Court of Nova Scotia. The first Judge Ritchie filled an important place in the legislative history of the province from 1806 until 1824, during which long period he was elected continuously without opposition.

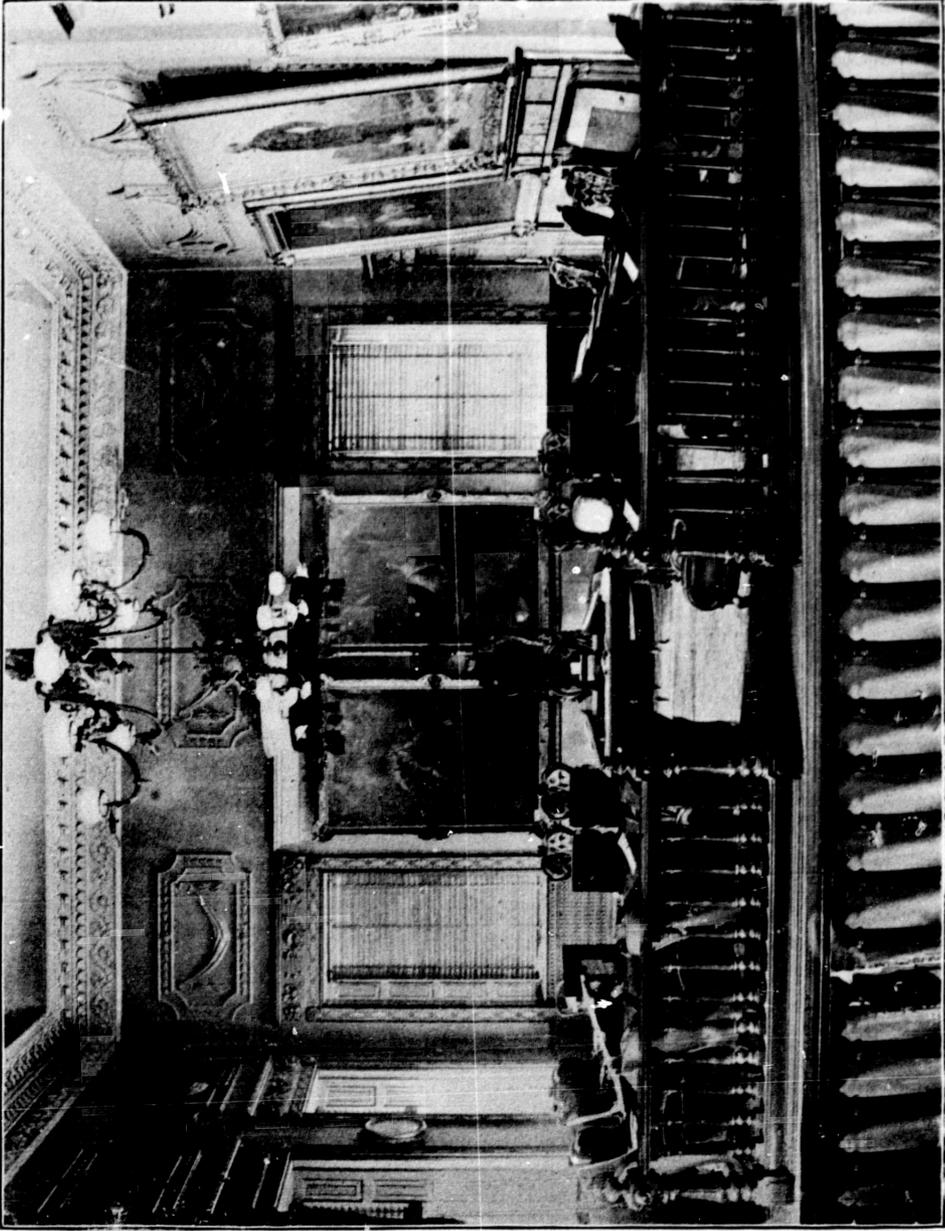
obtained a seat in the assembly—was chiefly influential for years as an editorial writer on *The Morning Chronicle*. Senator Dickey was a Conservative member of the council, which he left in 1867 to take a prominent place in the senate of Canada, where his aged, bent figure—such a contrast to the dapper, well-dressed figure of old times—can still be seen. His colleague from the same county of Cumberland, Mr. Alexander McFarlane, has quite recently joined the ranks of the great majority, and only Senator Miller is now left to represent the original twelve members who were appointed from Nova Scotia in 1867. He is, however, a much younger man than those I have just named and consequently takes still an active part in the debates and proceedings of the upper house, where his facility of speech and incisiveness of argument make him a factor of importance at critical times.



PROVINCE BUILDING AT HALIFAX
From Haliburton's *Nova Scotia*.

III. The Old Province Building and Its Associations.—But time warns me that I must not dwell too long on men, who were, after all, minor figures on the political stage of those days, but should now pass on to the two statesmen who above all others, occupied the larger share of public attention forty years ago. One was James W. Johnston, a descendant of a Georgia loyalist, who represented for many years the aristocratic and conservative traditions of that class—the other was Joseph Howe, also the son of a New England loyalist, who became a leader of the people, in some respects the “Sam Adams” of Nova Scotia, though never disloyal to the crown or prepared to press his arguments to the arbitrament of revolution.

Between two of the principal and oldest streets of Halifax there is an old brown stone building, well darkened by the damp sea air and coal



LEGISLATIVE COUNCIL CHAMBER.

From a photograph by Notman.

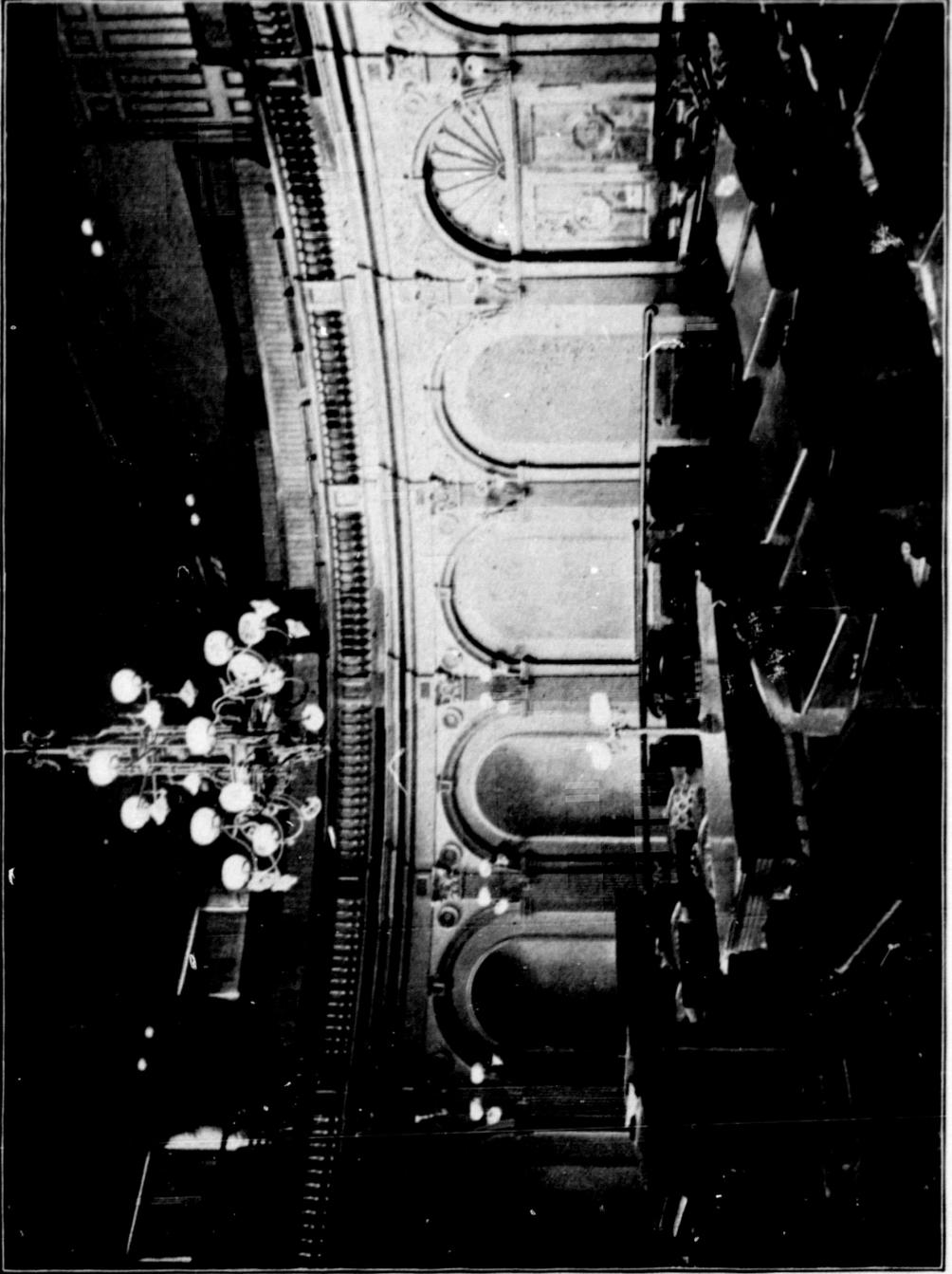
smoke of the dingy city of Halifax—a building which has for three-quarters of a century been the centre of the political conflicts that have always agitated a province noted for the virulence of faction as well as for the eloquence and genius of the men who have administered its public affairs and spoken within its legislative halls. It was in 1811 that the lieutenant-governor—that Sir George Prevost, whose name will be always associated with the discreditable affairs of Sackett's harbour and Plattsburg in the war of 1812-14—laid the foundations of the new "Province Building," between Hollis and Granville streets, and expressed the hope that "the building would perpetuate the loyalty and liberality of the people of Nova Scotia"; a hope realized by the conduct of that people on all occasions when they have been called to prove their fidelity to the British empire. It was not, however, until 1819 that this edifice, then justly considered the finest of its class in America, was formally opened for the purposes of public business by the Earl of Dalhousie, afterwards governor-general of Canada, who stated in the presence of a brilliant assemblage that it would always remain "to the latest posterity a proud record of the public spirit at this early period of our history." With the growth of the British-American provinces in population and wealth this old "Province Building" has been left behind, and now seems, at first sight, small and inferior in accommodation, compared with the great structures that have been raised at Toronto and Quebec; but nevertheless it has a certain grandeur of its own as we glance over its well-proportioned, simple and massive exterior, only ornamented by stately Ionic columns, surmounted by a well cut representation of the royal arms. The dark tint that the stones have assumed in the course of years gives the whole structure an appearance of antiquity which is quite refreshing in these days of modern improvements, and recalls the many interesting historic associations that cling to its venerable walls. The interior of the building itself has been very little changed since the days it was opened with so much ceremony by Lord Dalhousie, and it was described by a contemporary writer as "the most splendid legislative building" on the continent. The building contains the two legislative chambers, a small library and provincial offices, all of which are reached by gloomy corridors and stairs redolent with the odours of age. No marble pillars or tiled floors meet the eye as in later structures of a similar kind; but the whole aspect is sombre and uninviting until we look into the handsome legislative council chamber,¹ which has fine proportions and a

¹ Around the walls of this historic chamber are portraits—some of great value by famous painters—of George II. and Queen Caroline, George III., Queen Charlotte, William IV., Chief Justices Sir Thomas Strange (by Benjamin West) and Sir Brenton Halliburton, Judge Halliburton ("Sam Slick"), Sir W. Fenwick Williams, Sir John Inglis, Major General Sir Charles Hastings Doyle, the first lieutenant-governor after Confederation. A brass tablet in honour of the famous navigator, John Cabot, also occupies a conspicuous place on its walls. The four hundredth anniversary of his voyage of 1497 was celebrated in Halifax by the Royal Society of Canada on the

simple architectural beauty, very pleasing to the eye in these days when the tendency is to lavish ornate decoration on our public buildings. Nova Scotians, however, like the present writer, who have known these legislative halls for half a century, will dwell little on their architectural characteristics, but will rather recall the voices and faces of those distinguished men, statesmen, orators, poets, humourists, historians, and publicists, whose feet have echoed on the gloomy stones of the lobbies that lead to the chambers, with which must always be associated the most striking episodes in the political history of the peninsula of Acadia.

As I remember the chamber of the assembly thirty years ago, the members formerly sat on a raised platform, below which was a lounging place to which strangers had access. The Speaker's chair was then at the upper or west end, and the members sat on benches or long sofas on either side of the clerk's table. Now the room has been made smaller, but the old simple decorations of the ceiling can still be seen. The Speaker's chair now faces the main entrance or what was once a side of the chamber, while the members have separate chairs, covered with that old-fashioned, though durable horse-hair cloth which is generally relegated to second-rate rural hotels and steamboats. What interests us most in this chamber, where some of the most brilliant orators of British North America once spoke, are the full length portraits of two men, famous in their day—two names long associated with the struggles, victories and defeats of the Conservative and Liberal parties in Nova Scotia. To the right of the Speaker is the picture of Joseph Howe, somewhat coarsely painted, giving him, perhaps, too harsh an expression, but still on the whole an excellent portraiture of the printer, poet and politician, whose name will always be connected with the triumph of responsible government in his native province. On the other side of the chair is the more intellectual face and bent figure of James William Johnston, the eminent lawyer and jurist, who was for a quarter of a century and more the able leader of the Conservative party and the earnest opponent of Joseph Howe. The names of these two men were for years household words in Nova Scotia, as representing widely antagonistic principles, though sometimes meeting and acting together on the common patriotic ground of the public welfare.

24th June, 1897, "when"—to quote a part of the inscription on the tablet—"the British Empire was celebrating the sixtieth anniversary of the accession of Her Majesty Queen Victoria, during whose beneficent reign the Dominion of Canada has extended from the shores first seen by Cabot and English sailors four hundred years before, to the far Pacific coast." See *Trans. Roy. Soc. Can.* for 1897 for full account of the proceedings on the unveiling of the tablet. The Archbishop of Halifax, Dr. O'Brien, was president of the Society that year, and the present writer the honorary secretary. His Excellency the Earl of Aberdeen, governor-general, and His Honour M. B. Daly, lieutenant-governor, took part in the ceremony.



HOUSE OF ASSEMBLY CHAMBER.
From a photograph by Notman.



IV. Honourable James William Johnston.—It is quite probable that few persons in Canada, outside of the maritime provinces, are familiar with the name of James William Johnston though he exercised in his lifetime large influence in the legislative halls and in the law courts of Nova Scotia. Indeed the ignorance that prevails in Ontario with respect to our political history is surprising. To verify a fact or date, I have just turned over the pages of the "American Cyclopædia of Biography," but the name of this distinguished Nova Scotian does not appear though space is devoted to vastly inferior men in the several provinces. The portrait that recalls his memory in the Commons House of Nova Scotia, where he was so long an honoured leader, delineates a face of great intellectual power, with its finely cut features as if chiselled out of clear Carrara marble, his prominent brow, over which some scanty white hairs fall, his earnest, thoughtful expression, and his bending form, which tells of unwearied application to the many responsible and arduous duties that devolved upon him in the course of a busy life as lawyer and politician. The portrait I give presents him when age had accentuated all the forces of his character and the cares of his life, in the very expression and lineaments of his visage. He was, during his life, the chosen friend and adviser of governors, during the most critical period of the history of responsible government. He was a Tory and an aristocrat by education and inclination, but the annals of the legislature show he was not an obstinate opponent of reform, when he came to believe conscientiously that the proposed change was really a reform. A great lawyer in every sense of the term, an impassioned orator at times, a master of invective, a man of strong and earnest convictions he exercised necessarily a large power in political councils, and did much to mould the legislation of the province. His speeches, however, were too often the laboured efforts of the lawyer, determined to exhaust the argument on his side—in this respect he resembled Edward Blake in these later days—and he had none of the arts of Joseph Howe, whose eloquence had more of nature and capacity to reach the hearts and sympathies of the people. He had no deep sense of humour or ability to amuse an assembly—qualities indispensable for a great popular leader, especially on the platform. At rare times, however, he forgot the lawyer and gave full scope to the pent-up fires of a man in whose veins flowed the hot blood of the tropics, for he was not a Nova Scotian, but a West Indian by birth. It is an interesting fact that, while a Tory by education and aspiration, he was more than once an advocate of most liberal and even radical measures, one of which, simultaneous polling at elections—or the holding of elections on one and the same day—he himself carried ten years even before it was thought of in the Canadian provinces. To him more than any other does Nova Scotia owe the relief from the monopoly of the coal mines, long held by an English company under a royal charter given to a

royal duke who sold it for jewels for his mistresses. When responsible government was in full and satisfactory operation, he advocated an elective legislative council—a certain number of members retiring periodically—with the avowed object of solving what has been for years a problem with some Canadian thinkers—to preserve and at the same time strengthen the upper house in our system of government. Mr. Johnston was also a sincere and earnest prohibitionist, and attempted, unsuccessfully, in 1855, to pass a measure to prohibit the sale and manufacture of liquor in the province; a measure which evoked the sarcasm of Joseph Howe, who never believed in its practicability and had no objection to the moderate use of wine, though he himself was a man of most abstemious habits at a time when over-indulgence was unhappily not uncommon in the public and social life of the province. He was the first British American to propose and carry in a provincial legislature a resolution in favour of a union of the provinces “as calculated to perpetuate their connection with the parent state, promote their advancement and prosperity, increase their strength and influence, and elevate their position in the empire.” It was on this memorable occasion that Joseph Howe delivered a speech on the organization of the empire in which he gave most eloquent expression to his imperial sentiment and advocated that federation of the empire which in these later days has found so many able and enthusiastic exponents.¹ It is an interesting fact that loyalists or their descendants—notably Chief Justice Smith of Lower Canada, in 1789,² Chief Justice Sewell, of Lower Canada, in 1814,³ and Messrs. Johnston and Howe in 1854—should have been the first to urge such a scheme of colonial union as was vainly pressed by Joseph Galloway on the attention of the colonial congress in 1774, as a means of adjusting the serious difficulties which had arisen between the thirteen colonies and the parent state.⁴

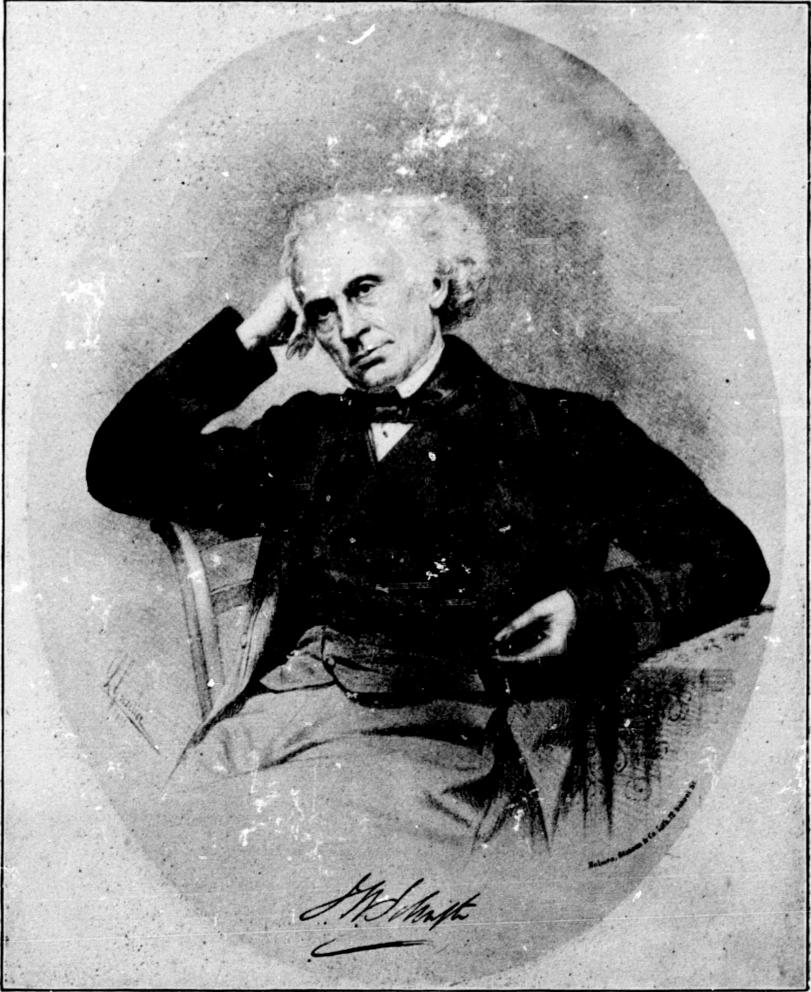
In social intercourse, Mr. Johnston appeared much buried in his thoughts and never displayed those magnetic and sympathetic qualities that made Joseph Howe so widely liked by all classes, especially the poor

¹ See Appendix I for a full report of this eloquent address. Mr. Howe's famous speech on this occasion is also given in Appendix J.

² See Kingsford's "History of Canada," vol. VII., p. 311. Chief Justice Smith had also been a justice of the supreme court of New York.

³ See Sewell's "Plan of Union," London, 1814, and Lord Durham's Report, 1839. Chief Justice Sewell was a son of the last attorney-general of Massachusetts, as an English colony, and became chief judge of Lower Canada in 1808. He was succeeded in 1838 by the son of another loyalist, Sir James Stuart, Bart.

⁴ See pages 50-52 in "The Examination of Joseph Galloway, Esquire, late Speaker of the House of Assembly of Pennsylvania, before the House of Commons in committee on the American Papers, with explanatory notes. London, 1759." An edition of this scarce pamphlet was printed at Philadelphia in 1855 by the Council of the Seventy-Sixth Society. See also vol. I., pp. 371-373 of "The Literary History of the American Revolution, 1763-1783. In 2 vols., by Professor Tyler, of Cornell University. New York and London, 1897."



HON. J. W. JOHNSTON.

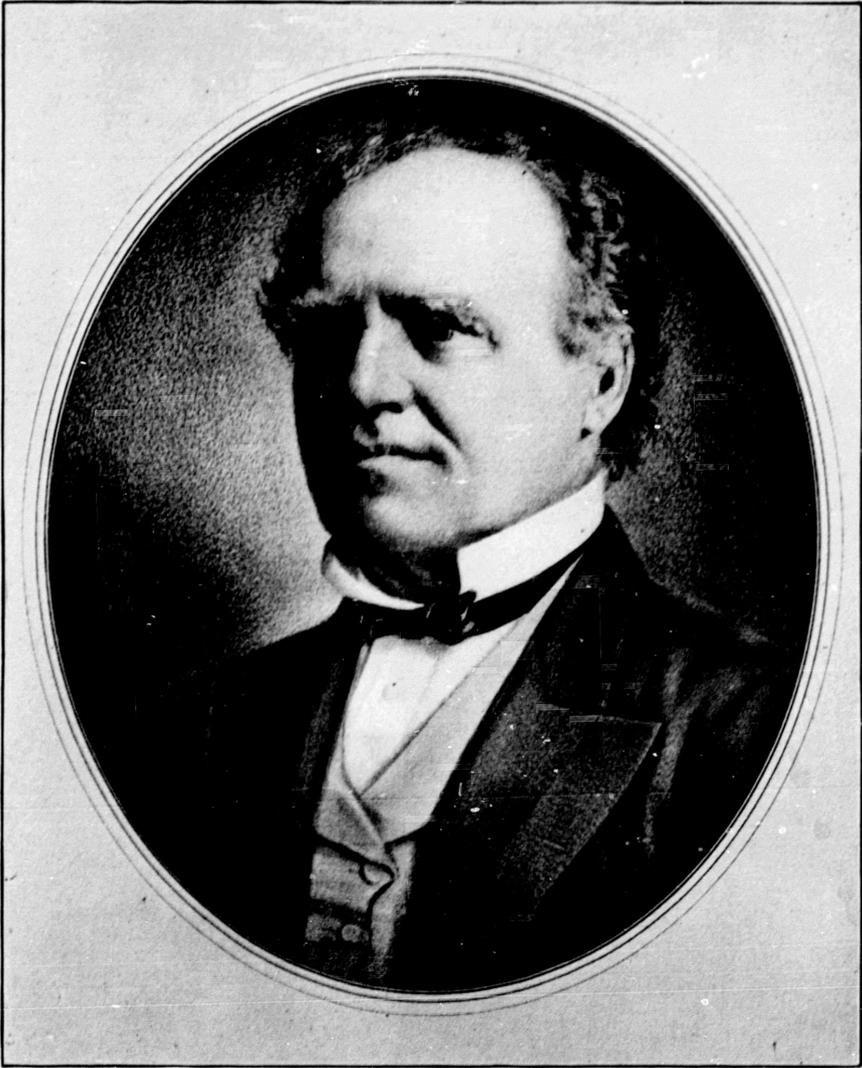
From a portrait taken in his 63rd year.



and humble. For many years the prize he had always in view was the chief justiceship—the natural ambition of a great lawyer. The contest lay between him and William Young, of whom I have already briefly written. Both in politics and law Johnston and Young were rivals; their aim was the same, the leadership of the government, and the chief justiceship as the crowning result. The office had been already held for very many years by Sir Brenton Halliburton—no relative of the famous humorist, also a judge whose name must be spelled with only one “l.” When the contest was at its height Sir Brenton was an octogenarian and his usefulness was fast disappearing, but he held on with persistency, to the great anxiety of Conservatives and Liberals, who wished the prize to fall to their respective chiefs, Johnston and Young. One day Sir Brenton died and unhappily for the aspirations of the Conservative leader, the Liberals were in office, and William Young became chief justice and was afterwards knighted. It was undoubtedly a blow to Mr. Johnston, not quite mitigated by his subsequent appointment as chief judge in equity—an office made specially for him by the Conservative party as soon as they came into power. New generations have grown up since Mr. Johnston was a force in law and politics, and his name seems fast fading away from the memory of the people of the province where he laboured so earnestly and conscientiously. His speeches have never been collected in a volume, but it is questionable if they would now be read, since they were, as a rule, powerful political and legal arguments intended for present effect, and not replete with those graces of literary culture and eloquence that still make the best efforts of Howe and McGee quite readable. He was no writer and consequently we have no memorial of his undoubted genius except in the statute book and the official debates which can be found in pamphlet form or in the old files of the party newspapers. He was a pure and incorruptible politician, and despite his natural aspiration for the chief justiceship, to win it he would never have sullied his character by corruption or intrigue. Although he had, for a while, doubts as to the successful operation of responsible government, once it was won, he used his great talents to work out its principles with fidelity to the crown and people. He remained on the equity bench from 1863 to 1872, when he visited Europe with the hope of prolonging a life which was too obviously ebbing to its close. He would have been appointed lieutenant-governor of the province in succession to Joseph Howe, but relentless fate intervened and Nova Scotia was not permitted to welcome the great Conservative chieftain and distinguished jurist to that venerable building, which in old times of conflict, before the union of the provinces, seemed so far beyond the reach of colonial politicians, though it had so frequently for its tenants far inferior men from the parent state, who happened to be favourites with Downing street and imperial politicians.

23 ✓
years
old at
the time

V. Honourable Joseph Howe.—As I recall the portrait of the most famous Nova Scotian of his time—famous for the brilliancy of his eloquence and his wide popularity in the province where he struggled successfully for the people's rights—I can still see in my mind's eye the face and figure of Joseph Howe, when he stood by the clerk's table in the session of 1860, answering Dr. Tupper, who was the most formidable opponent the Liberal leader ever met in the political field. Howe was claiming the victory for the Liberal party at the elections in 1859—a claim which was denied by Dr. Tupper, then provincial secretary. Much excitement existed in political circles on account of the government being defeated by a small majority, made up of a few members who held certain offices and were notoriously ineligible. The Conservatives endeavoured to force Lord Mulgrave, then lieutenant-governor, to interfere and even to go as far as to grant them a dissolution on the ground that the members in question were disqualified and could not legally sit. Lord Mulgrave refused to interfere in a matter which was clearly within the exclusive jurisdiction of the House itself, and the Conservative party never forgave him when the government was forced to resign and the Young-Howe administration was formed, as a consequence of his action. Mr. Howe, on the occasion to which I am referring, was defending the attitude of his party, which was using the votes of the disqualified men to come into office. Then, as always when excited, he had thrown his coat back on his shoulders and denounced his opponents with his forefinger pointed at them individually, and with all that scornful accent which his voice could assume on momentous occasions. He was a very ready and versatile debater, but his greatest and most readable speeches were the results of careful study and preparation, although never written out in full and memorized. He used notes, but not to a very great extent, depending chiefly on his memory of the arguments that he had previously passed through his mind when preparing for a debate. Although I reported many of his speeches in the years when I sat at a desk with the late premier of Canada on the floor of the old chamber, a little beyond where the Speaker's chair is now placed, I never saw a manuscript of any of them; but he was a merciless corrector of proofs, and gave the printers a great deal of trouble, although he had been in his young days, a compositor and knew something of the trouble of "over-running" in his long journalistic experience. The fact is, he was a very keen critic of his own performances, and attached great importance to the literary finish of his speeches and to their easy reading—an explanation of the interest and pleasure one can now take in the published volumes of his addresses. He did not speak entirely for the present but for future generations. His massive head was set on a sturdy framework, his eyes were always full of passionate expression, his voice had a fulness and a ring of which he had a most complete mastery, his invective was as



HON. JOSEPH HOWE.

From a portrait taken in his 60th year.



powerful as his humour was catching and his pathos melting. Indeed he had a sense of humour and a capacity for wit which has never been equalled by any public man I have ever met in public life. Among his compeers, at a dinner or supper table, this humour was at times a "little robust," to use the expressive phrase given me by a former governor-general of Canada. He was like Sir John Macdonald in this particular, though far superior to him in originality of wit and power to tell a good story. Howe's sense of humour, his personal magnetism, and his contempt for all humbugs, his sympathy for human weaknesses and frailties, added to his earnest advocacy of popular liberties, deservedly won for him a place in the people's hearts, never held before or after him by a public man in Nova Scotia. He was the most magnetic speaker who ever stood on the public platform in the Dominion: he could sway thousands by his flights of eloquence, and lead them to follow him as if he were the shepherd of a flock of political sheep. Even his opponents loved to listen to him in his palmy days in a province where there has been always a great deal of political bitterness. In the homes of the people he was always welcome, the children loved to hear his stories, and the girls never objected to be kissed by him. He was vain of his popularity, but his vanity was that peculiar to all great men and never obtrusively displayed. It was the vanity that spurs men to greater efforts and to make the best use of their abilities. He was always a loyal subject of the crown, and when Papineau and Lyon McKenzie were luring their "patriot bands" to certain ruin, Howe was urging counsels of moderation, and was not ready to go beyond lawful constitutional agitation to force the Imperial authorities to grant Nova Scotians a larger measure of self-government. In taking this course he was animated by the same loyal sentiments which distinguished his father and other loyalists who were not prepared to resort to the arbitrament of war but honestly believed that all vexed questions between the mother country and her recalcitrant colonies could be eventually settled by legitimate constitutional methods. During the movement for confederation he found himself in the unfortunate position of opposing a union to the advocacy of which his most eloquent address had been mainly devoted many years previously. It was most unfortunate for the success of this great national measure that so powerful an orator and leader of the people should have thought it his public duty to assume an attitude of hostility which eventually brought the province to the very verge of revolution.

Howe was never in his heart opposed to union in principle as I know from conversations I had with him in later times, but he thought the policy pursued by the promoters of confederation was injurious to the cause itself—that so radical a change in the constitution of the province should have first been submitted to the people at the polls, and that the terms arranged at Quebec were inadequate in the main. In one respect

he was right, and that was in believing that the energetic and, in some respects, hasty action of the Nova Scotia leaders of confederation was certain to create a bitterness of feeling against any scheme of union, which might sooner or later endanger even Imperial connection. When Howe gave up the fight against confederation, and accepted the "better terms," which were the result of the contest he fought from 1865 to 1868, it was with the honest conviction that no other course was open to one who valued the preservation of British interests on this continent. He understood above all other statesmen the value of confederation if fairly worked out, and the dangers of isolation; and when he had won for his province more favourable financial terms he withdrew from a hostility which was not reconcilable with his former advocacy of a scheme of union and with his desire to perpetuate British institutions on this northern half of America. His action at this critical time in our political history lost him many staunch friends in his own province, and no doubt he was, until his death, sometimes an unhappy man when he fretted under the difficulty of bringing his associates and supporters of a long political career to understand the loftiness of his motives and the true patriotism that underlay his whole conduct at this critical stage in the history of the Canadian Dominion.

Howe left behind him two volumes¹ of speeches and addresses which he delivered in the course of his long and chequered career, with an appendix containing the letters he wrote to Lord Russell on responsible government—the ablest exposition of the subject written by any of the actors in those stirring times. These volumes have on the title page the name of William Annand as the editor, but it is well known that Mr. Howe himself collated and corrected all these speeches and letters which cover the most momentous period in the history of Nova Scotia. Mr. Annand was chiefly noted as the publisher of *The Morning Chronicle* and *Nova Scotian*, the organs of the Liberal party, and as the friend and follower of Joseph Howe for many years. Intellectually he was weak but his paper and his friendship gave him a sort of factitious weight in public affairs. It was men like Howe, Jonathan McCully, and other strong writers in the Liberal party who, before 1867, gave vigour to the editorial columns of *The Chronicle*. However, Mr. Annand thought he saw his opportunity when Mr. Howe entered the dominion government, to become a leader himself, and refused to bow to his former idol, but used his best efforts to destroy his usefulness in the province. While the friendship was real, and Mr. Annand was nominally editing Howe's "Life and Letters," he might have performed a useful task if he could have actually devoted himself to give us an insight into his great friend's

¹"The speeches and Public Letters of the Hon. Joseph Howe, edited by W. Annand, M.P.P., Boston, Halifax and Montreal; 2 vols., 1858."

character, some accounts of his inner life, some stories of his humour and wit, some description of those personal traits which delight all readers, which give such a charm to Boswell's Johnson, and Lockhart's Scott. As it is, however, Mr. Howe attempted no more than to give a very meagre account of his own life, and a short and even inadequate historical narrative to explain each speech and address. His speeches and letters, however, were corrected by him with a careful literary hand, and are well worthy the study of every young man who wishes to think well of his country and imbue himself with the true principles of political liberty and sound patriotism. Although delivered so many years ago they can still be read with pleasure and profit, replete as they are with passages of striking eloquence and illustrating his deep study of the great masters of thought, wit and oratory. It is his graces of style—evidence of how deeply he had drunk from the well of English undefiled that give to his speeches and letters a value and interest that cannot be found in the efforts of any other public man of British North America. We find more incisive debating power, closer argument, more legal and constitutional learning, in the great speeches of Mr. Johnston and other contemporaries, but in none of them is there that rare genuine eloquence, that wealth of illustrations drawn from the masters of English prose and poetry, that originality of idea, that comprehension of what constitutes true political liberty, which we find in the speeches and letters of the famous Liberal of Nova Scotia.

His career was in many respects most remarkable, from the day he worked at the compositor's case until he died in that old brown stone government house which has stood for the greater part of this century a few blocks from the somewhat younger province building. During the hot fight he carried on against Lord Falkland, who was sent out to Nova Scotia as a lieutenant-governor at a most critical stage of its constitutional history, he found himself actually shut out from the hospitalities of government house and was "cut" by the governor and his friends. Indeed, it could hardly have been otherwise, as Howe fiercely attacked Lord Falkland for his very doubtful course during a time when impartiality and tact were qualities indispensable in a governor, called upon to work out responsible government at its very inception. The lieutenant-governor had been chosen unfortunately for Nova Scotia—for he was not a strong man intellectually—to conciliate the popular leaders and give them a legitimate share in the government, but it was not long before he practically found himself at the head of the Tories and engaged in a conflict with Howe and his friends. He even so far forgot his dignity as to publish a letter in his own defence in the public press. Howe wrote as well as he spoke; he could be as sarcastic in verse as in prose, and Lord Falkland suffered accordingly. Some of the most patriotic verses ever written by a Canadian can be found in his collection

of poems ; but relatively very few persons nowadays recollect those once famous satirical attacks upon the lieutenant-governor, which gave much amusement to the people throughout the province, and made his life almost unbearable. These verses contain too many local allusions to be appreciated by those who are not thoroughly conversant with the history of those times, and I shall content myself with a quotation from "The Lord of the Bedchamber," an allusion to one of the positions previously held by Lord Falkland. The following verses show the lieutenant-governor's opinion of the troublesome house of assembly, and his way of conciliating some of its unruly elements :—

Lord Falkland is supposed to be in the privacy of his bedroom at government house waiting for a reply to a message he had sent some time before to the people's house.

"No answer. The scoundrels, how dare they delay,
Do they think that a man who's a peer
Can thus be kept feverish, day after day,
In the hope that their Speaker'll appear.

"How dare they delay when a Peer of the Realm,
And a Lord of the Bedchamber too,
To govern them all has been placed at the helm,
And to order them just what to do !

"Go D—dy ; go D—dy ¹ ; and tell them from me.
That, like Oliver Crom., I'll come down,
My orderly sergeant mace-bearer shall be
And kick them all out of the town.

Then his Tory friend ventures to hint that it might not, for him, be safe to repeat what the governor had said.

"They've got some odd notions, the obstinate crew,
That we are their servants—and they
A sergeant have got, and a stout fellow too,
Who their orders will strictly obey.

"Besides, though their leader and I have averred
That justice they soon shall receive,
'Tis rather unlucky that never a word,
That we say will the fellows believe.

"How now, cries his Lordship, deserted by you,
I hope you don't mean to retire,
Sit down, sir, and tell me at once what to do,
For my blood and my brain are on fire.

¹Mr. Dodd, afterwards a justice of the supreme court, and a strong Tory during his political career. He lived in Sydney, where I knew him well in my boyhood.

Then the governor's friend suggests a method of settling matters, quite common in these as in old times.

"Suppose; and his voice half recovered its tone,
You ask them to dinner, he cried,
And when you can get them aloof and alone
Let threats and persuasion be tried.

"If you swear you'll dissolve, you may frighten a few,
You may wheedle and coax a few more,
If the old ones look knowing, stick close to the new
And we the opposition may floor.

This advice was obviously palatable to his Lordship.

"I'll do it, my D—dy, I'll do it this night,
Party government still I eschew,
But if a few dinners will set you all right,
I'll give them and you may come too.

"The Romans of old, when to battle they pressed
Consulted the entrails, 'tis said,
And arguments if to the stomach addressed,
May do more than when aimed at the head."

In this way Howe and the political fighters of the maritime provinces diversified the furious contest that they fought with the lieutenant-governor, and it was certainly better that the people should be made to laugh than be hurried into such unfortunate uprisings as occurred in the upper provinces. Happily such a style of controversy has also passed away with the causes of irritation, and no Lord Falkland could be found nowadays to step down into the arena and make a personal issue of political controversies.

But Howe's genius as a poet was better illustrated by other poems before me as I write than by satirical verses called forth by heated political controversies, and now almost forgotten with the death of the men who took part in them. In the little volume of *verses*, which one of his sons¹ had printed and published after his father's death, we see something of the true nature of the man—his love of nature and her varied charms, his affection for wife, children and friends, his fervid patriotism, his love for England and her institutions. No poems ever written by a Canadian surpass, in point of poetic fire and patriotic ideas, those he wrote to recall the memories of the founders and fathers of our country. Great as were his services to his native province and to Canada—for had he continued to oppose confederation, Nova Scotia would have remained much longer a discontented section of the Dominion—we look in vain in the capital or any large town of Nova Scotia, for a monument

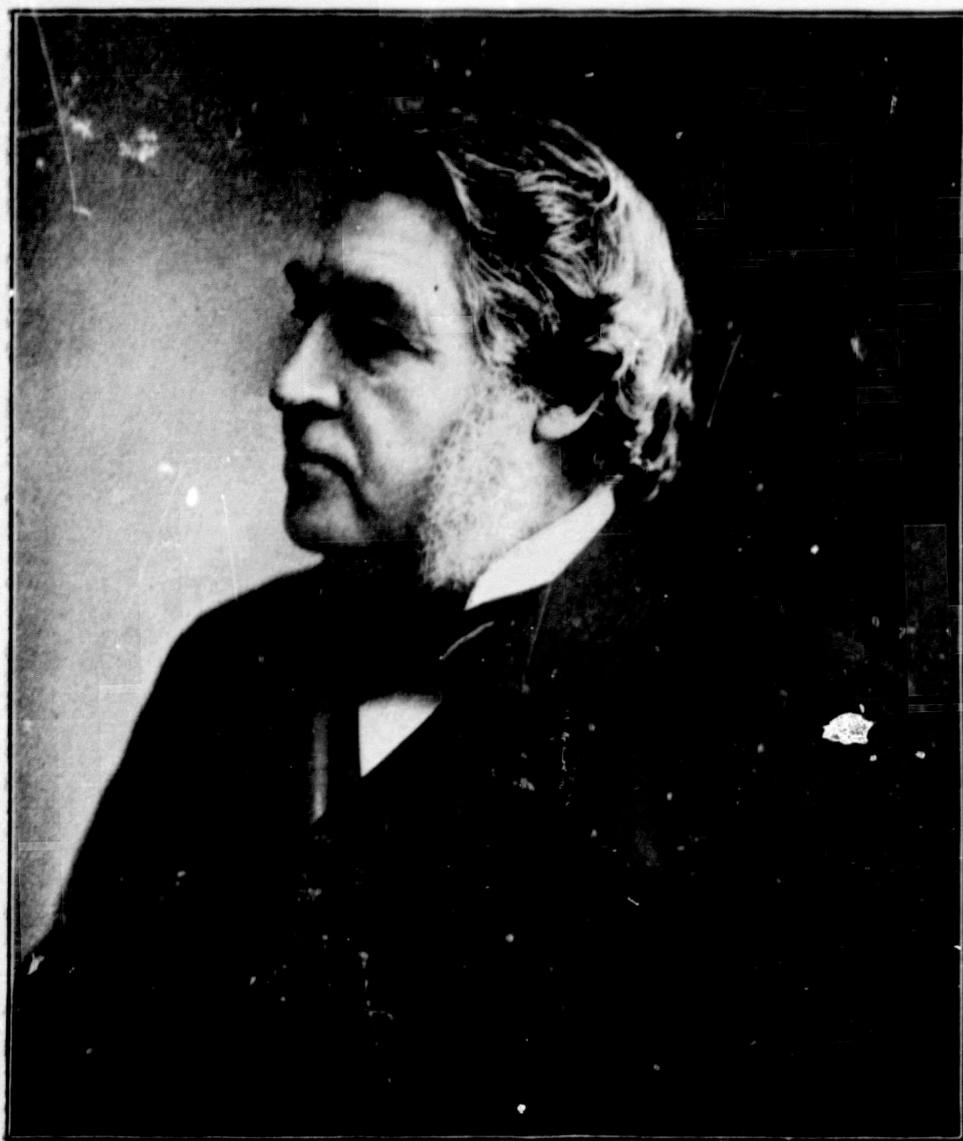
¹"Poems and Essays, by the Hon. Joseph Howe, Montreal, 1874." Collected by his son Sydenham Howe, who contributes a short preface.

worthy of the man and statesman ; for such a monument as has been raised in several cities in Canada to Sir John Macdonald, who in some respects was not his equal, and not more deserving of the gratitude of his fellow countrymen. Howe's life was rarely free from pecuniary embarrassment, fortune never smiled on him and gave him large subscriptions and possessions of land and money, the *res angusta domi* must at times have worried him. He had an aim before him—not wealth, but his country's liberty and her good. It was, however, a fitting termination to his career that he should have died a tenant of that very government house whose doors had been so long in old times obstinately closed against him. His voice had been often raised in favour of appointing eminent Canadians and Nova Scotians to the position of lieutenant-governor ; and he was wont in some of his speeches to make caustic comparisons between the men of his province and the appointees of Downing street.

Stern destiny, which is ever playing such pranks with poor humanity, with statesmen as well as mechanics, with the greatest as well as the humblest of mortals, placed him for a while—too short a while—where Falkland had lorded it over him and others, and where he could recall the past with all its trials and struggles, humiliations and successes ; and then Fate, in its irony, suddenly struck him down, and the old government house lost the noblest and greatest man who ever lived within its walls. As I close this imperfect tribute to a man whose broad statesmanship and undoubted genius I recalled as I stood last before his portrait in the assembly room of the Province Building, I ask his countrymen to remember his own noble verses, and apply them not only to the famous Liberal orator, poet and statesman, but also to his eminent opponent, the Conservative chief, who, like himself, was an honest conscientious man differing in principles, but equally influenced by lofty aspirations :

“ Not here? Oh yes, our hearts their presence feel ;
Viewless, not voiceless, from the deepest shells
On memory's shore harmonious echoes steal,
And names, which, in days gone by, were spells,
Are blent with that soft music. If there dwells
The spirit here our country's fame to spread,
Where every breast with joy and triumph swells,
And earth reverberates to our measured tread,
Banner and wreath will own our reverence for the dead.

“ The Roman gather'd in a stately urn
The dust he honored—while the sacred fire
Nourished by vestal hands was made to burn
From age to age. If fitly you'd aspire,
Honour the dead ; and let the sounding lyre
Recount their virtues in your festal hours ;
Gather their ashes—higher still, and higher
Nourish the patriot flame that history dowers,
And o'er the old men's graves go strew your choicest flowers.”



HON. SIR CHARLES TUPPER, BART., G.C.M.G.

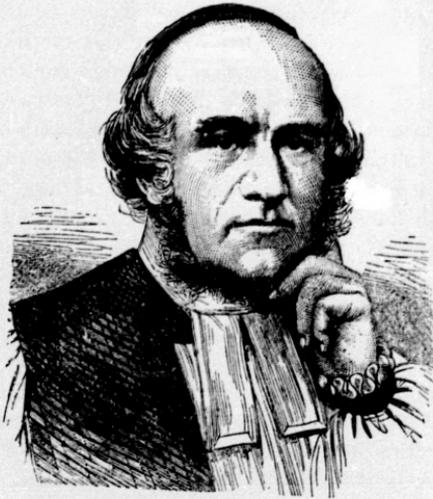
At age of 77.

VI. Sir Charles Tupper, Sir John Thompson, and others.—On the retirement of Mr. Johnston from the field of political competition the leadership of the Conservative party devolved naturally upon Dr. Tupper, a descendant of a pre-loyalist stock. He became one of the most influential actors in the public affairs not only of Nova Scotia but of the new Dominion. He established the present admirable system of public education in the country, where it was previous to 1864 in a most deplorable condition. It was largely through his remarkable pertinacity that the Confederation was eventually established, and though so many years have passed since those eventful and trying times, he is still an active and conspicuous figure in political life, while the voices of his famous compeers have long since been hushed in the grave. He continues to show that tenacity of opinion, that power of argument, that confidence in himself, and that belief in Canada's ability to hold her own on this continent, which have been always characteristics of a remarkable career, and though he is now drawing to the end of his eighth decade of years, time has in no sense dimmed his intellect, but on the contrary he is capable of the same vigorous oratory which was first displayed in the old chamber of the assembly of Nova Scotia, while the progress of age has only given additional breadth to his statesmanship.¹ It does not, however, fall within the scope of this paper to refer to men who are still alive. The time has not come for speaking calmly and dispassionately on the merits of men like the venerable chief of the Opposition who has, naturally, in the course of a remarkable life, evoked many antagonisms. Be that as it may, Nova Scotians, Liberals and Conservatives alike, cannot fail to admit that his intellect, energy and oratory, entitle him to the highest place in the roll of Nova Scotia's most distinguished statesmen.

I have still before me the well-known figure of Sir John Thompson, the friend of my early manhood as well as of later years. All will admit he was a statesman of worthy ambitions and noble motives, a remarkable close reasoner, and a logical speaker who had hardly an equal for clearness of expression in the House of Commons of Canada. His life in the Dominion field of politics was one of promise rather than of performance in successful statesmanship, and I doubt very much if he could ever have been willing to master all the arts and intrigues of a successful politician. In him Canada lost a man who, above all others, would have brought to the supreme court of Canada, or to the judicial committee of the privy council of the empire a clearness of intellect, a soundness of judgment, and an accumulated store of legal knowledge as well as intensity of purpose which would have been invaluable to this country during this practically formative stage of our constitution; but that obdurate fate, which has hovered over the Conservative party since the death of Sir John Macdonald, the great prime minister, struck Sir John Thompson

down almost at the foot of the Throne and placed Canada in mourning for one of her sons torn from her in the pride of his intellect.

It was my good fortune to win the kindly regard of Bishop Binney, who was a native of Sydney, though he left that place at a very early age, and subsequently received all the advantages of Oxford University, where he won much distinction. As head of the church in the province he evoked much antagonism during his administration, on account of his great determination of character which brooked no opposition, and his pronounced high church views, which he always asserted as the true historic principles of the church. Now that the mellowing influences of time have softened the asperities of the bitter past, those who think of the bishop and knew him best must bear willing testimony to the depth



BISHOP BINNEY.

of the kindly and generous feeling that he had always in his heart for his friends and even for his opponents when they met him in a spirit of fair play and sincerity. If he was unbending at times when he believed a great principle was at stake, it is well now to remember he was influenced by strict conscientiousness and lofty motives. In his social life he was remarkably hospitable and was not niggardly of his means when the poor clergy came to his doors, which they found always "on the latch."

VII. Some Famous Soldiers.—It was my good fortune over thirty years ago to meet and converse on more than one occasion with the hero of Kars, who became for the first time since his boyish days in Annapolis Royal, intimately associated with the public affairs of Nova Scotia as lieutenant-governor in 1865. Sir William Fenwick Williams was ap-



RT. HON. SIR JOHN THOMPSON, K.C.M.G.
From a photograph by Topley of Ottawa.



pointed at that critical moment when the provinces were threatened by the Fenians and the federal union was trembling in the balance. The imperial government felt it was advisable that an officer of signal military ability should be stationed in the maritime provinces—for General Hastings Doyle was more remarkable for his careful uniform and padding and social graces than military experience—and that every possible influence should be brought to bear on the unstable politicians who were opposing the consummation of this imperial and intercolonial measure. A man of high conceptions, broadened by contact with able statesmen of many nations, raised far above the petty jealousies, rivalries and prejudices of a small colony always noted for the intensity of its party



GENERAL SIR F. W. WILLIAMS, BART., G.C.M.G., OF KARS.

conflicts, he recognized the danger under existing conditions of the continued isolation of Nova Scotia from the other British North American provinces. No doubt he considered it his duty to use his persuasive tongue and gift of clear and conclusive argument to promote the realization of the project to which his deliberate judgment was completely wedded. Of the extent or value of his influence on the uncertain minds of some opponents of confederation, it is impossible for me to say anything definite, and all we positively know is the historic fact that during his short administration of the government Dr. Tupper, then premier, succeeded in bringing Nova Scotia into the federal union with the consent of a large majority of the legislature. General Williams, in appearance,

came fully up to the ideal one forms of a brave soldier, though in the ordinary relations of social life he was full of *bonhomie* and genial talk, which gave no one the thought that he was the same man whose gifts of command so completely swayed the garrison at Kars amid the most extraordinary privations, and whose resolute courage had won the admiration of the Russians, who only conquered him by the horrors of starvation.

I pause for a moment in the recording of these desultory reminiscences, to recall to the memory of his countrymen and countrywomen the unqualified praise which General Williams's indomitable courage drew from friends and foes alike when the defenders of Kars were forced at last to capitulate. "General Williams," said Mouravieff, the Russian general to whom the fortress surrendered, "You have made yourself a name in history, and posterity will stand amazed at the endurance, the courage, and the discipline which this siege has called forth in the remains of an army which has covered itself with glory and yields only to famine." In the English House of Commons, Lord Palmerston said: "A greater display of courage, or ability, of perseverance under difficulties, or of inexhaustible resources of mind, than was evinced by General Williams, never was exhibited in the course of our military history." In the House of Lords the Earl of Derby paid his tribute in these eloquent words: "I would say to those gallant spirits, to Williams, to Teasdale, to Lake and Thompson, 'you may rest assured that this hour and the country deeply sympathize with you in your misfortunes, and we honour the valour and prize the fame of the brave but unsuccessful defenders of Kars as not below those of the more fortunate conquerors of Sebastopol.'"..... "The name of Kars," continued the noble leader of the Conservative party, once aptly called in his impetuous youthful days the Rupert of debate, "will be remembered to the immortal honour of its defenders! a name of everlasting triumph and distinction to the valiant souls, who, amid all the horrors of famine, and hemmed in on all sides by an overpowering force, again and again repulsed their enemy, on whom they on one occasion inflicted a loss almost exceeding the carnage of any battle of modern times, and who, in spite of every discouragement, maintained their high spirit, and achieved victory after victory until finally compelled to yield not to the overwhelming numbers of the foe, but to the still more unconquerable force of sheer famine."¹

It was but fitting that the representatives of the province, when assembled in parliament, should immediately recognize in a tangible form the valour of an illustrious son, and I well remember—though I was but a mere boy then—the eloquent words with which Attorney-General (Sir

¹ See "Portraits of British Americans" by Fenning Taylor, (Montreal, 1865,) Vol. I., for an admirable sketch of Williams's career. The portrait I give is by Notman, who illustrated this book.

William) Young moved, and the Honourable James W. Johnston supported an address to the lieutenant-governor for the purchase of a sword "as a mark of the high esteem in which his character as a man and a soldier, and especially his heroic courage and constancy in the defence of Kars, were held by the legislature of his native province". "Of all the proofs



GENERAL SIR J. E. W. INGLIS, K.C.B., OF LUCKNOW

From a portrait in Province Building.

which I have received, or shall receive of this too general sentiment in my favour," wrote General Williams when he heard of the action of the Nova Scotian legislature, "the sword voted to me by my fellow-countrymen is the most acceptable to my heart; and when I again come in sight

of the shores of that land, where I first drew my breath, I shall feel that I am a thousand times requited for all I have endured during the eventful years of the last terrible struggle."

At a later time another sword was voted to another gallant Nova Scotian, the grandson of the first colonial bishop of the Church of England, and the son of the third bishop of Nova Scotia, Lieutenant-Colonel, or,—to give him his later titles—Major-General Sir John Eardly Wilmot Inglis, K.C.B., who took a conspicuous part in the dreadful conflict of the Indian mutiny. With rare intrepidity for nearly ninety days he successfully resisted with a small force—a resistance not paralleled in the annals of modern warfare—the murderous attacks that were persistently made upon Lucknow by more than fifty thousand mutineers, and won imperishable fame like Havelock and Lawrence.

Two years later than the payment of this tribute to the hero of Lucknow,¹ the citizens of Halifax assembled by thousands in front of and about the old burying ground on Pleasant street, opposite Government House, to witness the unveiling of a monument which had been erected, in honour of two other brave Nova Scotians, who had fallen in the Crimean war. One of these soldiers was Captain Parker, a grandson of that Benjamin Green, whom I have mentioned in the first part of this monograph as a member of Governor Cornwallis's council. He was one of several distinguished men who have been educated in Horton Academy or in Acadia College as it became at a later time, and after a meritorious career of sixteen years in the British army, met a soldier's death in the final attack on the Redan. His comrade in death and fame, Major Welsford—the grandson of a Loyalist of 1783¹—was a graduate of old King's, where his name is kept green in the memory of its students by an annual prize founded by that staunch old loyalist, Senator Almon of Halifax. He too found a place among the gallant dead who fell as they were scaling the parapets of the Redan.

" Sound, sound the clarion, fill the fife !
To all the sensual world proclaim,
One crowded hour of glorious life
Is worth an age without a name."

Williams of Kars may appropriately find a niche among the builders of Nova Scotia since he was closely identified with the closing years of the province as a distinct government, but while Inglis, Parker and Welsford were not directly connected with phases of the internal development of the province where they were born and educated, the qualities they displayed, of heroic endurance and indomitable courage, were qualities which have helped to place the province in its present eminent position

¹ Of Philip Marchington, a Loyalist from New York. See Akins's History of Halifax, p. 97.

among the enlightened communities of this continent, and should be held up to the emulation of all generations of Nova Scotians.¹

VIII. Shadows of the Past—Conclusion.—Other forms too, rise before me as I peer into the vista of the past and I hear “their distant footsteps echo through the corridors of time”:—William Garvie, cut off in the prime of his intellect, a bright and fluent speaker and writer, whose first public contributions were given to *The Halifax Reporter*, of which I was the young editor; Stewart Campbell, once speaker of the assembly, of stately presence and well-rounded sentences; Dr. Crawley, the revered president and practically founder of Acadia College, whose erect, handsome figure was the heritage of a family of nature's gentle-



JUDGE MARSHALL

Aged 89.

men, and whose richly endowed mind was allied to a most lovable disposition; Professor de Mille, called away before the full realization of the literary promise of his early and successful literary efforts, of which the “Dodge Club Abroad” will be still best remembered; eccentric Peter S. Hamilton, who made *The Acadian Recorder* a political force in old times, but died in poverty years after the successful consummation of the federal union of Canada, of which he had been one of the earliest and ablest advocates; the eminent savant Dr. Abraham Gesner, a descendant of a loyalist of 1783, who discovered kerosene oil and methods of extracting valuable oils from coal and other bituminous sub-

¹ The ladies of Halifax also presented to Lady Inglis a copy of the Bible, magnificently bound in dark purple morocco, and decorated with the mayflower, the emblem of Nova Scotia.

stances, but who, despite these economic discoveries, died in poverty; Mr. Justice Dodd, who filled for many years an important place in Nova Scotia politics on the Tory side, a great lover of out-door sports, a loyal supporter of British connection and a firm believer in the federal union and a conscientious occupant of the judicial bench to which his family have given three members, including himself; Reverend George Hill, so conscientious in the utterance of his evangelical views, so well versed in the masterpieces of English literature; Judge Marshall, a veteran of strict temperance views when frequent drinking was too much in vogue, a religious essayist deeply versed in biblical lore, and also a jurist and legal writer of ability in times when such a book as Marshall's "Justice of the Peace" was simply invaluable to illiterate communities, entirely destitute of libraries; Beamish Murdoch, whose stiff antiquated figure in rusty black was long familiar to the residents of Halifax, and illustrative of the indifference to personal appearance of an old student ever poring over musty archives, from which he compiled three octavo volumes, which cannot be dignified by the name of a History of Nova Scotia but, like Prince's Chronology or Holmes's Annals of America, offers abundant materials for the writing of an interesting historical narrative.

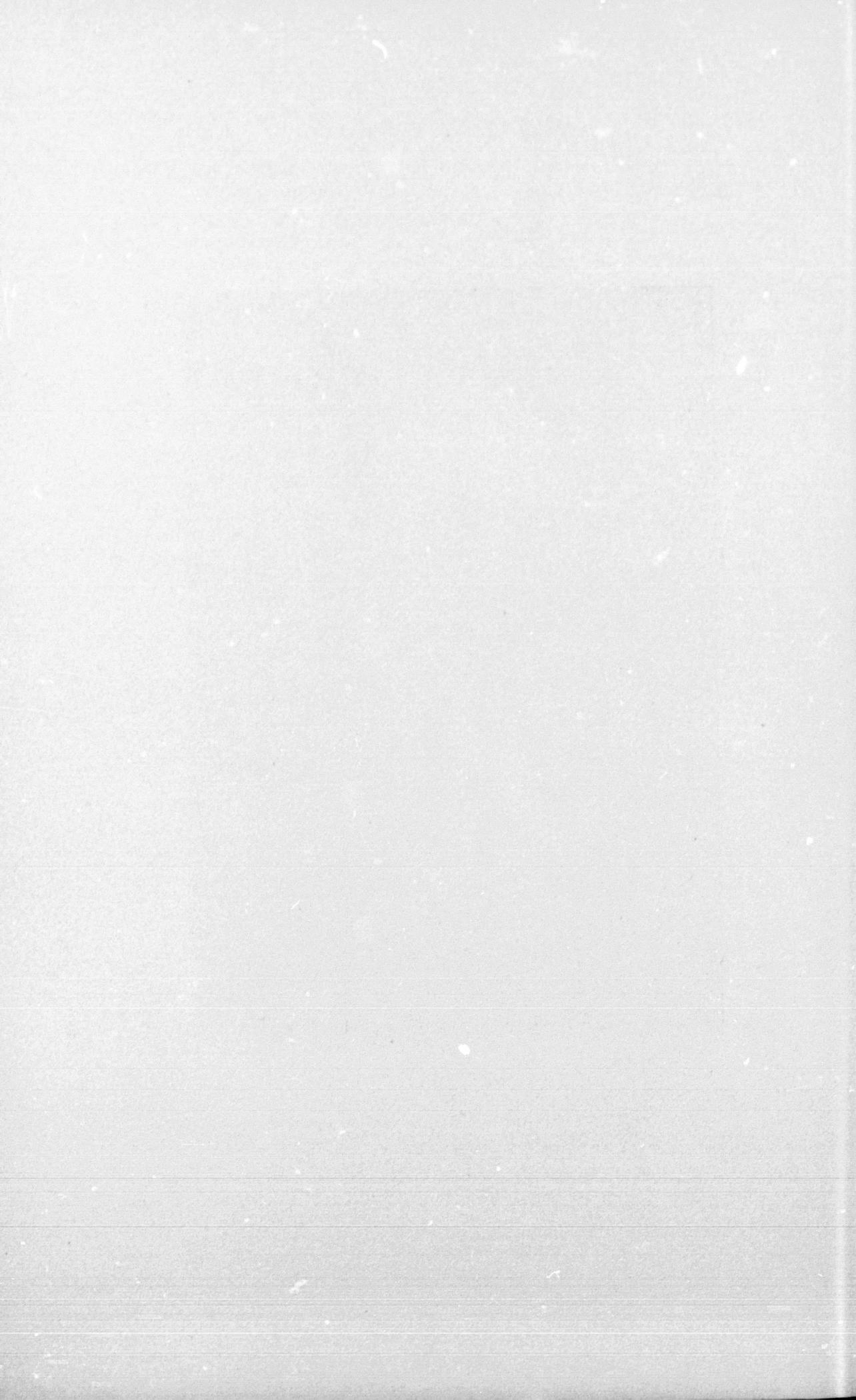
And as I revise in print these closing words, another eminent Nova Scotian, Sir William Dawson, whose name is intimately associated with the educational progress and the scientific lore of Canada, must also be placed among those Builders of the Past, whose memories I have feebly attempted to recall in these pages. Sir William Dawson occupied for several years the position of superintendent of education of his native province, and was subsequently chosen principal of McGill University which largely owes its success as a leading scientific institution of this continent to his great energy, administrative ability, and thorough knowledge. He was a voluminous writer on science, but his fame will chiefly rest on his Acadian Geology, which, for lucidity of style and thoroughness of investigation, occupies a high place among the scientific writings of this century.²

¹ Judge Marshall, who was the first judge appointed to Cape Breton after its annexation to Nova Scotia in 1820, has left behind him a short monograph giving his personal reminiscences of the hardships and difficulties that attended a judicial circuit in those days, "when large portions of my journeys were performed in Indian canoes, in which I have sometimes passed the greater part or the whole of the night, occasionally paddling to lessen exertion and to afford the poor, tired squaw a partial relief." The old judge—he died in his ninety-fourth year—describes the lawless elements that existed for years during his judicial term in this then sparsely settled island, which is now the resort of tourists attracted by its picturesque scenery and historic associations, and is about to become the headquarters of great iron works in connection with its collieries, whose annual product is very large and steadily on the increase. See "The late Judge Marshall, or the record of an earnest life," by J. G. Bourinot (a grandson on his mother's side), in "Canadian Monthly," 1880; also "Personal Narratives, with Reflections and Remarks," by J. G. Marshall, Halifax, N.S., 1866.

² His able son, Dr. George M. Dawson, C.M.G., F.R.S., who is also a native of Pictou, is the Director of the Geological Survey of Canada.



SIR J. W. DAWSON, C.M.G., F.R.S.



But I must drop the curtain over the past and close my ears to the many voices that are ever whispering. Where, indeed, do we not hear the voices of Nova Scotians? Do we not hear them in the old halls and sombre corridors of the Province Building, so full of the phantoms of Nova Scotia's public men? Do they not speak to us from the banks of the Annapolis, the Chebogue, the La Hève, the Avon, the Gaspereau, and the Basin of Minas, where the Acadians made the saddest pages of our history? From the Mabou, the Marguerite, the Miré, and other beautiful rivers, which now flow through cultivated meadows and farm lands, we hear the Scotch accents of the humble people who were exiled from the mountains and glens of old Scotia. Do they not speak to us from the storm-swept beaches of the Atlantic coast, where the surf of the ocean ever beats a requiem in memory of the hapless loyal exiles, who wept on the lonely shores to which they fled from their homes in the old rebellious colonies? Does not Inglis call to us from the beleaguered walls of Lucknow,—Williams from the ancient citadel of Kars,—Parker and Welsford from the trenches of the Redan? Wherever the drum beat "following the sun and keeping company with the hours" may play "the martial airs of England," will be heard the voices of Nova Scotians under the folds of the meteor flag to which they have been always true. From every part of the globe we hear the echoes of the calls of our sailors:

"From Bermuda's reefs; from edges
Of sunken ledges
In some far-off, bright Azore;
From Bahama, and the dashing
Silver flashing
Surges of San Salvador.

"From the tumbling surf that buries
The Orkneyan skerries,
Answering the hoarse Hebrides;
And from wrecks of ships, and drifting
Spars, uplifting
On the desolate, rainy seas."

And we may be sure that wherever Nova Scotians may be found—whether toiling under the burning suns of India, or amid the sands or jungles of Africa, or planting orange groves in the sunny land of Florida, or in the fruitful valleys of Southern California, or seeking fame and fortune in far Australian lands, or searching for gold amid the rocks of Klondike, or driving the plough through the rich grasses and flowers of the western prairies, or illustrating the intellect and genius of their people in legislative halls,—they never forget that Acadian land which is associated with the most cherished memories of their boyhood or manhood.

APPENDICES

APPENDIX A.

COMMISSION DU ROY AU SIEUR DE MONTS, POUR L'HABITATION ÉS TERRES
DE LA CADIE, CANADA ET AUTRES ENDRUITS EN LA NOUVELLE-FRANCE.

From L'Escarbot's "Histoire de la Nouvelle France," Vol. II., p. 408.

HENRY, par la grace de Dieu Roy de France et de Navarre, a nôtre cher et bien amé le sieur de Monts, Gentil-homme ordinaire de notre Chambre, Salut. Comme nôtre plus grand soin et travail soit et ait toujours esté, dupuis nôtre avenement à cette Couronne, de la maintenir et conserver en son ancienne dignité, grandeur et splendeur, d'étendre et amplifier autant que legitiment se peut faire les bornes et limites d'icelle; Nous estans dés long temps a informez de la situation et condition des païs et territoire de la Cadie; Meuz sur toutes choses d'vn zele singulier et d'une devote et ferme resolution que nous avons prinse, avec l'aide et assistance de Dieu, autheur, distributeur et protecteur de tous Royaumes et états, de faire convertir, amener et iustruire les peuples qui habitent en cette contrée, de present gens barbares, athées, sans foy ne Religion, au Christianisme, et en la creance et profession de nôtre foy et religion, et les retirer de l'ignorance et infidelité où ils sont; ayans aussi dés long temps reconeu, sur le rapport des Capitaines de navires, pilotes, marchans et autres qui de longue main ont hanté, frequenté, et traffiqué avec ce qui se trouve de peuples esdits lieux, combien peut estre fructueuse, commode et vtile a nous, a noz états et sujets, la demeure, possession et habitation d'iceux pour le grand et apparent profit qui se retirera par la grande frequentation et habitude que l'on aura avec le peuples qui s'y trouvent et le trafic et commerce qui se pourra par ce moyen seurement traiter et negocier, Novs, pour ces causes, à plein confians de vôtre grande prudence, et en la conoissance et experience que vous avez de la qualité, condition et situation dudit païs de la Cadie pour les diverses navigations, voyages, et frequentations que vous avez faits en ces terres et autres proches et circonvoisines; nous assureans que cette nôtre resolution et intention vous estant commise, vous la sçaurez attentivement, diligemment et non moins courageusement at valeureusement executer et conduire à la perfection que nous désirons, Vous avons expressément commis et établi et par ces presentes signées de nôtre main, Vous commettons, ordonnons, faisons, constituons et établissons nôtre Lieutenant general, pour représenter nôtre persone aux païs, territoires, côtes et confins de la Cadie, à commencer dés le quarantième degré jusques au quarante-sixième; Et en icelle étendue ou partie d'icelle, tant et si avant que faire se pourra, établir, étendre et faire conoître notre nom, puissance et autorité, et à icelle assujettir, submettre et faire obeïr tous les peuples de ladite terre et les circonvoisins; et par le moyen d'icelles et toutes autres voyes licites, les appeller, faire instruire, provoquer et émouvoir a la conoissance de Dieu et à la lumiere de la Foy et religion Chrétienne, la y établir et en l'exercice et profession d'icelle maintenir, garder et conserver lesdits peuples et tous autres habituez esdits lieux, et en paix, repos et tranquillité y commander tant par mer que par terre; ordonner, decider, et faire executer tout ce que vous jugerez se devoir et pouvoir faire, pour maintenir, garder et conserver lesdits lieux souz notre puissance et autorité, par les formes, voyes et moyens prescrits par nos ordonnances. Et pour y avoir égard avec vous, commettre, établir et constituer tous Officiers, tant és

APPENDIX A.

KING'S COMMISSION TO DE MONTS FOR THE SETTLEMENT OF THE LANDS IN
LA CADIE, CANADA AND OTHER PLACES IN NEW FRANCE.

Translation from Churchill's Voyages, 796-798. Nova Francia.

HENRY, by the Grace of God, King of France and Navarre. To our dear and well beloved the Lord of Monts, one of the ordinary gentlemen of our chamber, greeting.

As our greatest care and labor is, and always hath been, since our coming to this crown, to maintain and conserve it in the ancient dignity, greatness and splendor thereof, to extend and amplify, as much as lawfully may be done, the bounds and limits of the same; we being of a long time informed of the situation and condition of the lands and territories of La Cadia, moved above all things, with a singular zeal, and devout and constant resolution, which we have taken, with the help and assistance of God, author, distributor and protector of all kingdoms and estates, to cause the people, which do inhabit the country, men (at the present time) barbarous atheists, without faith or religion, to be converted to Christianity, and to the belief and profession of our faith and religion; and to draw them from ignorance and unbelief wherein they are. Having also of a long time known, by the relation of the sea captains, pilots, merchants and others, who of a long time have haunted, frequented and trafficked with the people that are found in the said places, how fruitful, commodious and profitable may be unto us, to our estates and subjects, dwelling, possession and habitation of these countries, for the great and apparent profit which may be drawn by the greater frequentation and habitude which may be had with the people that are found there, and the traffick and commerce which may be, by that means, safely treated and negotiated. We then, for these causes, fully trusting on your great wisdom, and in the knowledge and experience that you have of the quality, condition and situation of the said country of La Cadia; for the divers and sundry navigation, voyages and frequentations that you have made in those parts, and others near and bordering upon; assuring ourselves that this our resolution and intention, being committed unto you, you will attentively, diligently and no less courageously and zealously, execute and bring to such perfection as we desire, have expressly appointed and established you and by these presents, signed by our hands, do commit, ordain, make, constitute and establish you, our Lieutenant-General, for to represent our person in the countries, territories, coasts and confines of La Cadia. To begin from the 40th degree to the 46th and in the same distance, or part of it, as far as may be done, to establish, extend and make to be known, our name, might and authority. And under the same to subject, submit and bring to obedience, all the people of the said lands and borders thereof; and by the means thereof, all the lawful ways, call, make, instruct, provoke and incite them to a knowledge of God, and to the light of the faith and Christian religion, to establish it there; and exercise a profession of the same, keep and conserve the said people, and all other inhabitants in the said places, and there to command in peace, rest and tranquillity, as well by sea as by land; to ordain, decide and cause to be executed, all

affaires de la guerre que de Justice et police pour la première fois, et de là en avant nous les nommer et presenter, pour en estre par nous disposé et donner les lettres, tiltres et provisions tels qu'ils seront necessaires. Et selon les occurrences des affaires, vous-mêmes avec l'avis de gens prudens et capables, prescrire souz nôtre bon plaisir, des loix, statuts et ordonnances autant qu'il se pourra conformes aux nôtres, notamment és choses et matieres ausquelles n'est pourveu par icelles ; traitez et contracter à meme effet paix, alliance et confederation, bonne amitié, correspondance et communication avec lesdits peuples et leurs Princes, ou autres ayans pouvoir et commandement sur eux : Entretienir, garder et soigneusement observer, les traitez et alliances dont vous conviendrez avec eux, pourveu qu'ils y satisfacent de leur part. Et à ce défaut, leur faire guerre ouverte pour les contraindre et amener à telle raison que vous jugerez necessaire, pour l'honneur, obeissance et service de Dieu, et l'établissement, manutention et conservation de nôtre dite aauthorité parmi eux ; du moins pour hanter et frequenter par vous et tous noz sujets avec eux, en toute assurance, liberté, frequentation et communication, y negotier et traffiquer amiablement et paisiblement, leur donner et octroyer graces et privileges, charges et honneurs.

Lequel entier pouvoir susdit, Voulons aussi et ordonnons que vous ayez sur tous nosdits sujets et autres qui se transporteront et voudront s'habituer, traffiquer, negotier et resider esdits lieux, tenir, prendre, reserver et vous approprier ce que vous voudrez et verrez vous estre plus commode et propre à votre charge, qualité et vsage desdites terres, en departir telles parts et portions, leur donner et attribuer tels tiltres, honneurs, droits, pouvoirs et facultez que vous verrez besoin estre, selon les qualitez, conditions et merites des personnes du pais ou autres. Sur tout peupler, cultiver et faire habituer lesdites terres le plus promptement, soigneusement et dextrement que le temps, les lieux et commoditez le pourront permettre ; en faire ou faire faire à cette fin la découverte et reconnaissance en l'étenduë des côtes maritimes et autres contrées de la terre ferme que vous ordonnerez et prescrirez en l'espace susdite du quarantième degré jusques au quarante-sixième, ou autrement tant et si avant qu'il se pourra le long desdites côtes et en la terre ferme ; Faire soigneusement rechercher et reconoitre toutes sortes de mines d'or et d'argent, cuivre et autres metaux et mineraux, les faire fouiller, tirer, purger et affiner, par vostre convertis en vsage, disposer suivant que nous avons prescrit par les Edits et reglements que nous avons faits en ce Royaume du profit et emolument d'icelles, par vous ou ceux que vous aurez établis à cet effet, nous reservans seulement le dixième denier de ce qui proviendra de celles d'or, d'argent et cuivre, vous affectant ce que nous pourrions prendre auxdits autre metaux et mineraux, pour aider et soulager aux grandes dépenses que la charge susdite vous pourra apporter. Voulans cependant que pour vôtre seureté et commodité, et de tous ceux de noz sujets qui s'en iront, habituëront et traffiqueront esdites terres, comme generalement de tous autres qui s'y accommoderont souz nôtre puissance et autorité, vous puissiez faire batir et construire un ou plusieurs forts, places, villes et toutes autres maisons, demeures et habitations, ports, havres, retraites et logemens que vous connoîtrez propres, vtils et necessaires à l'execution de ladites entreprise. Etablir garnisons et gens de guerre à la garde d'iceux ; vous aider et prevaloir aux effets susdits des vagabonds, personnes oyseuses et sans aveu, tant és villes qu'aux champs, et des condannez à banissement perpetuel, ou à trois ans au moins hors nôtre Royaume, pourveu que ce soit par avis et consentement et de l'autorité de nos Officiers. Outre ce que dessus, et qui vous est d'ailleurs prescrit, mandé et ordonné par les commissions et pouvoirs que vous a donnez nostre tres-cher cousin le sieur d'Ampville, Admiral de France, pour ce qui concerne le fait et la charge de l'Admirauté, en l'exploit, expedition et execution des choses susdites, faire generalement pour la conquête, peuplement, habitation et conservation de ladite terre de la Cadie, et des côtes, territoires circonvoisins et de leurs appartenances et dependances souz nôtre nom et autorité, ce que nous-mêmes ferions et faire pourrions si presens en persone y estions, jaçoit que le cas requit mandement plus special que nous ne le vous prescrivons pas esdites

that which you shall judge fit and necessary to be done to maintain, keep and conserve, the said places under our power and authority, by the forms, ways and means prescribed by our laws. And for to have there a care of the same with you, to appoint, establish and constitute all officers, as well in the affairs of war as for justice and policy, for the first time; and from thenceforward to name and present them unto us; for to be disposed by us, and to give letters, titles and such provisos as shall be necessary; and according to the occurrences of affairs, yourself, with the advice of wise and capable men, to prescribe under our good pleasure laws, statutes and ordinances, conformable, as much as may be possible, until ours, especially in things and matters that are not provided by them; to treat and contract to the same effect, peace, alliance and confederacy, good amity, correspondence and communication with the said people and their princes, or others, having power or command over them, to entertain, keep and carefully to observe the treaties and alliances wherein you shall covenant with them; upon condition that they themselves perform the same of their part. And for want thereof to make open wars against them, to constrain and bring them to such reason as you shall think needful for the honor, obedience and service of God, and the establishment, maintenance and conservation of our said authority amongst them; at least to haunt and frequent by you and all our subjects with them, in all assurance, liberty, frequentation and communication, there to negotiate and traffick lovingly and peaceably; to give and grant unto them favors and privileges, charges and honors. Which entire power aforesaid, we will likewise and ordain, that you have over all our said subjects that will go that voyage with you and inhabit there, traffick, negotiate and remain in the said places, to retain, take, reserve and appropriate unto you what you will and shall see to be most commodious for you and proper for your charge, quality and use of the said lands, to distribute such parts and portions thereof, to give and attribute unto them such titles, honors, rights, powers and faculties as you shall see necessary, according to the qualities, conditions and merits of the persons of the same country, or others; chiefly to populate, to manure and to make the said lands to be inhabited, as speedily, carefully and skilfully as time, places and commodities may permit. To make thereof, or cause to be made to that end, discovery and view along the maritime coasts and other countries of the mainland, which you shall order and prescribe in the aforesaid space of the 40th degree to the 46th degree, or otherwise as much and as far as may be, along the said coast, and in the firm land. To make carefully to be sought and marked all sorts of mines of gold and of silver, copper and other metals and minerals, to make them to be digged, drawn from the earth, purified and refined, for to be converted into use, to dispose according as we have prescribed by edicts and orders, which we have made in this realm of the profit and benefit of them, by you or them whom you shall establish to that effect, reserving unto us only the tenth penny of that which shall issue from them of gold, silver and copper, leaving unto you that which we might take of the other said metals and minerals, for to aid and ease you in the great expenses that the aforesaid charge may bring unto you. Willing in the meanwhile that as well for your security and commodity as for the security and commodity of all our subjects who will go, inhabit and traffick in said lands; as generally of all others that will accommodate themselves there under our power and authority, may cause to be built and framed one or many forts, places, towns and all other houses, dwelling and habitations, ports, havens or retiring places and lodgings as you shall know to be fit, profitable and necessary for the performing of the said enterprize. To establish garrisons and soldiers for the keeping of them. To aid and serve you for the effects aforesaid with the vagrant, idle

presentes, au contenu desquelles, Mandons, ordonnons et tres-expressément enjoignons a tous nos justiciers, officiers et sujets, de se conformer ; Et a vous obeïr e entendre en toutes et chacunes les choses susdites, leurs circonstances et dependances ; Vous donner aussi en l'exécution d'icelles tout ayde et confort, mainforte et assistance dont vous aurez besoin et seront par vous requis, le tout a peine de rebellion et desobeissance ; Et à fin que personne ne pretende cause d'ignorance de cette nôtre intention, et se vueille immiscer en tout ou partie de la charge, dignité et autorité que nous vous donnons par ces presentes, Nous avons de noz certaine science, pleine puissance et autorité Royale, revoqué, supprimé et déclaré nuls et de nul effet ci-apres et dès à present, tous autres pouvoirs et Commissions, Lettres et expéditions donnez et delivrez a quelque persone que ce soit, pour decouvrir, conquerir, peupler et habiter en l'étendue susdite desdites terres situées depuis ledit quarantième degré jusques au quarante-sixième quelles qu'elles soient. Et outre ce, mandons et ordonnons a tous nosdits Officiers de quelque qualité et condition qu'ils soient, que ces presentes, ou *Vidimus* deuément colationné d'icelles par l'un de noz amez et feaux Conseillers, Notaires et Secretaires, ou autre Notaire Royal, ils facent à vôtre requête, poursuite et diligence, ou de noz Procureurs, lire, publier et registrer és registres de leurs juridictions, pouvoirs et détrois, cessans en tant qu'a eux appartiendra, tous troubles et empêchemens à ce contraires. Car tel est nôtre plaisir. Donnè à Fontainebleau le huitième jour de Novembre, l'an de grace mil six cens trois, et de nôtre regne le quinzième. Signé, HENRY. Et plus bas : Par le Roy Potier. Et scellé sur simple queué de cire jaune.

persons and masterless, as well out of towns as of the country; and with them that be condemned to perpetual banishment, or for three years at least out of our realm provided always it be done by the advice, consent and authority of our officers. Over and besides that which is above mentioned. (And that which is moreover prescribed, commanded and ordained unto you by the conditions and powers which our most dear cousin the Lord of Ampville, Admiral of France, hath given unto you for that which concerneth the affairs and charge of the admiralty, in the exploits, expeditions and executing of the things above said), to do generally whatsoever may make for the conquest, peopling, inhabiting and preservation of the said land of La Cadia; and of the coasts, territories, adjoining and of their appurtenances and dependencies, under our name and authority, whatsoever ourselves would and might do if we were there present in person, although that the case should require a more special order than we prescribe unto you by these presents: to the contents whereof we command, ordain and most expressly do enjoin all our justices, officers and subjects to conform themselves; and to obey and give attention unto you in all and every the things aforesaid, their circumstances and dependencies. Also to give unto you in the executing of them, all such aid and comfort, help and assistance as you shall have need of, and whereof they shall be by you required; and this upon pain of disobedience and rebellion. And, to the end, nobody may pretend cause of ignorance of this our intention and to busy himself in all or in any part of the charge, dignity and authority which we give unto you by these presents; we have of our certain knowledge, full power and regal authority, revoked, suppressed and declared void and of none effect hereafter, and from this present time all other powers and commissions, letters and expeditions given and delivered to any person soever, for to discover, people and inhabit in the aforesaid extension of the said lands, situated from the said 40th degree to the 46th, whatsoever they be. And, furthermore, we command and ordain all our said officers of what quality and condition soever they be, that after these presents, or the duplicate of them, shall be duly examined by one of our beloved and trusty counsellors, notaries and secretaries, or other notary-royal, they do upon your request, demand and suit, or upon the suit of any of our attornies, cause the same to be read, published and recorded in the records of their jurisdiction, powers and precincts, seeking, as much as shall appertain unto them to quiet and appease all troubles and hindrances which may contradict the same; for such is our pleasure.

Given at Fontainebleau, the eighth day of November, in the year of our Lord 1603, and of our reign the 15th.

Signed "HENRY," and underneath "By the King, POTIER," and sealed upon single label with yellow wax.

APPENDIX B.

CARTA DOMINI WILLELMI ALEXANDRI EQUITIS DOMINII ET BARONIAE
NOVAE SCOTIAE IN AMERICA, 10 SEPTEMBRIS 1621.

From "Royal Letters, Charters and Tracts," published by the Bannatyne Club, Edinburgh, 1867.

JACOBUS Dei gratia Magnae Britanniae Franciae et Hiberniae Rex &c. Fideique Defensor Omnibus probis hominibus totius terrae suae clericis at laicis salutem. SCIATIS nos semper ad quamlibet quae ad decus et emolumentum regni nostri Scotiae spectaret occasionem amplectendam fuisse intentos nullamque aut faciliorem aut magis innoxiam acquisitionem censere quam quae in exteris et incultis regnis ubi vitae et victui suppetunt commoda novis deducendis coloniis facta sit; praesertim si vel ipsa regna cultoribus prius vacua vel ab infidelibus quos ad Christianam converti fidem ad Dei gloriam interest plurimum inessata fuerunt; sed cum ad alia nonnulla regna et haec non ita pridem nostra Anglia laudabiliter sua nomina novis terris acquisitis et a se subactis indiderunt quam numerosa et frequens Divino beneficio haec gens hac tempestate sit nobiscum reputantes quamque honesto aliquo et utili culto eam studiose exerceri ne in deteriora ex ignavia et otio prolabatur expediat plerosque in novam deducendos regionem quam coloniis compleant operae pretium duximus qui et animi promptitudine et alacritate corporumque robore et viribus quibuscunque difficultatibus si qui alii mortalium uspiam se audeant opponere hunc conatum huic regno maxime idoneum inde arbitramur quod virorum tantummodo et mulierum jumentorum et frumenti non etiam pecuniae transvectionem postulat neque incommodam ex ipsius regni mercibus retributionem hoc tempore cum negotiatio adeo imminuta sit possit reponere hisce de causis sicuti et propter bonum fidele et gratum dilecti nostri consiliarii Domini Willelmi Alexandri equitis servitium nobis praestitum et praestandum qui propriis impensis ex nostratibus primus externam hanc coloniam ducendam conatus sit diversasque terras infra-designatis limitibus circumscriptas incolendas expetiverit Nos igitur ex regali cura sicuti alii principes extranei in talibus casibus hactenus fecerunt cum avisamento et consensu praedilecti nostri consanguinei et consiliarii Joannis Comitis de Mar Domini Erskin et Gareoch summi nostri thesaurarii computorum rotulatoris collectoris ac thesaurarii novarum nostrarum augmentationum hujus regni nostri Scotiae ac reliquorum dominorum nostrorum commissionerum ejusdem regni nostri Dedimus concessimus et disposuimus tenoreque praesentis cartae nostrae darus concedimus et disponimus praefato Domino Willelmo Alexander haeredibus suis vel assignatis quibuscunque haereditarie omnes et singulas terras continentis ac insulas situatas et jacentes in America intra caput seu promontorium communiter Cap de Sable appellatum jacens prope latitudinem quadraginta trium graduum aut eo circa ab equinoctiali linea versus septentrionem a quo promontorio versus litus maris tendentes ad occidentem ad stationem Sanctae Mariae navium vulgo *Sanct-maris Bay* et deinceps versus septentrionem per directam lineam introitum sive ostium magnae illius stationis navium trajicientes quae excurrit in terrae orientalem plagam inter regiones Suriquorum et Etecheminorum vulgo *Suriquois et Etechemines* ad fluvium vulgo nomine Sanctae Crucis appellatum et ad scaturiginem remotis-

APPENDIX B.

CHARTER IN FAVOUR OF SIR WILLIAM ALEXANDER, KNIGHT, OF THE LORDSHIP AND BARONY OF NEW SCOTLAND IN AMERICA.

(Translated by the Rev. Carlos Slafter, A.M., of Dedham).

JAMES, by the grace of God, King of Great Britain, France and Ireland, and Defender of the Faith, to all good men, clerical and lay, of his entire realm,—greeting.

Know ye, that we have always been eager to embrace every opportunity to promote the honour and wealth of our Kingdom of Scotland, and think that no gain is easier or more safe, than what is made by planting new colonies in foreign and uncultivated regions where the means of living and food abound; especially, if these places were before without inhabitants or were settled by infidels whose conversion to the Christian faith most highly concerns the glory of God.

But whilst many other kingdoms, and not very long ago, our own England, to their praise, have given their names to new lands, which they have acquired and subdued; we, thinking how populous and crowded this land now is, by Divine Favour, and how expedient it is that it should be carefully exercised in some honourable and useful discipline, lest it deteriorate through sloth and inaction, have judged it important that many should be led forth into new territory, which they may fill with colonies; and so we think, this undertaking most fit for this Kingdom, both on account of its promptness and activity of its spirit and the strength and endurance of its men against any difficulties, if any other men anywhere dare to set themselves in opposition; and as it demands the transportation only of men and women, stock and grain, and not of money, and cannot repay at this time, when business is so depressed, a troublesome expenditure of the treasures of this realm; for these reasons, as well as on account of the good, faithful and acceptable service of our beloved Counsellor, Sir William Alexander, Knight, to us rendered and to be rendered, who first of our subjects, at his own expense attempted to plant this foreign colony and selected for plantation the divers lands bounded by the limits hereafter designated:—

We, therefore, from our Sovereign anxiety to propagate the Christian faith, and to secure the wealth, prosperity and peace of the native subjects of our said Kingdom of Scotland, as other foreign princes in such cases already have done, with the advice and consent of our well-beloved cousin and counsellor, John, Earl of Mar, Lord Erskine and Gareoch, &c., our High Treasurer, Comptroller, Collector and Treasurer of our new revenues of this our Kingdom of Scotland and of the other Lords Commissioners of our same Kingdom have given, granted and conveyed, and, by the tenor of our present charter, do give, grant and convey to the aforesaid Sir William Alexander, his heirs or assigns, hereditarily, all and sing'e, the lands of the Continent, and islands situated and lying in America, within the head or promontory

simam sive fontem ex occidentali parte ejusdem qui se primum praedicto fluvio immiscet unde per imaginariam directam lineam quae pergere per terram seu currere versus septentrionem concipietur ad proximam navium stationem fluvium vel scaturiginem in magno fluvio de Cannada sese exonerantem et ad eo pergendo versus orientem per maris oras littorales ejusdem fluvii de Canada ad fluvium stationem navium portum aut littus communiter nomine de Gathepe vel Gaspe notum et appellatum et deinceps versus euronotum ad insulas Bacalaos vel Cap Britton vocatas relinquendo easdem insulas a dextra et voraginem dicti magni fluvii de Canada sive magnae stationis navium et terras de Newfoundland cum insulis ad easdem terras pertinentibus a sinistra et deinceps ad caput sive promontorium de Cap Britton praedictum jacens prope latitudinem quadraginta quinque graduum aut eo circa et a dicto promontorio de Cap Britton versus meridiem et occidentem ad praedictum Cap Sable ubi inceptit perambulatio includendo et comprehendendo intra dictas maris oras littorales ac earum circumferentias a mari ad mare omnes terras continentis cum fluminibus torrentibus sinibus littoribus insulis aut maribus jacentibus prope aut infra sex leucas ad aliquam earundem partem ex occidentali boreali vel orientali partibus orarum littoralium et praecinctuum earundem et ab euronoto (ubi jacet Cap Britton) et ex australi parte ejusdem (ubi est Cap de Sable) omnia maria ac insulas versus meridiem intra quadraginta leucas dictarum orarum littoralium earundem magnam insulam vulgariter appellatam Yle de Sable vel Sablon includendo jacentem versus Carban vulgo *south-south-east* circa triginta leucas a dicto Cap Britton in mari et existentem in latitudine quadraginta quatuor graduum aut eo circa Quaequidem terrae praedictae omni tempore affuturo nomine NOVAE SCOTIAE IN AMERICA gaudebunt quas etiam praefatus Dominus Willelmus in partes et portiones sicut ei visum fuerit dividet iisdemque nomina pro beneplacito imponet Unacum omnibus fodinis tam regalibus auri et argenti quam aliis fodinis ferri plumbi cupri stanni aeris ac aliis mineralibus quibuscunque cum potestate effodiendi et de terra effodere causandi purificandi et repurgandi easdem et convertendi ac utendi suo proprio usui aut aliis usibus quibuscunque sicuti dicto Domino Willelmo Alexander haeredibus suis vel assignatis aut iis quos suo loco in dictis terris stabilire ipsum contigerit visum fuerit (reservando solummodo nobis et successoribus nostris decimam partem metalli vulgo *oore* auri et argenti quod ex terra in posterum effodietur aut lucrabitur) Relinquendo dicto Domino Willelmo suisque praedictis quodecunque ex aliis metallis cupri chalcibus ferri stanni plumbi aut aliorum mineralium nos vel successores nostri quovismodo exigere possumus ut eo facilius magnos sumptos in extrahendis praefatis metallis tollerare possit Unacum margaritis vulgo *pearle* ac lapidibus praetiosis quibuscunque aliis lapicidinis silvis virgultis mossis marresiis lacubus aquis piscationibus tam in aqua salsa quam recenti tam regalium piscium quam aliorum venatione aucupatione commoditatibus et haereditamentis quibuscunque Unacum plenaria potestate privilegio et jurisdictione liberae regalitatis capellae et cancellariae imperpetuum cumque donatione et patronatus jure ecclesiarum capellaniarum et beneficiorum cum tenentibus tenandriis et liberetenentium servitiis earundem una cum officis justiciariae et admiralitatis respective infra omnes bondas respective supra mentionatas Una etiam cum potestate civitates liberos burgos liberos portus villas et burgos baroniae erigendi ac fora et nundinas infra bondas dictarum terrarum constituendi curias justiciariae et admiralitatis infra limites dictarum terrarum fluviorum portuum et marium tenendi una etiam cum potestate imponendi levandi et recipiendi omnia tolonia custumas anchoragia aliasque dictorum burgorum fororum nundinarum ac liberorum portuum devorias et eisdem possidendi et gaudendi adeo libere in omnibus respectibus sicuti quivis baro major aut minor in hoc regno nostro Scotiae gavisus est aut gaudere poterit quovis tempore praeterito vel futuro cum omnibus aliis praerogativis privilegiis immunitatibus dignitatibus casualitatibus proficuis et devoriis ad dictas terras maria et bondas earundem spectantibus et pertinentibus et quae nos ipsi dare vel concedere possumus adeo libera et ampla forma sicuti nos aut aliquis nostrorum nobilium

commonly called Cape of Sable, lying near the forty-third degree of north latitude, or thereabouts; from this Cape stretching along the shores of the sea, westward to the roadstead of St. Mary, commonly called Saint Mary's Bay, and thence northward by a straight line, crossing the entrance, or mouth, of that great roadstead which runs towards the eastern part of the land between the countries of the Suriqui and Etchimini, commonly called Suriquois and Etechemines, to the river generally known by the name of St. Croix, and to the remotest springs, or source, from the western side of the same, which empty into the first mentioned river; thence by an imaginary straight line which is conceived to extend through the land, or run northward to the nearest bay, river or stream emptying into the great river of Canada; and going from that eastward along the low shores of the same river of Canada, to the river, harbour, port or shore commonly known and called by the name of Gathepe or Gaspie, and thence south-southeast to the isles called Bacalaos, or Cape Breton, leaving the said isles on the right, and the mouth of the said great river of Canada, or large bay, and the territory of Newfoundland with the islands belonging to the same lands, on the left; thence to the headland or point of Cape Breton aforesaid, lying near latitude 45 degrees, or thereabouts; and from the said point of Cape Breton toward the south and west to the above-mentioned Cape Sable, where the boundary began; including and containing within the said coasts and their circumference, from sea to sea, all lands of the continent with the rivers, falls, bays, shores, islands, or seas, lying near or within six leagues on any side of the same on the west, north or east sides of the same coasts and bounds and on the south-southeast (where Cape Breton lies) and on the south side of the same (where Cape Sable is) all seas and islands southward within forty degrees of said sea-shore, thereby including the large island commonly called Isle de Sable, or Sablon, lying towards Carban, in common speech, south-southeast, about thirty leagues from the said Cape Breton seaward, and being in latitude 44 degrees, or thereabouts.

The above-described lands shall in all future time bear the name of New Scotland in America, and also the aforesaid Sir William shall divide it into parts and portions as seemeth best to him, and shall give names to the same at his pleasure.

With all mines, both the royal ones of gold and silver, and others of iron, lead, copper, tin, brass and other minerals, with the power of mining and causing to dig them from the earth, and of purifying and refining the same, and converting to his own use, or that of others as shall seem best to the said Sir William, his heirs or assigns, or to whomsoever it shall have pleased him to establish in said lands, reserving only to us and our successors a tenth part of the metal vulgarly known as ore of gold and silver which shall be hereafter dug or obtained from the land; leaving the said Sir William and his aforesaid whatever of other metals of copper, steel, iron, tin, lead or other minerals, we or our successors may be able in any way to obtain from the earth, in order that thereby they may the more easily bear the large expense of reducing the aforesaid metals; together with margarite, termed pearl, and any other precious stones, quarries, forests, thickets, mosses, marshes, lakes, waters, fisheries, in both salt and fresh water, and of both royal and other fish, hunting, hawking, and anything that may be sold or inherited; with full power, privilege and jurisdiction of free royalty, chapelry, and chancery for ever; with the gift and right of patronage of churches, chapels and benefices; with tenants, tenancies and the services of those holding the same freely; together with the offices of justiciary and admiralty within all the bounds respectively mentioned above; also with power of setting up states, free towns, free ports, villages and barony towns, and of establishing markets and fairs within the bounds of said lands; of holding courts of Justice and admiralty within the

progenitorum aliquas cartas patentes literas infeofamenta donationes aut diplomata concesserunt cuius subdito nostro cujuscunque qualitatis aut gradus cuius societati aut communitati tales colonias in quascunque partes extraneas deducenti aut terras extraneas investiganti in adeo libera at ampla forma sicuti eadem in hac praesenti carta nostra insereretur Facimus etiam constituimus et ordinamus dictum Dominum Willelmum Alexander haeredes suos aut assignatos vel eorum deputatos nostros HEREDITARIOS LOCUMTENENTES GENERALES ad representandum nostram personam regalem tam per mare quam per terram in regionibus maris oris ac finibus praedictis in petendo dictas terras quamdiu illic manserit ac redeundo ab eisdem ad gubernandum regendum et puniendum omnes nostros subditos quos ad dictas terras ire aut easdem inhabitare contigerit aut qui negotiationem cum eisdem suscipient vel in eisdem locis remanebunt ac eisdem ignoscendum et ad stabiliendum tales leges statuta constitutiones directiones instructiones formas gubernandi et magistratum ceremonias infra dictas bondas sicut ipsi Domino Willelmo Alexander aut ejus praedictis ad gubernationem dictae regionis et ejusdem incolarum in omnibus causis tam criminalibus quam civilibus visum fuerit et easdem leges regimina formas et ceremonias alterandum et mutandum quoties sibi vel suis praedictis pro bono et commodo dictae regionis placuerit ita ut dictae leges tam legibus hujus regni nostri Scotiae quam fieri possunt sint concordēs Volumus etiam ut in casu rebellionis aut seditionis legibus utatur militaribus adversus delinquentes vel imperio ipsius sese subtrahentes adeo libere sicuti aliquis locumtenens cujusvis regni nostri vel domini virtute officii locumtenentis habent vel habere possunt excludendo omnes alios officarios hujus regni nostri Scotiae terrestres vel maritimos qui in posterum aliquid juriselamei commoditatis auctoritatis aut interesse in et ad dictas terras aut provinciam praedictam vel aliquam inibi jurisdictionem virtute alicujus praecedentis dispositionis aut diplomatis praetendere possunt Et ut viris honesto loco natis sese ad expeditionem istam subeundam et ad coloniae plantationem in dictis terris addatur animus nos pro nobis nostrisque haeredibus et successoribus cum avasamento et consensu praedicto virtute praesentis cartae nostrae damus et concedimus liberam et plenariam potestatem praefato Domino Willelmo Alexander suisque praedictis conferendi favores privilegia munia et honores in demerentes cum plenaria potestate eisdem aut eorum alicui quos cum ipso Domino Willelmo suisque praedictis pactiones vel contractus facere pro eisdem terris contigerit sub subscriptione sua vel suorum praedictorum et sigillo infra mentionato aliquam portionem vel portiones dictarum terrarum portuum navium stationum fluviorum aut praemissorum alicujus partis disponendi et extradonandi erigendi etiam omnium generum machinas artes facultates vel scientias aut easdem exercendi in toto vel in parte sicuti ei pro bono ipsorum visum fuerit Dandi etiam concedendi et attribuendi talia officia titulos jura et potestates constituendi et designandi tales capitaneos officarios balivos gubernatores clericos omnesque alios regalitatis baroniae et burgi officarios aliosque ministros pro administratione justitiae infra bondas dictarum terrarum aut in via dum terras istas petunt per mare et ab eisdem redeunt sicuti ei necessarium videbitur secundum qualitates condiciones et personarum merita quos in aliqua colonialiarum dictae provinciae aut aliqua ejusdem parte habitare contigerit aut qui ipsorum bona vel fortunas pro commodo et incremento ejusdem periculo committent et eosdem ab officio removendi alterandi et mutandi prout ei suisque praescriptis expediens videbitur Et cum hujusmodi conatus non sine magno labore et sumptibus flunt magnamque pecuniae largitionem requirant adeo ut privati cujusvis fortunae excedant et multorum suppetiis indigeant ob quam causam praefatus Dominus Willelmus Alexander suisque praescripti cum diversis nostris subditis aliisque pro particularibus periculationibus et susceptionibus ibidem qui forte cum eo suisque haeredibus assignatis vel deputatis pro terris piscationibus mercimoniis aut populi transportatione cum ipsorum pecoribus rebus et bonis versus dictam Novam Scotiam contractus inibunt volumus ut quicumque tales contractus cum dicto Domino Willelmo suisque praescriptis sub ipsorum subscrip-

limits of such lands, rivers, ports and seas; also with the power of improving, levying and receiving all tolls, customs, anchor-dues and other revenues of the said towns, marts, fairs and the free ports; and of owing and using the same as freely in all respects as any greater or lesser Baron in our Kingdom of Scotland has enjoyed in any past, or could enjoy in any future time; with all other prerogatives, privileges, immunities, dignities, perquisites, profits, and dues concerning and belonging to said lands, seas, and the boundaries thereof, which we ourselves can give and grant, as freely and in as ample form as we or any of our noble ancestors granted any charters, letters patent, enfeoffments, gifts, or commissions to any subjects of whatever rank or character, or to any society or company leading out such colonies into any foreign parts, or searching out foreign land in as free and ample form as if the same were included in this present charter; also we make, constitute and ordain the said Sir William Alexander, his heirs and assigns, or their deputies, our hereditary Lieutenants-General, for representing our royal person, both by sea and by land, in the regions of the sea, and on the coasts, and in the bounds aforesaid, both in seeking said lands and remaining there and returning from the same; to govern, rule, punish and acquit all our subjects who may chance to visit or inhabit the same, or who shall do business with the same, or shall tarry in the said places; also, to pardon the same, and to establish such laws, statutes, constitutions, orders, instructions, forms of governing and ceremonies of magistrates in said bounds, as shall seem fit to Sir William Alexander himself, or his aforesaid, for the government of the said region, or of the inhabitants of the same, in all causes, both criminal and civil; also, of changing and altering the said laws, rules, forms and ceremonies, as often as he or his aforesaid shall please for the good and convenience of said region; so that said laws may be as consistent as possible with those of our realm of Scotland. We also will that, in case of rebellion or sedition, he may use martial law against delinquents or such as withdraw themselves from his power, as freely as any lieutenant whatever of our realm or dominion, by virtue of the office of lieutenant, has, or can have, the power to use, by excluding all other officers of this our Scottish realm, on land or sea, who hereafter can pretend to any claim, property, authority or interest in or to said lands or province aforesaid, or any jurisdiction therein by virtue of any prior disposal of patents; and, that a motive may be offered to noblemen for joining this expedition and planting a colony in said lands, we, for ourselves and our heirs and successors, with the advice and consent aforesaid, by virtue of our present charter, do give and grant free and full power to the aforesaid Sir William Alexander and his aforesaid, to confer favours, privileges, gifts and honours to those who deserve them, with full power to the same, or any one of them, who may have made bargains or contracts with Sir William, or his deputies for the said lands, under his signature, or that of his deputies, and under the seal hereinafter described, to dispose of and convey any part or parcel of said lands, ports, harbours, rivers or of any part of the premises; also, of erecting machines of all sorts, introducing arts or sciences or practising the same, in whole or in part, as he shall judge to be to their advantage; also, to give, grant and bestow such offices, titles, rights and powers, make and appoint such captains, officers, bailiffs, governors, clerks and all other officers, clerks and ministers of royalty, barony and town, for the execution of justice within the bounds of said lands, or on the way to these lands by sea, and returning from the same, as shall seem necessary to him, according to the qualities, conditions and deserts of the persons who may happen to dwell in any of the colonies of said province, or in any part of the same, or who may risk their goods and fortunes for the advantages and increase of the same; also, of removing the same persons from office, transferring or changing them, as far as it shall seem expedient to him and his aforesaid.

tionibus et sigillis expedient limitando assignando et affigendo diem et locum pro personarum bonorum et rerum ad navem deliberatione sub pena et forisfactura cujusdam monetae summae et eosdem contractus non perficient sed ipsum frustrabunt et in itinere designato ei nocebunt quod non solum dicto domino Willelmo suisque praedictis poterit esse praedictis et nocumento verum etiam nostrae tam laudabili intentioni obstabit et detrimentum inferet tunc licitum erit praefato Domino Willelmo suisque praedictis vel eorum deputatis et conservatoribus inframentationis in eo casu sibi suisve praedictis quos ad hunc effectum substituet omnes tales summas monetae bona et res forisfactas per talium contractuum violationem assumere Quod ut facilius fiat et legum prolixitas evitetur dedimus et concessimus tenoreque praesentis cartae nostrae damus et concedimus plenariam licentiam libertatem et potestatem dicto Domino Willelmo suisque naeredibus et assignatis praedictis eligendi nominandi assignandi ac ordinandi libertatum et privilegiorum per praesentem nostram cartam sibi suisque praedictis concessorum conservatorem qui expeditae executioni leges et statuta per ipsum suosque praedictos facta secundum potestatem ei suisque praedictis per dictam nostram cartam concessam demandabit volumusque et ordinamus potestatem dicti conservatoris in actionibus et causis ad personas versus dictam plantationem contra-hentes spectantibus absolutam esse sine ulla appellatione aut procrastinatione quacunque quiquidem conservator possidebit et gaudebit omnia privilegia immunitates libertates et dignitates quascunque quae quivis conservator Scotticorum privilegiorum apud extraneos vel in Gallia Flandria aut alibi haecenus possiderunt aut gavisī sunt quovis tempore praeterito Et licet omnes tales contractus inter dictum Dominum Willelmum suosque praedictos et praedictos periclitatores per periclitationem et transportationem populorum cum ipsorum bonis et rebus ad statutum diem perficientur et ipsi cum suis omnibus pecoribus et bonis ad littus illius provinciae animo coloniam ducendi et remanendi appellent et nihilominus postea vel omnino provinciam Novae Scotiae et ejusdem confinia sine licentia dicti Domini Willelmi ejusque praedictorum vel eorum deputatorum vel societatem et coloniam praedictam ubi primum combinati et conjuncti fuerant derelinquent et ad agrestes indigenas in locis remotis et desertis ad habitandum sese conferent quod tunc amittent et forisfacient omnes terras prius iis concessas omnia etiam bona infra omnes praedictas bondas et licitum erit praedicto Domino Willelmo suisque praedictis eadem fisco applicare et easdem terras recognoscere eademque omnia ad ipsos vel eorum aliquem quovismodo spectantia possidere et suo peculiari usui suorumque praedictorum convertere Et ut omnes dilecti nostri subditi tam regnorum nostrorum et dominiorum quam alii extranei quos ad dictas terras aut aliquam earundem partem ad mercimonia contrahenda navigare contigerit melius sciant et obediētes sint potestati et auctoritati per nos in praedictum fidelem nostrum consiliarum Dominum Willelmum Alexander suosque praedictos collatae in omnibus talibus commissionibus warrantis [et] contractibus quos quovis tempore futuro faciet concedet et constituet pro decentiori et validiori constitutione officiariorum pro gubernatione dictae coloniae concessione terrarum et executione justitiae dictos inhabitantes periclitantes deputatos factores vel assignatos tangentibus in aliqua dictarum terrarum parte vel in navigatione ad easdem terras nos cum avisamento et consensu praedicto ordinamus quod dictus Dominus Willelmus Alexander suiue praedicti unum commune sigillum habebunt ad officium locum-tenentis justitiae et admiralitatis spectans quod per dictum Dominum Willelmum Alexander suosque praedictos vel per deputatos suos omni tempore affuturo custodietur in cujus uno latere nostra insignia insculpentur cum his verbis in ejusdem circulo et margine SIGILLUM REGIS SCOTIAE ANGLIAE FRANCIAE ET HYBERNIAE et in altero latere imago nostra nostrorumque successorum cum his verbis (PRO NOVAE SCOTIAE LOCUMTENENTE) cujus justum exemplar in manibus ac custodia dicti conservatoris remanebit quo prout occasio requiret in officio suo utetur Et cum maxime necessarium sit ut omnes dilecti nostri subditi quotquot dictam provinciam Novae Scotiae vel ejus confinia incolent in timore Omnipotentis

And, since attempts of this kind are not made without great labour and expense, and demand a large outlay of money, so that they exceed the means of any private man, and on this account the said Sir William Alexander and his aforesaid may need supplies of many kinds, with many of our subjects and other men for special enterprises and ventures therein, who may form contracts with him, his heirs, assigns or deputies for lands, fisheries, trade, or the transportation of people and their flocks, goods and effects to the said New Scotland, we will that whoever shall make such contracts with the said Sir William and his aforesaid under their names and seals, by limiting, assigning and fixing the day and place for the delivery of persons, goods and effects on shipboard, under forfeiture of a certain sum of money, and shall not perform the same contracts, but shall thwart and injure him in the proposed voyage, which thing will not only oppose and harm the said Sir William and his aforesaid, but also prejudice and damage our so laudable intention; then it shall be lawful to the said Sir William and his aforesaid, or their deputies and conservators hereinafter mentioned, in such case to seize for himself, or his deputies whom he may appoint for this purpose, all such sums of money, goods and effects forfeited by the violation of these contracts. And that this may be more easily done, and the delay of the law be avoided, we have given and granted, and by the tenor of these presents do give and grant full power to the Lords of our Council, that they may reduce to order and punish the violators of such contracts and agreements made for the transportation of persons. And although all such contracts between the said Sir William and his aforesaid and the aforesaid adventurers shall be carried out in the risk and the conveyance of people with their goods and effects, at the set time; and they with all their cattle and goods arrive at the shore of that province with the intention of colonizing and abiding there; and yet, afterwards, shall leave the province of New Scotland altogether, and the confines of the same, without the consent of the said Sir William and his aforesaid or their deputies, or the society and colony aforesaid, where first they had been collected and joined together; and shall go away to the uncivilized natives, to live in remote and desert places; then they shall lose and forfeit all the lands previously granted them; also all their goods within the aforesaid bounds; and it shall be lawful for the said Sir William and his aforesaid to confiscate the same, and to reclaim the same lands, and to seize and convert and apply to his own use and that of his aforesaid all the same belonging to them, or any one of them.

And that all our beloved subjects, as well of our kingdoms and dominions, so also others of foreign birth who may sail to the said lands, or any part of the same, for obtaining merchandise, may the better know and obey the power and authority given by us to the aforesaid Sir William Alexander, our faithful counsellor, and his deputies, in all such commissions, warrants and contracts as he shall at any time make, grant and establish for the more fit and safe arrangement of offices, to govern said colony, grant lands and execute justice in respect to the said inhabitants, adventurers, deputies, factors or assigns, in any part of said lands, or in failing to the same, we, with the advice and consent aforesaid, do order that the said Sir William Alexander and his aforesaid shall have one common seal, pertaining to the office of Lieutenant of Justiciary and Admiralty, which by the said Sir William Alexander and his aforesaid or their deputies, in all time to come, shall be safely kept; on one side of it our arms shall be engraved, with these words on the circle and margin thereof:—"Sigillum Regis Scotiae Angliae Franciae et Hyberniae," and on the other side our image, or that of our successors, with these words:—"Pro Novae Scotiae Locum Tenente," and a true copy of it shall be kept in the hands and care of the conservator of the privileges of New Scotland, and this he may use in his office as

Dei et vero ejus cultu simul vivant omni conamine nitentes Christianam religionem ibi stabilire pacem et quietem cum nativis incolis et agrestibus aboriginibus earum terrarum colere (unde ipsi et eorum quilibet mercimonia ibi exercentes tuti cum oblectamento ea quae magno cum labore et periculo acquisiverunt quiete possidere possint) nos pro nobis nostrisque successoribus volumus nobisque visum est per praesentis cartae nostrae tenorem dare et concedere dicto Domino Willelmo Alexander suisque praedictis et eorum deputatis vel aliquibus aliis gubernatoribus officariis et ministris quos ipsi constituent liberam et absolutam potestatem tractandi et pacem affinitatem amicitiam et mutua colloquia operam et communicationem cum agrestibus illis aboriginibus et eorum principibus vel quibuscunque aliis regimen et potestatem in ipsos habentibus contrahendi observandi et alendi tales affinitates et colloquia quae ipsi vel sui predicti cum iis contrahent modo feodera illa ex adversa parte per ipsos silvestres fideliter observentur quod nisi fiat arma contra ipsos sumendi quibus redigi possunt in ordinem sicuti dicto Willelmo suisque praedictis et deputatis pro honore obedientia et Dei servitio ac stabilimento defensione et conservatione autoritatis nostrae inter ipsos expediens videbitur Cum potestate etiam praedicto Domino Willelmo Alexander suisque praedictis per ipsos vel eorum deputatos substitutos vel assignatos pro ipsorum defensione [et] tutela omni tempore et omnibus justis occasionibus in posterum aggrediendi ex inopinato invadendi expellendi et armis repellendi tam per mare quam per terram omnibus modis omnes et singulos qui sine speciali licentia dicti Domini Willelmi suorumque praedictorum terras inhabitare aut mercaturam facere in dicta Novae Scotiae provincia aut quavis ejusdem parte conabuntur et similiter omnes alios quoscunque qui aliquid damni detrimenti destructionis laesionis vel invasionis contra provinciam illam aut ejusdem incolas inferre praesumunt quod ut facilius fiat licitum erit dicto Domino Willelmo suisque praedictis eorum deputatis factoribus et assignatis contributiones a periclitantibus et incolis ejusdem levare in unum cogere per proclamationes vel quovis alio ordine talibus temporibus sicuti dicto Domino Willelmo suisque praedictis expediens videbitur omnes nostros subditos infra dictos limites dictae provinciae Novae Scotiae inhabitantes et mercimonia ibidem exercentes convocare pro meliori exercituum necessariorum supplemento et populi et plantationis dictarum terrarum augmentatione et incremento Cum plenaria potestate privilegio et libertate dicto Domino Willelmo Alexander suisque praedictis per ipsos vel eorum substitutos per quaevis maria sub nostris insigniis et vexillis navigandi cum tot navibus tanti oneris et tam bene munitione viris et victualibus instructis sicuti possunt parare quovis tempore et quoties iis videbitur expediens ac omnes cujuscunque qualitatis et gradus personas subditi nostri¹ existentes aut qui imperio nostro sese subdere ad iter illud suscipiendum voluerint cum ipsorum jumentis equis bobus ovibus bonis et rebus omnibus munitionibus machinis majoribus armis et instrumentis militaribus quotquot voluerint aliisque commoditatibus et rebus necessariis pro usu ejusdem coloniae mutuo commercio cum nativis inhabitantibus earum provinciarum aut aliis qui cum ipsis plantatoribus mercimonia contrahent transportandi et omnes commoditates et mercimonia quae iis videbuntur necessaria in regnum nostrum Scotiae sine alicujus taxationis custumae aut impositionis pro eisdem solutione nobis vel nostris custumariis aut eorum deputatis inde portandi eosdem ab eorum officiis in hac parte pro spatio septem annorum diem datae praesentium immediate sequentium inhibendo quamquidem solam commoditatem per spatium tredecim annorum in posterum libere concessimus tenoreque praesentis cartae nostrae concedimus et disponimus dicto Domino Willelmo suisque praedictis secundum proportionem quinque pro centum postea mentionatam Et post tredecim illos annos finitos licitum erit nobis nostrisque successoribus ex omnibus bonis et mercimoniis quae ex hoc regno nostro Scotiae ad eandem provinciam vel ex ea provincia ad dictum regnum nostrum Scotiae exportabuntur vel importabuntur in

¹ Sic, in Reg.—Should be *subditos nostros*.

occasion shall require. And as it is very important that all our beloved subjects who inhabit the said province of New Scotland or its borders may live in the fear of Almighty God and at the same time in his true worship, and may have an earnest purpose to establish the Christian religion therein, and also to cultivate peace and quiet with the native inhabitants and savage aborigines of these lands, so that they, and any others trading there, may safely, pleasantly and quietly hold what they have got with great labour and peril, we, for ourselves and successors, do will and decree, and by our present charter give and grant to the said Sir William Alexander and his aforesaid and their deputies, or any other of our government officers and ministers whom they shall appoint, free and absolute power of arranging and securing peace, alliance, friendship, mutual conferences, assistance and intercourse with those savage aborigines and their chiefs, and any others bearing rule and power among them; and of preserving and fostering such relations and treaties as they or their aforesaid shall form with them; provided those treaties are, on the other side, kept faithfully by these barbarians; and, unless this be done, of taking up arms against them, whereby they may be reduced to order, as shall seem fitting to the said Sir William and his aforesaid and deputies, for the honour, obedience and service of God, and the stability, defence and preservation of our authority among them; which power also to the said Sir William Alexander and his aforesaid, by themselves or their deputies, substitutes or assigns, for their defence and protection at all times and on all just occasions hereafter, of attacking suddenly, invading, expelling and by arms driving away, as well by sea as by land, and by all means, all and singly those who, without the special license of the said Sir William and his aforesaid, shall attempt to occupy these lands, or trade in the said province of New Scotland, or in any part of the same; and in like manner all other persons who presume to bring any damage, loss, destruction, injury or invasion against that province, or the inhabitants of the same: And that this may be more easily done, it shall be allowed to the said Sir William and his aforesaid, their deputies, factors and assigns to levy contributions on the adventurers and inhabitants of the same; to bring them together by proclamations, or by any other order, at such times as shall seem best to the said Sir William and his aforesaid; to assemble all our subjects living within the limits of the said New Scotland and trading there, for the better supplying of the army with necessaries, and the enlargement and increase of the people and planting of said lands: With full power, privilege, and liberty to the said Sir William Alexander and his aforesaid, by themselves or their agents of sailing over any seas whatever under our ensigns and banners, with as many ships, of as great burden, and as well furnished with ammunition, men and provisions as they are able to procure at any time, and as often as shall seem expedient; and of carrying all persons of every quality and grade who are our subjects, or who wish to submit themselves to our sway, for entering upon such a voyage with their cattle, horses, oxen, sheep, goods of all kinds, furniture, machines, heavy arms, military instruments, as many as they desire, and other commodities and necessaries for the use of the same colony, for mutual commerce with the natives of these provinces, or others who may trade with these plantations; and of transporting all commodities and merchandise, which shall seem to them needful, into our Kingdom of Scotland without the payment of any tax, custom and impost, for the same to us, or our custom-house officers, or their deputies; and of carrying away the same from their offices on this side, during the space of seven years following the day of the date of our present charter; and to have this sole privilege for the space of three years next hereafter we freely have granted, and by the tenor our present charter grant and give to the said Sir William and his aforesaid, according to the terms hereinafter mentioned.

quibusvis hujus regni nostri portubus per dictum Willelmum suosque praedictos tantum quinque libras pro centum secundum antiquam negotiandi morem sine ulla alia impositione taxatione custuma vel devoria ab ipsis imperpetuum levare et exigere quaquidem summa quinque librarum pro centum sic soluta per dictum Dominum Willelmum suosque praedictos aliisque nostris officariis ad hunc effectum constitutis exinde licitum erit dicto Domino Willelmo suisque praedictis eadem bona de nostro hoc regno Scotiae in quasvis alias partes vel regiones extraneas sine alicujus alterius custumae taxationis vel devoriae solutione nobis vel nostris haeredibus aut successoribus aut aliquibus aliis transportare et avehere proviso tamen quod dicta bona infra spatium tredecim mensium post ipsarum in quovis hujus regni nostri portu appulsionem navi rursus imponantur Dando et concedendo absolutam et plenariam potestatem dicto Domino Willelmo suisque praedictis ab omnibus nostris subditis qui colonias ducere mercimonia exercere aut ad easdem terras Novae Scotiae et ab eisdem navigare voluerint praeter dictam summam nobis debitam pro bonis et mercimoniis quinque libras de centum vel ratione exportationis ex hoc regno nostro Scotiae ad provinciam Novae Scotiae vel importationis a dicta provincia ad regnum hoc nostrum Scotiae praedictum in ipsius ejusque praedictorum proprios usus sumendi levandi et recipiendi et similiter de omnibus bonis et mercimoniis quae per nostros subditos coloniarum ductores negotiatores et navigatores de dicta provincia Novae Scotiae ad quaevis nostra dominia aut alia quaevis loca exportabuntur vel a nostris regnis et aliis locis ad dictam Novam Scotiam importabuntur ultra et supra dictam summam nobis destinam quinque libras de centum Et de bonis et mercimoniis omnium extraneorum aliorumque sub nostra obedientia [minime] existentium quae vel de provincia Novae Scotiae exportabuntur vel ad eandem importabuntur ultra et supra dictam summam nobis destinam decem libras de centum dicti Domini Willelmi suorumque praedictorum propriis usibus per tales ministros officarios vel substitutos eorumve deputatos aut factores quos ipsi ad hunc effectum constituent et designabunt levandi sumendi ac recipiendi Et pro meliori dicti Domini Willelmi suorumque praedictorum aliorumque omnium dictorum nostrorum subditorum qui dictam Novam Scotiam inhabitare vel ibidem mercimonia exercere voluerint securitate et commoditate et generaliter omnium aliorum qui nostrae auctoritati et potestati sese subdere non gravabuntur nobis visum est volumusque quod licitum erit dicto Domino Willelmo suisque praedictis unum aut plura munimina propugnacula castella loca fortia specula armamentaria *lie blokhous* aliaque aedificia cum portubus et navium stationibus aedificare vel aedificari causare unacum navibus bellicis easdemque pro defensione dictorum locorum applicare sicut dicto Domino Willelmo suisque praedictis pro dicto conamine perficiendo necessarium videbitur proque ipsorum defensione militum catervas ibidem stabilire praeter praedicta supramentionata et generaliter omnia facere quae pro conqaestu augmentatione populi inhabitatione preservatione et gubernatione dictae Novae Scotiae ejusdemque orarum et territorii infra omnes hujusmodi limites pertinentias et dependentias sub nostro nomine et auctoritate quodcumque nos si personaliter essemus praesentes facere potuimus licet casus specialem et strictum magis ordinem quam per praesentes praescribitur requirat cui mandato volumus et ordinamus strictissimeque praecipimus omnibus nostris justiciariis officariis et subditis ad loca illa sese conferentibus ut sese applicent dictoque Domino Willelmo suisque praedictis in omnibus et singulis supra mentionatis earum substantiis circumstantiis et dependentiis intendant et obediant eisque in earum executione in omnibus adeo sint obedientes ut nobis ejus personam representat esse deberent sub pena disobedientiae et rebellionis Et quia fieri potest quod quidam ad dicta loca transportandi refractarii sint et ad eadem loca ire recusabunt aut dicto Domino Willelmo suisque praedictis resistent nobis igitur placet quod omnes vicecomites senescalli regalitatum ballivi pacis justiciarii praepositi et urbium ballivi eorumque officarii et justiciae ministri quicumque dictum Dominum Willelmum suosque deputatos aliosque praedictos in omnibus et singulis legitimis rebus et factis quas facient aut

And after these three years are ended, it shall be lawful, to us and our successors, to levy and exact from all goods and merchandise which shall be exported from this our Kingdom of Scotland to the said province of New Scotland, or imported from this province to our said Kingdom of Scotland, in any ports of this our kingdom, by the said Sir William and his aforesaid, for five per cent. only, according to the old mode of reckoning, without any other impost, tax, custom or duty from them hereafter; which sum of five pounds per hundred being thus paid, by the said Sir William and his aforesaid, to our officers and others appointed for this business, the said Sir William and his aforesaid may carry away the said goods from this our realm of Scotland into any other foreign ports and climes, without the payment of any other custom, tax or duty to us or our heirs or successors or any other persons; provided also that said goods, within the space of thirteen months after their arrival in any part of this our kingdom, may be again placed on board a ship. We also give and grant absolute and full power to the said Sir William and his aforesaid, of taking, levying and receiving to his own proper use and that of his aforesaid, from all our subjects who shall desire to conduct colonies, follow trade, or sail to said land of New Scotland, and from the same, for goods and merchandise, five per cent. besides the sum due to us; whether on account of the exportation from this our Kingdom of Scotland to the said province of New Scotland, or of the importation from the said province to this our Kingdom of Scotland aforesaid; and in like manner, from all goods and merchandise which shall be exported by our subjects, leaders of colonies, merchants, and navigators from the said province of New Scotland, to any of our dominions or any other places; or shall be imported from our realms and elsewhere to the said New Scotland, five per cent. beyond and above the sum before appointed to us; and from the goods and merchandise of all foreigners and others not under our sway which shall be either exported from the said province of New Scotland, or shall be imported into the same, beyond and above the said sum assigned to us, ten per cent. may be levied, taken and received, for the proper use of the said Sir William and his aforesaid, by such servants, officers or deputies, or their agents, as they shall appoint and authorize for this business. And for the better security and profit of the said Sir William and his aforesaid, and of all our other subjects desiring to settle in New Scotland aforesaid, or to trade there, and of all others in general who shall not refuse to submit themselves to our authority and power, we have decreed and willed that the said Sir William may construct, or cause to be built, one or more forts, fortresses, castles, strongholds, watch-towers, block-houses, and other buildings, with ports and naval stations, and also ships of war; and the same shall be applied for defending the said places, as shall, to the said Sir William and his aforesaid, seem necessary to accomplish the aforesaid undertaking; and they may establish for their defence there, garrisons of soldiers, in addition to the things above mentioned; and generally may do all things for the acquisition, increase and introduction of people, and to preserve and govern the said New Scotland and the coast and land thereof, in all its limits, features and relations, under our name and authority, as we might do if present in person; although the case may require a more particular and strict order than is prescribed in this our present charter; and to this command we wish, direct and most strictly enjoin all our justices, officers and subjects frequenting these places to conform themselves, and to yield to and obey the said Sir William and his aforesaid in all and each of the above-mentioned matters, both principal and related; and be equally obedient to them in their execution as they ought to be to us whose person he represents, under the pains of disobedience and rebellion. Moreover, we declare, by the tenor of our present charter to all Christian kings, princes

intendent ad effectum praedictum similiter et eodem modo sicuti nostrum speciale warrantum ad hunc effectum haberent assistent fortisficient et eisdem suppetias ferant Declaramus insuper per praesentis cartae nostrae tenorem omnibus christianis regibus principibus et statibus quod si aliquis vel aliqui qui in posterum de dictis coloniis vel de earum aliqua sit in dicta provincia Novae Scotiae vel aliqui alii sub eorum licentia vel mandato quovis tempore futuro piraticam exercentes per mare vel terram bona alicujus abstulerint vel aliquod injustum vel indebitum hostiliter contra aliquos nostros nostrorumve haeredum et successorum aut aliorum regum principum gubernatorum aut statuum in foedere nobiscum existentium subditos quod tali injuria sic oblata aut justa querela desuper mota per aliquem regem principem gubernatorem statum vel eorum subditos praedictos nos nostri haeredes et successores publicas proclamationes fieri curabimus in aliqua parte dicti regni nostri Scotiae ad hunc effectum magis commoda ut dictus pirata vel piratae qui tales rapinas committent stato tempore per praefatas proclamationes limitando plenarie restituent quaecunque bona sic ablata et pro dictis injuriis omnimodo satisfaciant ita ut dicti principes aliique sic conquaerentes satisfactos se esse reputent et quod si talia facinora committent bona ablata non restituent aut restitui faciant infra limitatum tempus quod tunc in posterum sub nostra protectione et tutela minime erunt et quod licitum erit omnibus principibus aliisque praedictis delinquentes eos hostiliter prosequi et invadere Et licet neminem nobilem aut generosum de patria hac sine licentia nostra decedere statutum sit nihilominus volumus quod praesens hoc diploma sufficiens erit licentia et warrantum omnibus qui se huic itineri committent qui laesaemajestatis non sunt rei vel aliquo alio speciali mandato inhibiti atque etiam per praesentis cartae nostrae tenorem declaramus volumusque quod nemo patria hac decedere permittatur versus dictam Novam Scotiam nullo tempore nisi ii qui juramentum supremitatis nostrae primum susceperint ad quem effectum nos per praesentes dicto Domino Willelmo suisque praedictis vel eorum conservatori vel deputatis idem hoc juramentum omnibus personis versus illas terras in ea colonia sese conferentibus requirere et exhibere plenariam potestatem et auctoritatem damus et concedimus Praeterea nos cum avisamento et consensu praedicto pro nobis et successoribus nostris declaramus decernimus et ordinamus quod omnes nostri subditi qui ad dictam Novam Scotiam proficiscuntur aut eam incolent eorumque omnes liberi et posteritas qui [quos] ibi nasci contigerit aliique omnes ibidem periclitantes habebunt et possidebunt omnes libertates immunitates et privilegia liberorum et naturalium subditorum regni nostri Scotiae aut aliorum nostrorum dominiorum sicuti ibidem nati fuissent Insuper nos pro nobis et successoribus nostris damus et concedimus dicto Domino Willelmo Alexander suisque praedictis liberam potestatem stabiliendi et cudere causandi monetam pro commercio liberiori inhabitantium dictae provinciae cujusvis metalli quo modo et qua forma voluerint et eisdem praescribent Atque etiam si quae quaestiones aut dubia super interpretatione aut constructione alicujus clausulae in hac presenti carta nostra contentae occurrent ea omnia sumuntur et interpretabuntur in amplissima forma et in favorem dicti Domini Willelmi suorumque praedictorum Praeterea nos ex nostra certa scientia proprio motu auctoritate regali et potestate regia fecimus univimus annexavimus ereximus creavimus et incorporavimus tenoreque praesentis cartae nostrae facimus univimus annexamus erigimus creamus et incorporamus totam et integram praedictam provinciam et terras Novae Scotiae cum omnibus earundem limitibus et maribus¹ ac mineralibus auri et argenti plumbi cupri chalibus stanni aeris ferri aliisque quibuscunque fodinis margaritis lapidibus praeciosis lapicidinibus silvis virgultus mossis marresibus lacubus aquis piscationibus tam in aquis dulcibus quam salsis tam regalium piscium quam aliorum civitatibus liberis portubus liberis burgis urbibus baroniae burgis maris portubus anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis generaliter et particulariter supra mentionatis in unum integrum et liberum dcminium et baroniam per praedictum nomen Novae Scotiae omni tempore

¹ In Reg. Mag. Sigilli maris.

and states, that if, hereafter, any one, or any, from the said colonies, in the province of New Scotland aforesaid, or any other persons under their license and command, exercising piracy; at any future time, by land or by sea, shall carry away the goods of any person, or in a hostile manner do any injustice or wrong to any of our subjects, or those of our heirs or successors, or of other kings, princes, governors or states in alliance with us, then, upon such injury offered, or just complaint thereupon, by any king, prince, governor, state or their subjects, we, our heirs and successors will see that public proclamations are made, in any part of our said Kingdom of Scotland, just and suitable for this purpose, and that the said pirate or pirates, who shall commit such violence, at a stated time, to be determined by the aforesaid proclamation, shall fully restore all goods so carried away; and for the said injuries shall make full satisfaction, so that the said princes and others thus complaining shall deem themselves satisfied. And, if the authors of such crimes shall neither make worthy satisfaction, nor be careful that it be made within the limited time, then he, or those who have committed such plunder, neither are nor hereafter shall be under our government and protection; but it shall be permitted and lawful to all princes and others whatsoever, to proceed against such offenders, or any of them, and with all hostility to invade them.

And though it is appointed that no nobleman and gentleman may depart from this country without our consent, yet we will that this our present charter be a sufficient permission and assurance to all engaging in the said voyage, save those who may be accused of treason or retained by any special order; and according to our present charter, we declare and decree that no person may leave this country and go to the said region of New Scotland unless they have previously taken the oath of allegiance to us; for which purpose, we, by our present charter, give and grant the said Sir William and his aforesaid, or their conservators and deputies, full power and authority to exact the said oath from and administer it to all persons proceeding into the said lands in that colony. Moreover, we for ourselves and our successors, with the advice and consent aforesaid, declare, decree and ordain that all our subjects, going to the said New Scotland, or living in it, and all their children and posterity born there, and all adventuring there, shall have and enjoy all the liberties, rights and privileges of free and native subjects of our Kingdom of Scotland, or of our other dominions, as if they had been born there.

Also, we for ourselves, and our successors, give and grant to the said Sir William and his aforesaid the free power of regulating and coining money for the freer commerce of those inhabiting the said province, of any metal, in what manner and of what form they shall choose and direct for the same.

And if any questions or doubts shall arise on the meaning and construction of any clause in our present charter, all these shall be taken and explained in their amplest form, and in favour of the said Sir William and his aforesaid. Besides we, of our certain knowledge, proper motive, regal authority and kingly power, have made, united, annexed, erected, created and incorporated, and, by the tenor of our present charter, do make, unite, annex, erect, create and incorporate, the whole and undivided, the said province and lands of New Scotland, with all the seas and limits of the same, and minerals of gold and silver, lead, copper, steel, tin, brass, iron and any other mines, pearls, precious stones, quarries, forests, thickets, mosses, marshes, lakes, waters, fisheries as well in fresh waters as in salt, as well of royal fishes as of others, cities, free ports, free villages, towns, baronial villages, seaports, roadsteads, machines, mills, offices and jurisdictions, and all other things generally and particularly mentioned above, in

futuro appellandum Volumusque et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod unica sasina nunc per dictum Dominum Willelmum suosque praedictos omni tempore affuturo super aliquam partem fundi dictarum terrarum et provinciae praescriptae stabit et sufficiens erit sasina pro tota regione cum omnibus partibus pendiculis privilegiis casualitatibus libertatibus et immunitatibus ejusdem supermentionatis absque aliqua alia speciali et particulari sasina per ipsum suosve praedictos apud aliquam aliam partem vel ejusdem locum capienda penes quam sasinam omniaque quae inde secuta sunt aut sequi possunt nos cum avisamento et consensu praescripto pro nobis et successoribus nostris dispensavimus tenoreque praesentis cartae nostrae modo subius mentionato dispensamus imperpetuum TENANDAM ET HABENDAM totam et integram dictam regionem et dominium Novae Scotiae cum omnibus ejusdem limitibus infra praedicta maria mineralibus auri et argenti cupri chalibis stanni ferri aeris aliisque quibuscunque fodinis margaritis lapidibus praeciosis lapicidinis silvis virgultis mossis marresis lacubus aquis piscationibus tam in aquis dulcibus quam salis tam regalium piscium quam aliorum civitatibus liberis burgis liberis portubus urbibus baroniae burgis maris portubus anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis generaliter et particulariter supra mentionatis cumque omnibus aliis privilegiis libertatibus immunitatibus casualitatibus aliisque supra expressis praefato Domino Willelmo Alexander haeredibus suis et assignatis de nobis nostrisque successoribus in feodo haereditate libero dominio libera baronia et regalitate imperpetuum modo supramentionato per omnes rectas metas et limites suas prout jacent in longitudine et latitudine in domibus aedificiis aedificatis et aedificandis boscis planis moris marresis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis brueriis et genistis silvis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et curiarum exitibus herezeldis bludewetis et mulierum marchetis cum furca fossa sok sak thole thame infangtheiff outfangtheiff vert wrak wair veth vennysoun pitt et gallous ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subius terra quam supra terram procul et prope ad praedictam regionem spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace absque ulla revocatione contradictione impedimento aut obstacula aliquali Solvendo inde annuatim dictus Dominus Willelmus Alexander sui que praedicti nobis nostrisque haeredibus et successoribus unius aenarium monetae Scotiae super fundum dictarum terrarum et provinciae Novae Scotiae ad festum Nativitatis Christi nomine albae firmae si petatur tantum Et quia tentione dictarum terrarum et provinciae Novae Scotiae et alba firma praedicta deficiente tempestivo et legitimo introitu cujusvis haeredis vel haeredum dicti Domini Willelmi sibi succedentium quod difficulter per ipsos praestari potest ob longinquam distantiam ab hoc regno nostro eadem terrae et provincia ratione non-introitus in manibus nostris nostrorumve successorum devenient usque ad legitimum legitimi haeredis introitum et nos nolentes dictas terras et regionem quovis tempore in non-introitu cadere neque dictum Dominum Willelmum suosque praedictos beneficiis et proficuis ejusdem eatenus frustrari ideo nos cum avisamento praedicto cum dicto non-introitu¹ quandocunque contigerit dispensavimus tenoreque praesentis cartae nostrae pro nobis et successoribus nostris dispensamus ac etiam renunciavimus et exoneravimus tenoreque ejusdem cartae nostrae cum consensu praedicto renunciamus et exoneramus dictum Dominum Willelmum ejusque praescriptos praefatum non-introitum dictae provinciae et regionis quandocunque in manibus nostris deveniet aut ratione non-introitus cadet cum omnibus quae desuper sequi possunt proviso tamen quod dictus Dominus Willelmus sui que haeredes et assignati infra spatium septem annorum post decessum et obitum suorum praedecessorum aut introitum ad

¹ In Reg. Mag. Sigilli *intreitu*.

one entire and free lordship and barony which shall be called in all future time by the aforesaid name of New Scotland.

And we will and grant, and for ourselves and our successors decree and order, that one seisin now made by the said Sir William and his aforesaid, upon any part of the soil of the said lands and upon the province before described, shall in all future time be effective; and shall be a sufficient seisin for the whole region with all the parts, appendages, privileges, accidents, liberties, and immunities, of the same mentioned above, without any other special and definite seisin to be taken by himself or his aforesaid on any other part or place of the same. And concerning this seisin and all things which have followed it, or can follow it, with the advice and consent above mentioned, for ourselves and successors have dispensed, and by the tenor of our present charter, in the manner hereafter mentioned, do dispense for ever: To hold and to possess, the whole and undivided, the said region and lordship of New Scotland, with all the bounds of the same within the seas above mentioned, all minerals of gold and silver, copper, steel, tin, lead, brass and iron and any other mines, pearls, precious stones, quarries, woods, thickets, mosses, marshes, lakes, waters, fisheries, as well in fresh water as salt, as well of royal fishes as of others, states, free towns, free ports, towns, baronial villages, seaports, roadsteads, machines, mills, offices and jurisdictions, and all other things generally and specially mentioned above; with all other privileges, liberties, immunities and accidents, and other things above mentioned, to the aforesaid Sir William Alexander, his heirs and assigns, from us and our successors, in free covenant, inheritance, lordship, barony and royalty, for ever, through all their just bounds and limits, as they lie in length and breadth, in houses, buildings erected and to be erected, bogs, plains and moors, marshes, roads, paths, waters, swamps, rivers, meadows and pastures, mines, malt-houses and their refuse, hawkings, huntings, fisheries, peat-mosses, turf-bogs, coal, coal-pits, coneys, warrens, doves, dove-cotes, workshops, malt-kilns, breweries and broom-woods, groves and thickets; wood, timber, quarries of stone and lime; with courts, fines, pleas, herlots, outlaws, rabbles of women, with free entrance and exit, and with fork, foss, fōk, fac, theme, infangtheiff, wrak, wair, veth, vert, vennesonn, pit and gallows; and with all other and singly, the liberties, commodities, profits, easements and their rightful pertinents of all kinds, whether mentioned or not, above or below ground, far and near, belonging, or that can belong, to the aforesaid region and lordship, in any manner, for the future, freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, contradiction, impediment, or obstacle whatever. Annually, at the festival of Christ's nativity, on the soil of the said lands and of the province of New Scotland, the said Sir William Alexander and his aforesaid shall pay to us and our heirs and successors, under the name of quit-rent, one penny of Scottish money, if so much be demanded.

And because the tenure of the said lands, and of the province of New Scotland, and the quit-rent above-mentioned, may fail through want of the timely and lawful entry of any heir or heirs of the said Sir William succeeding him, a thing which they may not easily accomplish on account of the great distance from our kingdom; and these same lands and province, on account of non-entrance, may come into our hands and those of our successors until the lawful entrance of the legitimate heir; and we being unwilling that the said lands and region at any time should fall into non-entry, or that the said Sir William and his aforesaid should be thus deprived of the benefits and profits of the same, therefore we, with the advice aforesaid, have dispensed with the said non-entry whenever it shall occur, and, by the tenor of this our charter, we, for ourselves and our successors, do dispense; and also we have renounced and exonerated, and by the tenor of our present charter, with the consent aforesaid, we do

possessionem dictarum terrarum aliorumque praedictorum per ipsos vel eorum legitimos procuratores ad hunc effectum potestatem habentes nobis nostrisque successoribus homagium faciant et dictas terras dominium et baroniam aliaque praedicta adeant et per nos recipiantur secundum leges et statuta dicti regni nostri Scotiae Denique nos pro nobis et successoribus nostris volumus decernimus et ordinamus praesentem hanc nostram cartem et infeofamentum supra scriptam praedictarum terrarum domini et regionis Novae Scotiae privilegia et libertates ejusdem in proximo nostro parlamento dicti regni nostri Scotiae cum contigerit ratificari approbari et confirmari ut vim et efficaciam decreti inibi habeat penes quod nos pro nobis et successoribus nostris declaramus hanc nostram cartam sufficiens fore warrantum et in verbo principis eandem ibi ratificari et approbari promittimus atque etiam alterare renovare et eandem in amplissima forma augere et extendere quoties dicto Domino Willelmo ejusque praedictis necessarium et expediens videbitur Insuper nobis visum est ac mandamus et praecipimus dilectis nostris vicecomitibus nostris in hac parte specialiter constitutis quatenus post hujus cartae nostrae nostro sub magno sigillo aspectum statum et sasinam actualem et realem praefato Domino Willelmo suisque praedictis eorumve actornato vel actornatis terrarum domini baroniae aliorumque praedictorum cum omnibus liberatibus privilegiis immunitatibus aliisque supra expressis dare et concedere quam sasinam nos per praesentis cartae nostrae tenorem adeo legitimam et ordinariam esse declaramus ac si praeceptum sub testimonio nostri Magni Sigilli in amplissima forma cum omnibus clausulis requisitis ad hunc effectum praedictum haberet penes quod nos pro nobis et successoribus nostris imperpetuum dispensamus In cujus rei testimonium huic praesenti cartae nostrae magnum sigillum nostrum apponi praecipimus testibus praedilectis nostris consanguineis et consiliariis Jacobo Marchione de Hamiltoun comite Arranie et Cambridge domino Aven et Innerdaill Georgio Mariscalli comite domino Keyth &c. regni nostri mariscallo Alexandro comite de Dumfermeling domino Fyvie et Urquhart &c. nostro cancellario Thoma comite de Melros domino Binning et Byres nostro secretario dilectis nostris familiaribus consiliariis dominis Ricardo Cokburne juniore de Clerkingtoun nostri secreti sigilli custode Georgio Hay de Kinfawnis nostrorum rotulorum registri ac consilii clerico Joanne Cokburne de Ormestoun nostrae justiciariae clerico et Joanne Scott de Scotstarvett nostrae cancellariae directore militibus Apud castellum nostrum de Windsore decimo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo primo regnorumque nostrorum annis quinquagesimo quinto et decimo nono.

Per signaturam manu S. D. N. Regis suprascriptam ac manibus Cancellarii Thesaurarii Principalis Secretarii ac reliquorum Dominorum nostrorum Commissionariorum ac Secreti Consilii ejusdem Regni Scotiae subscriptam.

Writtin to the Great Seall,

29. Septemb. 1621.

J. SCOTT, *gratis*.

Sigellat. Edinburgi

29. Septemb. 1621,

J.A. RAITHE, *gratis*.

renounce and exonerate the said Sir William and his aforesaid in respect to the above-mentioned non-entrance of the said province and region whenever it shall come into our hands, or, by reason of non-entry, may fail, with all things that can follow therefrom; provided, however, that the said Sir William, his heirs and assigns, within the space of seven years after the decease and death of their predecessors, or entry to the possession of said lands, and of other things aforesaid, by themselves or their lawful agents holding power for this purpose, do homage to us and our successors, and come to and receive through us, the same lands, lordship, barony and other things aforesaid, according to the laws and statutes of our said Kingdom of Scotland. Finally, we, for ourselves, and our successors, do will, decree and ordain that this our present charter and enfeoffment above written of the lands aforesaid, lordship, and region of New Scotland, and the privileges and liberties of the same, shall be ratified, approved and established in our next Parliament of our said Kingdom of Scotland whenever it shall meet, so that it shall have therein the force and efficacy of a decree; and for this we, for ourselves and our successors, declare that this our charter shall be a sufficient warrant; and as a prince, we promise that the same shall be ratified and approved, and also we promise to alter, renew, increase and extend the same into the most ample form, as often as it shall deem necessary and expedient to the said Sir William and his aforesaid.

Moreover it has seemed best to us, and we order and enjoin our beloved . . . our sheriffs especially appointed on our part, on seeing this our charter under our great seal, so to give and grant to the aforesaid Sir William and his aforesaid, or their attorney or attorneys, possession and seisin, actual and real, of the lands, lordship, barony and other things mentioned above, with all privileges, immunities, liberties, and other things above expressed: and this seisin we, by the tenor of our present charter, declare to be as lawful and regular as if he had a precept, under proof of our Great Seal, and in the most ample form, with all clauses requisite for the aforesaid purpose; with which we, for ourselves and our successors, do for ever dispense. In witness whereof we have commanded our Great Seal to be affixed to this our present charter. Witnesses:—Our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Aven and Innerdaill; George, Earl Marischal, Lord Keith, &c., Marshal of our Kingdom; Alexander, Earl of Dunfermline, Lord Fyvie and Urquhart, &c., our Chancellor; Thomas, Earl of Melros, Lord Binning and Byres, our Secretary:—Our beloved familiar Councillors, Baronets; Sir Richard Cockburn, junior, of Clerkington, Keeper of our Privy Seal; Sir George Hay, of Kinfawins, our Register of the Rolls and Clerk of the Council Sir John Cockburn, of Ormiston, Clerk of our Justiciary; and Sir John Scott Scotstarvet, Director of our Chancery, Knights.

At our Castle of Windsor, the tenth day of September, in the year of our Lord 1621, and of our Reigns the fifty-fifth and nineteenth years respectively.

By signature superscribed by the hand of our Sovereign Lord the King; and subscribed by the hands of our Chancellor, Treasurer, Provincial Secretary, and of the other Lords, our Commissioners, and of our Privy Council of the said Kingdom of Scotland.

Written to the Great Seal, 29 September, 1621.

J. SCOTT,
gratis.

Sealed at Edinburgh, 29 September, 1621.

JA. RAITHE,
gratis.

NOTE.—This translation is made from the Latin as found in the "Great Seal Register," and printed in the collection of Royal Letters, Charters and Tracts, by the Bannatyne Club, Edinburgh, '67.

N.B. "In the Regist. Mag. Sigilli the names of the witnesses are not given, but only a reference as specified in an earlier chapter in the Record. The endorsement of the charter 'Written,' &c., of course is not found in the Register itself." Note by David Laing, LL.D., Bannatyne Collection of Royal Letters, Charters and Tracts.

APPENDIX C.

HIS MAJESTY'S COMMISSION TO HIS EXCELLENCY GOVERNOR CORNWALLIS.

From Akins's "Selections from the Public Documents of the Province of Nova Scotia."

George the Second, by the grace of God of Great Britain, France and Ireland, King, Defender of the Faith, etc. To our Trusty and well beloved the Honourable Edward Cornwallis, Esq., a greeting:—

Whereas we did by our Letters Patent under our Great Seal of Great Britain bearing date at Westminster the 11th day of September, in the second year of Our Reign constitute and appoint Richard Philipps, Esquire, our Captain General and Governor in Chief in and over our Province of Nova Scotia or Acadia in America, with all the rights, members and appurtenances whatsoever belonging, for and during our will and pleasure, as by the said recited Letters Patent relation being thereunto had may more fully and at large appear.

Now, know you that we have revoked and Determined, and by these presents do Revoke and Determine the said recited Letters Patent, and every other article and thing therein contained; and Further, Know you that we repose special trust and confidence in the prudence, courage and Loyalty of you the said Edward Cornwallis, of our especial Grace certain knowledge and intention, have thought fit to constitute and appoint you, the said Edward Cornwallis, to be our Captain General and Governor in Chief in and over our Province of Nova Scotia or Acadia in America with all the rights, members and appurtenances whatsoever thereunto belonging, and we do hereby require and command you to do and execute all things in due manner that shall belong to your said command and the Trust we have reposed in you according to the several powers and authorities granted or appointed you by this present commission and instructions herewith given you or by such further powers, Instructions and authorities as shall at any time hereafter be granted or appointed you under our signet and sign manual or by our order in our Privy Council and according to such Reasonable Laws and Statutes as hereafter shall be made or agreed upon by you with the advice and consent of our Council and the Assembly of our said province under Your Government hereafter to be appointed in such manner and form as is hereafter expressed.

And for the better administration of Justice and management of the Publick affairs of our said province, we hereby give and grant unto you the said Edward Cornwallis full power and authority to Chuse, nominate and appoint such fitting and discreet persons as you shall either find there or carry along with you, not exceeding the number of Twelve, to be of our Council in our said Province. As also to nominate and appoint by warrant under your hand and seal and such other officers and ministers as you shall judge proper and necessary for our service and the good of the people whom

we shall settle in the said Province until our further will and pleasure shall be known.

And our will and pleasure is that you said Edward Cornwallis (After the publication of these our Letters Patent) do take the Oath appointed to be taken by an Act passed in the first year of His Late Majesty's our Royal Father's Reign, Entitled an Act for the further security of His Majesty's Person and Government and the succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors. As also that you make and subscribe the Declaration mentioned in an Act of Parliament made in the Twenty-fifth year of the Reign of King Charles the Second, entitled an Act for preventing dangers which may happen from Popish Recusants. And likewise that you take the usual oath for the due execution of the office and trust of Our Captain General and Governor in Chief of our said province for the due and impartial administration of Justice; and further that you take the oath required to be taken by Governors of Plantations to do their utmost, that the several laws relating to trade and the plantations be observed. All which said oaths, Declarations Our Council in our said Province or any five members thereof have hereby full power and authority and are required to tender and administer unto you and in your absence to our Lieutenant Governor, if there be any upon the place, all which being duly performed you shall administer unto each of the members of our said Council as also to Our Lieutenant Governor, if there be any upon the place, the said Oaths mentioned in the said Act entitled an Act for the further security of His Majesty's person and Government, and the succession of the Crown in the Heirs of the late Princess Sophia being Protestants and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors; as also to cause them to make and subscribe the aforementioned declaration and to administer to them the Oath for the due execution of their places and trusts.

And We do hereby give and grant unto you full power and authority to suspend any of the members of our said Council to be appointed by you as aforesaid from sitting, voting and assisting therein if you shall find just cause for so doing.

And if it shall at any time happen that by the Death, departure out of our said Province, suspension of any of our said Councillors or otherwise there shall be a vacancy in our said Council (any five whereof we do hereby appoint to be a Quorum) our will and pleasure is that you signify the same unto us by the first opportunity that we may under our signet and sign manual constitute and appoint others in their stead.

But that our affairs at that distance may not suffer for want of a due number of Councillors if ever it shall happen that there shall be less than nine of them residing in our said Province we hereby give and grant unto you the said Edward Cornwallis full power and authority to Chuse as many persons out of the principal freeholders inhabitants thereof as will make up the full number of our said Council to be nine and no more; which person so chosen and appointed by you shall be to all intents and purposes Councillors in our said Province until either, they shall be confirmed by us or that by the nomination of others by us under our sign manual or signet our said Council shall have nine or more persons in it.

And We do hereby give and grant unto you full power and authority with the advice and consent of our said Council from time to time as need shall require to summon and call General Assemblies of the Freeholders and Planters within your Government according to the usage of the rest of our Colonies and plantations in America.

And our will and pleasure is that the persons thereupon duly elected by

the major part of the Freeholders of the Respective Counties and places and so returned shall before their setting take the Oaths mentioned in the said Act entitled an Act for the further security of His Majesty's person and government and the succession of the Crown in the Heirs of the late Princess Sophia being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors, as also make and subscribe the aforementioned Declaration (which Oaths and Declaration you shall commissionate fit persons under our seal of Nova Scotia to tender and administer unto them), and until the same shall be so taken and subscribed no person shall be capable of sitting tho' elected, and we do hereby declare that the persons so elected and qualified shall be called and deemed the General Assembly of that our Province of Nova Scotia.

And that you the said Edward Cornwallis with the advice and consent of our said Council and Assembly or the major part of them respectively shall have full power and authority to make, constitute and ordain laws, Statutes and Ordinances for the Publick peace, welfare and good government of our said Province and of the people and inhabitants thereof and such others as shall resort thereto and for the benefit of us, our Heirs and Successors, which said Laws, Statutes and Ordinances are not to be repugnant but as near as may be agreeable to the laws and Statutes of this our Kingdom of Great Britain.

Provided that all such Laws, Statutes and Ordinances of what nature or duration soever be within three months or sooner after the making thereof transmitted to us under Our Seal of Nova Scotia for our approbation or Disallowance thereof as also a duplicate by the next conveyance.

And in case any or all of the said Laws, Statutes and Ordinances not before confirmed by us shall at any time be disallowed and not approved and so signified by us, our Heirs or successors under our or their sign manual and signet or by order of our or their Privy Council unto you the said Edward Cornwallis or to the Commander in Chief of our said Province for the time being then such and so many of the said Laws, Statutes and Ordinances as shall be so disallowed and not approved shall from thenceforth cease, determine and become utterly void and of none effect anything to the contrary thereof notwithstanding.

And to the end that nothing may be passed or done by our said Council or Assembly to the prejudice of us, our Heirs and Successors We Will and ordain that you the said Edward Cornwallis shall have and enjoy a negative Voice in the making and passing of all Laws, Statutes and Ordinances as aforesaid.

And you shall and may likewise from time to time as you shall judge it necessary, adjourn, Prorogue and Dissolve all General Assemblies as aforesaid.

And our further will and pleasure is that you shall and may keep and use the Publick Seal of our Province of Nova Scotia for Sealing all things whatever that pass the Great Seal of Our said Province under your Government.

And We do further give and grant unto you the said Edward Cornwallis full power and authority from time to time and at any time hereafter by yourself or by any other to be authorized by you in that behalf to administer and give the Oaths mentioned in the aforesaid Act to all and every such person or persons as you shall think fit who shall at any time or times pass in our said province as shall be residing or abiding there. And We do by these presents give and grant unto you the said Edward Cornwallis full power and authority with advice and consent of our said Council to erect, constitute and establish such and so many courts of Judicature and publick Justice within our said Province and Dominion as you and they shall think fit and necessary for the hearing and determining all causes as well Criminal as Civil according to Law and Equity and for awarding the Execution there-

upon with all reasonable and necessary powers, Authorities, fees and Privileges belonging thereunto as also to appoint and commissionate fit persons in the several parts of your Government to administer the Oaths mentioned in the aforesaid Act entitled an Act for the further security of His Majesty's person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors; As also to tender and Administer the aforesaid Declaration unto such persons belonging to the said Courts as shall be obliged to take the same.

And We do hereby authorize and empower you to constitute and appoint Judges and in cases requisite Commissioners of Oyer and Terminer, Justices of the peace and other necessary officers and ministers in our said province for the better administration of Justice and putting the Laws in execution and to administer or cause to be administered unto them such oath or oaths as are usually given for the due execution and performance of offices and places and for the clearing of truth in Judicial Causes.

And We do hereby give and grant unto you full power and Authority where you shall see cause or shall judge any offender or offenders in Criminal matters or for any fines or forfeitures due unto us, fit objects of our mercy to pardon all such offenders and to remit all such offences, fines and forfeitures, Treason and wilful murder only excepted; in which cases you shall likewise have power upon extraordinary occasions to Grant Reprieves to the offenders untill and to the intent our Royal Pleasure may be known therein.

We do by these presents Authorize and empower you to collate any person or Persons to any Churches, Chapels or other Ecclesiastical Benefices within our said Province as often as any of them shall happen to be void.

And We do hereby give and grant unto you the said Edward Cornwallis by yourself or by your captains and Commanders by you to be authorized full power and authority to levy, arm, muster, command and employ all persons whatsoever residing within our said province and as occasion shall serve to march from one place to another or to embark them for the resisting and withstanding of all enemies, Pirates and Rebels, both at Land and Sea, and to transport such forces to any of our plantations in America if necessity shall require for the defence of the same against the invasion or attempts of any of our enemies, and such enemies, Pirates and Rebels if there shall be occasion to pursue and prosecute in or out of the limits of our said Province and Plantations or any of them and (if it shall so please God) to vanquish, apprehend and take them and being taken, according to Law to put to death or keep and preserve them alive at your discretion and to execute Martial Law in time of invasion or other Times when by Law it may be executed and to do and execute all and every other thing or things which to our Captain General and Governor in Chief Doeth or ought of right to belong.

And we do hereby give and grant unto you full power and authority by and with the advice and consent of our said Council of Nova Scotia to erect, raise and build in our said province such and so many forts and platforms, castles, cities, boroughs, towns and fortifications as you by the advice aforesaid shall Judge Necessary, and the same or any of them to fortify and furnish with ordnance, ammunition and all sorts of arms fit and necessary for the security and defence of our said Province and by the advice aforesaid the same again or any of them to demolish or dismantle as may be most convenient.

And for as much as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war and to the end that such as shall be shipped and employed at sea during the time of War may be better governed and ordered, We hereby give and grant unto you the

said Edward Cornwallis full power and authority to constitute and appoint captains, lieutenants, masters of ships and other commanders and officers, and to grant such captains, lieutenants, masters of ships and other commanders and officers, commissions in time of war to execute the law martial according to the directions of such laws as are now in force or shall hereafter be passed in Great Britain for that purpose and to use such proceedings, authorities, punishments and executions upon any offender or offenders who shall be mutinous, seditious, disorderly or any way unruly either at sea or during the time of their abode or residence in any of the ports, harbors or bays of our said Province as the cause shall be found to require according to the martial law in the said directions during the time of war as aforesaid.

Provided that nothing herein contained shall be construed to the enabling you or any by your authority to hold Plea or have any jurisdiction of any offence, cause, matter or thing committed or done upon the high sea or within any of the havens, rivers or creeks of our said Province under your government by any captain, commander, lieutenant, master, officer, seaman, soldier or person whatsoever who shall be in our actual service and pay in or on board any of our ships of War or other vessels, acting by immediate commission or warrant from our commissioners for executing the office of our High Admiral of Great Britain for the time being, under the Seal of our Admiralty, but that such Captain, Commander, Lieutenant, Master, Officers, seamen, soldier or other person so offending shall be left to be proceeded against and tried as their offences shall require either by Commission under our great Seal of Great Britain as the Statute of the 28th of Henry the Eighth directs or by Commission from our said Commissioners for executing the office of our High Admiral or from our High Admiral of Great Britain for the time being, according to the aforementioned Act for the establishing Articles and orders for the regulating and better Government of His Majesty's navies, ships of War and forces by sea and not otherwise.

Provided nevertheless that all disorders and misdemeanors, committed on shore by any captain, Commander, Lieutenant, master, officer, seaman, soldier or other person whatsoever belonging to any of our ships of War or other vessels, acting by immediate commission or warrant from our said Commissioners for executing the offices of High Admiral or from our High Admiral of Great Britain for the time being under the Seal of Our Admiralty, may be tried and punished according to the laws of the Place where any such disorders, offences and misdemeanors shall be committed on shore notwithstanding such offenders be in our actual service and borne in our pay, on board any such our ships of war or other vessels acting by immediate commission or warrant from our said Commissioners for executing the office of High Admiral or our High Admiral of Great Britain for the time being as aforesaid so as he shall not receive any protection for the avoiding of Justice for such offences committed on shore from any pretence of his being employed in our service at sea.

And our further will and pleasure is that all publick money raised or which shall be raised by any Act hereafter to be made within our said Province be issued out by Warrant from you by and with the advice and consent of the Council and disposed of by you for the support of the Government and not otherwise.

And We do likewise give and grant unto you full power and authority by and with the advice and consent of our said Council to settle and agree with the inhabitants of our Province for such Lands, Tenements, and hereditaments as now are or hereafter shall be in our power to dispose of and them to grant to any Person or Persons upon such terms and under such moderate quit rents, services, acknowledgments to be thereupon reserved unto us as you by and with the advice aforesaid do think fit. Which said grants are to pass and be sealed by our seal of Nova Scotia and being entered upon

record by such officer or officers as shall be appointed thereunto, shall be good and effectual in Law against us, our heirs and successors.

And We do hereby give you the said Edward Cornwallis full power to order and appoint Fairs, Marts and Markets as also such and so many Ports, Harbors, Bays, Havens and other places for convenience and security of shipping and for the better loading and unloading of Goods, Merchandizes as by you with the advice and consent of the said Council as shall be thought fit and necessary.

And we do hereby require and Command all officers and ministers, Civil and Military, and all other Inhabitants of our said Province to be obedient, aiding and assisting unto you the said Edward Cornwallis in the execution of this our Commission and the powers and authorities here contained and in case of your death or absence out of Our said Province to be obedient, aiding and assisting under such person as shall be appointed by us under our Lieutenant Governor or Commander in Chief of our said Province; To whom we do therefore by these presents give and grant all and singular the Powers and Authority's herein granted to be by him executed and enjoyed during our pleasure or untill your arrival within our said Province.

And if upon your death or absence out of our said Province there be no person upon the place commissioned or appointed by us to be our Lieutenant Governor or Commander in Chief of the said Province, our Will and Pleasure is, that the eldest Councillor who shall be at the time of your death or absence residing within our said Province shall take upon him the administration of the Government and execute our said commission and instructions and the several powers and authorities therein contained in the same manner and to all intents and purposes as either our Governor or Commander in Chief should or ought to do in case of your absence until your return or in all cases untill our further pleasure be known herein.

And we do hereby declare, ordain and appoint that you the said Edward Cornwallis shall and may hold, execute and enjoy the office and place of our Captain General and Governor in Chief in and over our said Province of Nova Scotia, with all its rights, members and appurtenances whatsoever, together with all and singular the Powers and authorities hereby granted unto you for and during our will and pleasure.

In Witness whereof we have caused these our Letters to made Patent, Witness ourself at Westminster, the Sixth day of May, in the Twenty-second year of our reign.

By Writ of Privy Seal.

(Signed) YORKE & YORKE.

APPENDIX D.

PROMINENT BUILDERS OF NOVA SCOTIA.

From Akins's History of Halifax City, pp. 225 et seq.

The following short sketch of some of the persons who took a lead in establishing the Colony, has been compiled chiefly from public records :—

The Honourable Edward Cornwallis, the first Governor and Commander-in-Chief, was a younger son of Charles, third Baron Cornwallis by Lady Charlotte Butler, daughter of Richard, Earl of Arran and uncle to the celebrated Duke of Ormonde. He was born in 1713, was member of Parliament for the borough of Eye in 1749, and was elected member for the city of Westminster in 1753 shortly after he returned from Halifax. He married, the same year, a daughter of the late Lord Townshend, but left no children. He was afterwards raised to the rank of Major General and appointed Governor of Gibraltar. General Cornwallis was twin brother of Dr. Frederick Cornwallis, Archbishop of Canterbury.

The gentlemen who composed the first Council were Paul Mascarene, Edward How, John Gorham, Benjamin Green, John Salisbury and Hugh Davidson.

Col. Mascarene was a native of Castras in the south of France, was born in the year 1684. His parents were Huguenots and were compelled to fly from their native country on the revocation of the Edict of Nantes when all Protestants were driven from France. He made his way to Geneva at the age of 12, where he received his education. He afterwards went to England, where he received a commission in the British army in 1708. He was appointed Captain in 1710 and ordered to America, where he joined the regiment raised in New England for the taking of Port Royal. He was at the capture of Annapolis Royal that year, and was for some time commander of the garrison as senior major of the regiment. On the death of Colonel Armstrong he became Lieutenant-Colonel of the regiment under General Phillips, and was third on the list of councillors in 1720, when the first Council was organized in Nova Scotia. In 1740 he was appointed Lieutenant-Governor of the fort, and administered the government of the Province until the arrival of Cornwallis in 1749. He remained in command at Annapolis after the settlement at Halifax, and was subsequently engaged as agent of the British Government in arranging treaties with the Indians of New England and Acadia in 1751. He retired from active duties and died a Major General in the British army at Boston, on 20th January, 1760. He left a son and daughter. His son was said to be living in New England in 1835, at a very advanced age. The late Judge Foster Hutchinson, of the Supreme Court of Nova Scotia and the late Deputy Commissary General William Handfield Snelling, were his grandsons. His great-grandson, Mr. W. Snelling Stirling, has his portrait, painted by Smybert of Boston about 1725.

Benjamin Green was a native of the province of Massachusetts, born in 1713, youngest son of the Rev. Joseph Green, minister of Salem, Mass., and graduate of Harvard College. He was brought up as a merchant under his elder brother Joseph in Boston. In 1737 he married a daughter of the Hon-

ourable Joseph Pierre of Portsmouth. He accompanied General Pepperrel to Louisbourg in 1745, as Secretary of the expedition. After the capture of that place by the Provincial army, he remained there as Government Secretary and manager of the finances until Cape Breton was restored to the French, when he removed with his family to Halifax, and was appointed to the Council by Governor Cornwallis in July, 1749. After the removal of Mr. Davidson he acted as Secretary of the province. He held several other important public offices, among which were those of Treasurer and Judge of the Court of Vice-Admiralty. On the death of Governor Wilmot in 1766, Mr. Green being then senior councillor, was appointed Administrator of the Government. He died at Halifax in 1772, in the 59th year of his age. His eldest son Benjamin succeeded him as Treasurer of the province. Benjamin Green, junior, was father of Lieutenant William Green of the Navy and Joseph Green and Henry Green of Lawrencetown, the latter left descendants at Lawrencetown. The second son of Governor Green was many years sheriff of Halifax, and having married a Boston lady, afterwards removed to that place. His daughter was married to Mr. Stephen H. Binney, son of Jonathan Binney of Halifax, whose descendants are numerous.

John Salisbury was brother to Dr. Thomas Salisbury, the eminent civil lawyer in London. Lord Halifax was his friend and patron, and sent him out with Governor Cornwallis as one of his suite. He does not appear to have taken any active part in the settlement. He married a Miss Cotton, who brought him a fortune of £10,000, which he spent in extravagance and dissipation. He returned to England in 1753, and died at Offley, the country seat of his relative Sir Thomas Salisbury in 1762. His only daughter was the celebrated Mrs. Thrale, the friend of Dr. Johnson, afterwards married to a Mr. Piozzi. The name is frequently given "Salisbury."

Hugh Davidson also came out with Governor Cornwallis. He was the first Provincial Secretary; he returned to England in 1750 under charges of trading in the supplies and stores for the settlers. Governor Cornwallis in his letters to the Board of Trade, thought him innocent of the main charges made against him.

Captain Edward How was a member of His Majesty's Council at Annapolis in 1744. He was with Colonel Noble at the affair at Minas and Grand Pré in 1747, where he was severely wounded and taken prisoner by the French under DeCorne. He came down from Annapolis with Governor Mascarene in June, 1749, and was sworn in a member of Cornwallis's first council. He was well acquainted with the language of the Indians and their manners, and was sent on a negotiation to the French and Indians at Beaubassin in 1751, where he was treacherously murdered by the enemy, though acting under a flag of truce, having been shot through the back from the bush. The French officers denied having anything to do with this disgraceful affair, and charged it on Mr. LeLoutre, the Indian missionary, who it was said was jealous of Mr. How's influence with the Micmacs. His widow afterwards petitioned the government for pecuniary aid, in consequence of her husband's services, and for money advanced by him for public service. The late Richard W. How, captain in the 81st Regiment, formerly of Halifax, was his grandson.

Colonel John Gorham was a native of Massachusetts; he was with General Pepperrel at the siege of Louisbourg in 1745, as Lieutenant-Colonel of his father's regiment raised in Massachusetts. He afterwards had command of a company of Rangers at Annapolis and came down to Chebucto with his rangers to meet Governor Cornwallis in 1749. He took precedence next to Governor Mascarene at the council board. He is styled Captain Gorham by Mascarene and by Cornwallis in his commissions and correspondence. That of Lieutenant-Colonel was probably militia rank only. It is probable he returned to Boston soon after the settlement was formed as his name does not appear on the council books after 1752. He had a brother, Joseph Gor-

ham, who was also a member of Council in 1766 ; he afterwards attained the rank of Lieutenant-Colonel in the British army. He was engaged in the border skirmishes on the isthmus from 1754 to about 1758, and was afterwards appointed Commandant at Newfoundland.

Lieutenant-Colonels Horseman, Ellison and Mercer, who were afterwards appointed to the Council, were the officers in command of the regiments which came from Louisbourg. They all retired soon after to England.

Charles Lawrence was a Major in Warburton's Regiment of Infantry. He came up with the army and was engaged during 1749 and '50 in the French wars at Cobequid. He acted as Brigadier General under Amherst at Louisbourg ; he was a member of the Council and sworn in Governor of the Province on the death of Governor Hobson ; the first assembly was convened during his administration, (2nd October, 1758) ; he died unmarried on 11th October, 1759, it is said of an inflammation, caused by overheating himself at a ball at Government House ; he was deeply respected by the whole community, and the Legislative Assembly caused a monument to be erected to his memory in St. Paul's church "from a grateful sense of the many important services which the Province had received from him during a continued course of zealous and indefatigable endeavours for the public good, and a wise, upright, and disinterested administration." This monument has now disappeared from St. Paul's church. His escutcheon remains in the East Gallery. Lawrence, though an active and zealous governor, by his desire to favour the officers of Government with a partiality for his military friends, brought on himself an organized opposition from the leading inhabitants of the town, who petitioned the Home Government for redress of their grievances, which they in a great measure attributed to the Governor and his Lieutenant Colonel Monckton. His resistance to the desire to call a Legislative Assembly was among the chief charges against him. His death shortly after the petition put an end to the difficulties. He was succeeded by Judge Belcher as Administrator of the Government.

Charles Morris was a native of New England ; he was Captain of Provincials under General Pepperrel at the siege of Louisbourg in 1745. He had been engaged by Governor Shirley, of Boston, in a survey of the interior of Nova Scotia with a view to British colonization in 1745. He also commanded one of the Provincial Companies sent to Minas under Colonel Noble in 1747. He was in Halifax in 1749, and in company with Mr. Bruce the Military Engineer laid out the town and peninsula. He was appointed to the Council in 1755. Though Surveyor General of the Province he acted for some time as Judge of the Supreme Court during the time of Chief Justice Belcher, which offices were both afterwards filled by his eldest son Charles. Captain Morris died in 1781, and was succeeded in the office of Surveyor General by his son Charles, whose son, the Hon. Charles Morris, also filled the same office and was a member of Council in 1808. He was the father of John Spry Morris, Esq., afterwards Surveyor General, who was the fourth in succession who had charge of the Surveying Department in Nova Scotia. There are numerous descendants of Captain Morris in Halifax.

Jonathan Belcher, the first Chief Justice, was a native of Massachusetts, son of the Governor of that province, of an eminent colonial family ; he was appointed Chief Justice of Nova Scotia in 1754, when a young man, and administered the government on the death of Governor Lawrence ; Chief Justice Belcher arranged and revised the laws as they appear on our first Statute Book, and rendered good assistance to Governor Lawrence in founding the settlements at Horton, Cornwallis, Falmouth, &c., in 1758, '9, and 1760. Judge Belcher died poor ; the Legislature voted a provision to his only daughter. His son, the Honourable Andrew Belcher, was for many years a resident in Halifax and a member of Council.

Captain Wm. Cotterell was the first Provost Marshal or Sheriff (there

being no county divisions at this time). He was succeeded in that office in 1750 by Captain Foy, who held that situation many years, and received a small pension on his retirement. Mr. Cotterell afterwards acted as assistant Provincial Secretary.

William Nisbett came out with Cornwallis in 1749 as one of the Governor's clerks. He practised as an attorney and solicitor. He was appointed Attorney General on the resignation of Mr. Little, which office he held for 25 years. He was one of the first representatives in the General Assembly of 1758, and was elected speaker on 4th December, 1759. He continued in the Chair of the House (with the intermission of one session when sick) until 1783, when he retired on a small pension and died the following year aged 83. In 1763 he declined a seat in the Council. During the period of his being Speaker, the House sat for 14 years without being dissolved. The old house in which Mr. Nisbett resided situated in Grafton Street, Block letter E, Collins's division, mentioned in a former chapter, still remains, though much changed by the cutting down of the street many years ago. He left no male descendants. His daughter, Mrs. Swann, died in the old Grafton street house about 60 years ago.

Archibald Hinshelwood was one of Governor Cornwallis's clerks, and performed the duties of Deputy Secretary with Mr. Cotterell and others for many years. Most of the drafts of the letters sent to England by the first three Governors are in his handwriting. He was elected a member of Assembly for Lunenburg in 1759 and again in 1765. Lord William Campbell the Governor appointed him to the Council in 1773, but he died before taking his seat. His property on Argyle Street afterwards occupied by the City Water office fell to his nephew, (he having no children), who left two sons in the navy, both of whom died young. The old property was sold about 60 years since and purchased by Mr. W. A. Black, who resided there many years.

Otis Little was Captain of one of the New England Independent Companies. He was probably a native of England. Being in England in 1749, he came out with Governor Cornwallis, who appointed him Commissary of Stores, from which office he was dismissed on suspicion of having traded in the supplies for the settlers. He acted as first Attorney General of the Colony and was probably a lawyer by profession. He was the author of a well-written pamphlet on the resources of Nova Scotia, written in 1748 with a view to encouraging British emigration to the province. Captain Little left a daughter, who died unmarried at Halifax early in the present century.

John Baptiste Moreau, designated gentleman and schoolmaster in the book of the settlers, had been originally a Roman Catholic priest, and Prior of the Abbey of St. Matthew at Breste. He joined the expedition under Cornwallis in 1749, and went to Lunenburg with the settlers in 1752. He received ordination as a clergyman of the Church of England in 1750, and officiated to his countrymen and the Germans in the County of Lunenburg, where he died much esteemed and regretted in the year 1770. He left a son, Cornwallis Moreau, who was the first male child born in Halifax, and was called Cornwallis after the Governor. This old man was living at La Hève, in Lunenburg County, in the year 1848, being nearly 100 years of age. He received pecuniary assistance from the Nova Scotia Philanthropic Society in that year.

Doctor John Breynton came up from Louisbourg with the army, where he had been acting Chaplain to the Forces. He succeeded Mr. Tutty at St. Paul's in 1751 or 1752, in conjunction with Rev. Thomas Wood. Mr. Breynton was inducted Rector in 1758 or '9, under the provisions of the Statutes of the Province, and Mr. Wood acted as Curate or Vicar. After Mr. Wood's removal to Annapolis in 1763, Mr. Joshua Wingate Weeks, from New England, became assistant minister at St. Paul's. Dr. Breynton received his degree of D.D. in 1770. He died in 17—, and was succeeded at St. Paul's, as rector, by the Rev. Doctor Robert Stanser, afterwards Lord Bishop of the Diocese. Dr. Breynton

was esteemed an eloquent preacher, and was in the habit of addressing the settlers in English, French and German.

John Creighton was an officer in the army. He served in the Dragoons at the Battle of Fontenoy. Having been discharged at the peace of Aix la Chapelle, he was placed on half pay as Lieutenant of Warburton's Regiment of Infantry, and came out with the expedition in 1749. Mr. Creighton was sent to Maligash with Colonel Lawrence in 1752 to assist in forming the settlement at Lunenburg, where he continued to reside until his death, which took place in 1807. He was Colonel of the Militia, Judge of the Common Pleas, and for some time a member of His Majesty's Council, to which he was appointed in 1776. Colonel Creighton was a native of the South of England. He left numerous descendants in this country. His youngest son, Colonel Joseph Creighton, half pay of 56th Regiment of Foot, died at Halifax about 1854. His grandson, the Hon. John Creighton, of Lunenburg, was a member of the Legislative Council. Mr. James Creighton, the ancestor of the family of that name now in Halifax, came out with Colonel Creighton. It does not appear there was any relationship between them. Mr. James Creighton became one of the most thriving and influential settlers in the town, and was the ancestor of one of our most numerous and estimable families. Colonel Creighton's daughters married, one to the late Judge Wilkins and another to Hon. Hibbert N. Binney, both of whom have left numerous descendants.

Peregrine Thomas Hopson, the second Governor at Halifax, was Commander-in-Chief at Louisbourg when that place was delivered up to the French after the Treaty of Aix la Chapelle. He came up with the army and was sworn in a member of Council in August, 1749. He succeeded to the government on the resignation of Governor Cornwallis in August, 1753. He did not remain long at Halifax. In 1756 he was gazetted a Major General, and in the following year was appointed to the command of the forces destined for the West Indies. He died before Guadaloupe a short time before the island was captured.

John Collier was a Captain in the army and member of Council in 1752. He was appointed by Governor Cornwallis one of the magistrates of the town, and had command of a section of the militia; one of the divisions of the town being named after him. He died at Halifax in 1769. It is uncertain whether he left any descendants.

Richard Bulkeley accompanied Governor Cornwallis to Nova Scotia as one of his A.D.C. in 1749. He was appointed Secretary of the Province in or about 1759, which office he held until 1793 when, on his retirement, he was succeeded by his son, Michael Freke Bulkeley, who died a few years after his appointment, 1796. Captain Bulkeley was called to His Majesty's Council in 1759, and as Senior Councillor, he administered the government on the death of Governor Parr, in 1791. He held, at various times, the offices of Judge of Admiralty, Brigadier General of Militia, and Grand Master of the Masons. He died December 7th, 1800, at the age of 83, beloved and respected by all classes throughout the province. He was justly esteemed the father of the settlement, being the only person of consideration then living who came in 1749. He had been twice married. His first wife was a daughter of Captain Rouse, R.N.; she died in 1775. He had three sons all of whom died before him. His residence was at the corner of Prince and Argyle Streets, opposite the southwest corner of St. Paul's church. The old stone house built by him still remains; and it was for many years the residence of the late Hon. H. H. Cogswell, and is now known as the Carlton House. Mr. Bulkeley was buried under St. Paul's church. His escutcheon, with the bull's head crest, hangs in the west gallery. The Hon. Richard Bulkeley was the only person who ever held the rank of General of Militia in this country.

Captain Horatio Gates was A.D.C. to Governor Cornwallis with Captain Bulkeley. He had been in command of an independent company of provin-

cials in New York in the year 1737. After his arrival in Halifax he was employed for a short time in the country against the Indians and French. In 1762 he was appointed A.D.C. to General Monckton, with the rank of Major, and accompanied him in the expedition against Martinique. Gates was afterwards better known as a General in the American Revolutionary Army. Sir Robert Walpole, in a letter dated 1778, says Gates was the son of a house-keeper of the Duke of Leeds. Sir Robert was his god-father.

Jonathan Binney was a native of Hull, a small village near Boston. He came to Halifax shortly after the settlement was formed, and was engaged in business. He was elected a member of Assembly for the town in 1761, and in 1764 was elected to the Council. In 1768 he was sent to the Island of St. John (now Prince Edward Island) as Second Judge of the Local Court, and afterwards held the offices of Collector of the Revenue at Canso and Collector of Imports and Excise at St. John Island. He was charged with errors in his accounts by Mr. Legge, the Governor of the province, under which he went to England in 1776, where he completely refuted the charges made against him. Mr. Binney married Hannah, daughter of Mr. Henry Newton, a member of Council, and is the ancestor of the whole Binney family now in Nova Scotia.

Joseph Fairbanks was from Massachusetts. He was one of the representatives in the first House of Assembly, summoned in 1758. Mr. Fairbanks left no children. His nephew, the late Rufus Fairbanks, became heir to all his property in Halifax, which at the time of his death was very considerable. Mr. Rufus Fairbanks was for many years one of the magistrates of Halifax; he married a daughter of Charles Prescott, sister to the Hon. Charles Prescott, of Cornwallis, and was the father of the Hon. John E. Fairbanks, of the firm of Fairbanks & McNab, of Hon. Charles R. Fairbanks, many years a member of Assembly for Halifax and Judge of Admiralty and Master of the Rolls, and of Samuel P. Fairbanks, formerly member for Queen's County, with other children.

Benjamin and Joseph Gerrish were both from New England. The former was a member of His Majesty's Council, appointed in 1768, and Agent for Indian Affairs in 1760. The latter was many years Naval Storekeeper at Halifax. He was also a member of Council. His appointment to the board bears date August 16th, 1759, from which he was suspended in 1762 for non-attendance. He died at Halifax in 1774. Mr. Joseph Gerrish built a residence in the north suburbs, south of the dockyard, between Lockman and Water Streets, and had a fruit garden, the old stone wall of which remained on the east side of Lockman Street until about 1835. One of these gentlemen carried on business for some years in company with Mr. Gray, who was connected with him by marriage. Mr. Gray was father of the late Rev. Dr. Benjamin Gerrish Gray, minister of St. George's, and afterwards Rector of Trinity, St. John, New Brunswick, who was succeeded by his son, the Rev. Dr. William Gray, lately deceased. He was also ancestor of Mr. Charles Gray, British Consul at Virginia. The Hon. John Gray, of St. John, New Brunswick, and Benjamin Gerrish Gray, Esq., barrister at law, of Halifax, are their descendants; one the son of Mr. Charles Gray, the other of Dr. William Gray. A Mr. John Gray came out with Governor Cornwallis in 1748 as a Deputy Secretary; probably Mr. Gray who was in partnership with Gerrish was the same person.

Major Leonard Lockman, (spelt wrongfully Lockman), was a German doctor and practised his profession in early life. He came out with the settlers in 1749 and resided in the north suburbs, where he built a residence for himself and had a large garden. This old house was lately pulled down. It stood on the upper side of Lockman Street and was built with a hipped or gambrel roof. He received the rank of Major in the army for services per-

formed to the British Government. He died at Halifax, and was buried under the little old Dutch Church, in Brunswick Street, where his escutcheon and monument with armorial bearings are still to be seen. The street between Brunswick Street and the water, which was laid out between the German lots, was named Lockman Street in compliment to the Major, who was for many years a leading man in Dutchtown. It is not known whether he left any descendants in the province.

The names of Jonathan Prescott, Malachi Salter, Richard Gibbons, Lewis Piers and Otto William Schwartz appear among the principal inhabitants of the town in 1750. Mr. Salter was from New England, had been extensively engaged in the fishery, and had visited Chebucto Harbour in 1744, five years before the settlement, while on a fishing voyage along the coast. Chebucto was the frequent resort of Cape Cod and Marblehead fishermen previous to the settlement. He was a member of Assembly and Justice of the Peace for the town in 1759. The old house at the corner of Salter and Hollis Streets, afterwards the residence of the Hon. W. Lawson, and later of Mr. Esson, was built by Mr. Salter and was his place of residence for many years. During the American revolt, Mr. Salter, with several other gentlemen of the town, became suspected of treasonable correspondence. He was twice under prosecution, but on a full investigation nothing appeared to have been said or written by him of sufficient moment to warrant the charges. Mr. Salter was the ancestor of the family of that name now remaining in Halifax. He died at Halifax, in January, 1781, aged 65.

Mr. Gibbons was acting Attorney General for several years, and a leading practitioner at the bar of Halifax. His son, Richard Gibbons, died at Sydney, Cape Breton, at an advanced age, where his descendants are numerous. The old gambler-roofed house at the corner of Buckingham and Grafton Streets, known as Isles's corner, lately pulled down, was the residence of Mr. Gibbons.

John Dupont was the English attorney. He came out with the settlers in June, 1749, and in July following was appointed a Justice of the Peace. In 1752 he was made Judge of the Inferior Court of Common Pleas. He performed the duties of Secretary of Council for many years. He was sent as a Judge to St. John's Island in 1770, and was afterwards Chief Justice of the Island. Mr. Dupont left a daughter married to Mr. P. Skey, of Falmouth, and a son who was in the army and was father of Mr. Robert Dupont, later an officer in the Purveyor's Department of the British Army. Judge Dupont was much esteemed, and appears to have been an active public servant during the first twenty years of the settlement.

Joshua Mauger was an English trader, who had been connected with the government contracts at Louisbourg, and appears to have resided in Halifax for the purpose of commerce only. In 1751 he held the office of Agent Victualler for the navy at Halifax. In 1754 he had shops established at Pisiquid, (Windsor), Minas, (Horton), and other places, where he sold goods and spirits to the French and Indians. He had still houses in Halifax where he made rum which he supplied to the troops and the navy. Mr. Mauger had some difficulties with Governor Cornwallis regarding illicit dealing. He went back to England about 1761, and was appointed Agent of the Province in London, which he resigned in the following year, having secured a seat in the British Parliament. He owned much property in and about Halifax. The beach at the entrance of the harbour, extending westerly from Cornwallis, now McNab's Island, was originally granted to Mr. Mauger, and still bears his name.

Michael Franklin was a merchant from England who settled in Halifax about 1752 or 1753. He was elected a member of Assembly in 1759, and appointed to His Majesty's Council in 1762. In 1766 he received the appointment of Lieutenant-Governor of the Province, which he held until 1775, when he again took his seat at the Council Board. Governor Franklin was a most

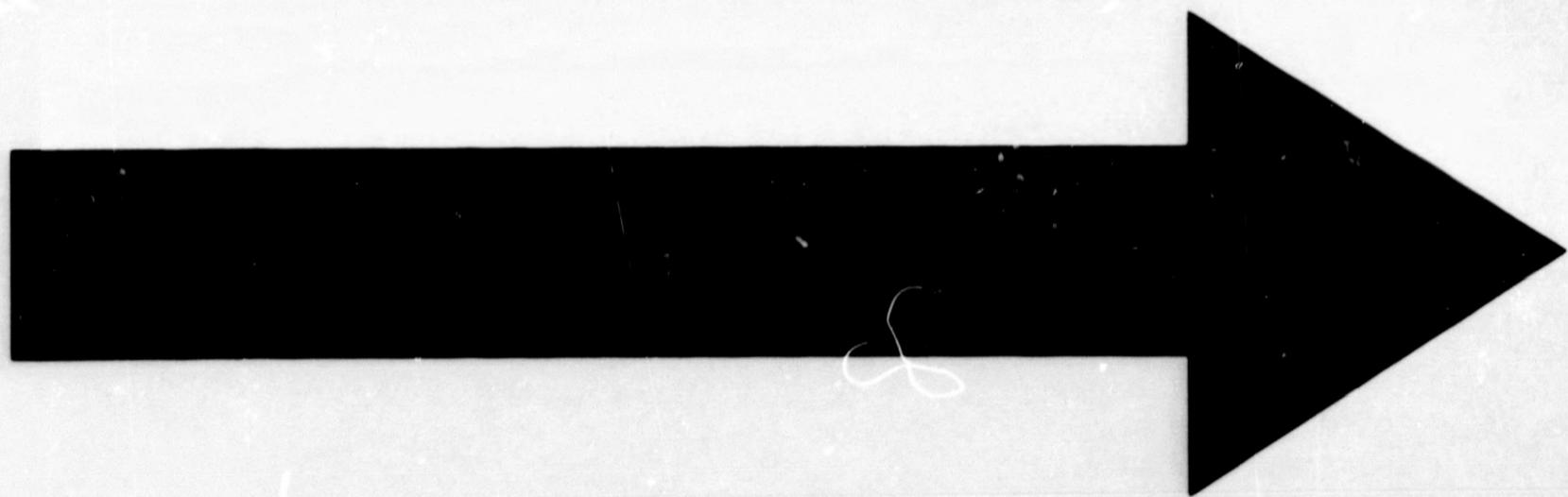
active and esteemed public officer. His name appears connected with almost all the transactions of importance which occurred in the town from 1763 to 1780. During the American Revolt, his exertions in support of British authority while administering the government, were in a great measure instrumental in preserving the tranquillity of the province. He married a daughter of Mr. Boteneau, of Boston, whose wife was a daughter of Peter Faneuil of that city. He left several children. The late James Boteneau Franklin, for many years Clerk of the House of Assembly, was his eldest son. Mrs. Fitzgerald Unlacke was his grand-daughter.

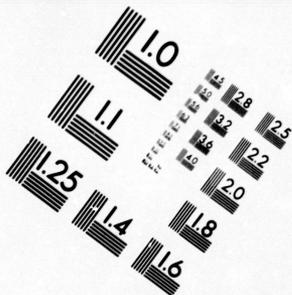
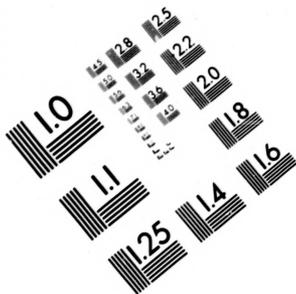
Lewis Piers was a grand-son of Sir Henry Piers, 1st Bart. of Tristernagh Abbey, Ireland.

The Hon. Thomas Saul was the wealthiest and most enterprising merchant from 1749 to 1760.

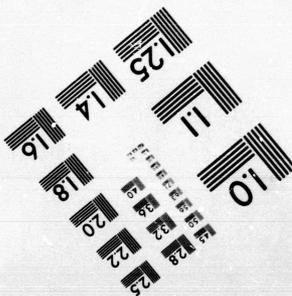
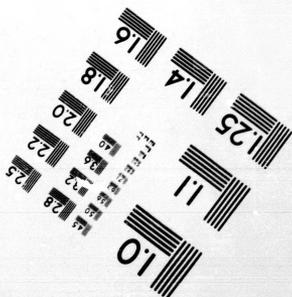
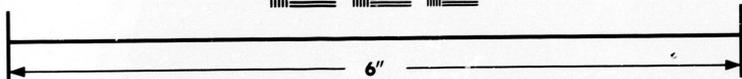
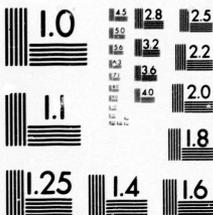
The names of Benjamin Gerrish, Charles King, Henry Ferguson, Joseph Fairbanks, William Piggot, William Fury, James Grant, Jacob Hurd, Daniel Shatford, Samuel Selion, Charles Mason, Lewis Piers and Robert Campbell appear on the lists of the Grand Jury between 1751 and 1754.

The following names appear on the register of early settlers:—Richard Wenman, Thomas Keys, John Edes, John Gosbee, Ralph Coulston, Edward Orpen, John Christopher, Laurillard, Philip Knaut, Peter Burgman, Otto William Schwartz, John Jacob Preper, John Woodin, Andrew Wellner, Christopher Preper, Simon Thoroughgood.





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APPENDIX E.

GOVERNOR LAWRENCE'S PROCLAMATION OF 1758 TO INDUCE SETTLEMENT
IN NOVA SCOTIA.

From Haliburton's "History of Nova Scotia," Vol. I., p. 219.

At the same time that His Excellency convened the Legislature (in 1758), he invited people from the old colonies to settle upon the lands which had become vacant by the removal of the Acadians. In addition to the instructions which he gave to the agent, in Boston, he issued a proclamation in which he declared that he was ready to receive any proposals that might be made to him for settling this valuable tract of country "one hundred thousand acres of which had produced wheat, rye, barley, oats, hemp, flax, &c., without failure for the last century; and another one hundred thousand had been cleared and stocked with English grass, planted with orchards and embellished with gardens, the whole so intermixed that every individual farmer might have a proportionable quantity of ploughed land, grass land and wood land." In consequence of this flattering but faithful description, there were several emigrations of agriculturists from New England, and agents were sent to the Province to make terms with the Governor, and report to their employers the encouragement likely to be given to persons desirous of removing thither.

As this proclamation was silent upon every subject, but that of the quality of the land, His Excellency was required to state in explicit terms, the nature of the constitution, the protection to be afforded to the civil and religious liberties of the subject, and the extent of the elective franchise of the people. He therefore issued another, explanatory of the terms upon which the Province was to be settled, which, as it contains the solemn assurances of Government upon these subjects, is justly regarded as a most important state paper and has not inaptly been styled the Charter of Nova Scotia:—

"By His Excellency Charles Lawrence, Esq., Captain General and Governor-in-Chief, in and over His Majesty's Province of Nova Scotia, or Acadia, in America, Vice Admiral of the same, &c., &c.

"Whereas, since the issuing of the proclamation dated the 12th day of Oct., 1758, relative to settling the vacant lands in this Province, I have been informed by Thomas Hancock, Esq., agent for the affairs of Nova Scotia at Boston, that sundry applications have been made to him in consequence thereof, by persons who are desirous of settling the said lands, and of knowing what particular encouragement the Government will give them, whether any allowance of provisions will be given at their first settlement, what quantity of land will be given to each person, what quit-rents they are to pay, what the constitution of the Government is, whether any, and what taxes are to be paid, and whether they will be allowed the free exercise of their religion? I have therefore thought fit, with the advice of His Majesty's Council, to issue this proclamation, whereby declaring, in answer to the said enquiries, that, by His Majesty's royal instructions I am empowered to make grants on the following proportions:—That the townships are to consist of one hundred thousand acres of land, that they do include the best and most profitable land, and also that they do comprehend such rivers as may be at or near such settlement, and do extend as far up into the country as con-

veniently may be, taking in a necessary part of the sea coast. That the quantities of land granted will be in proportion to the abilities of the planter to settle, cultivate and enclose the same. That one hundred acres of wild wood land will be allowed to every person being master or mistress of a family, for himself or herself, and fifty acres for every white or black man, woman or child, of which such person's family shall consist at the actual time of making the grant, subject to the payment of a quit-rent of one shilling sterling per annum, for every fifty acres; such quit-rent to commence at the expiration of ten years from the date of each grant, and to be paid for His Majesty's use to his Receiver General, at Halifax, or to his Deputy on the spot.

"That the grantees will be obliged by their said grants to plant, cultivate, improve or enclose, one-third part of their lands within the space of ten years, another third part within the space of twenty years, and the remaining third part within the space of thirty years, from the date of their grants. That no one person can possess more than one thousand acres by grant, on his or their own name.

"That every grantee, upon giving proof that he or she has fulfilled the terms and conditions of his or her grant, shall be entitled to another grant, in the proportion and upon the conditions above mentioned. That the Government of Nova Scotia is constituted like those of the neighbouring colonies; the Legislature consisting of a Governor, Council and House of Assembly, and every township, as soon as it shall consist of fifty families, will be entitled to send two representatives to the General Assembly. The Courts of Justice are also constituted in like manner with those of the Massachusetts, Connecticut and the other northern colonies. That as to the article of religion, full liberty of conscience, both of His Majesty's Royal instructions and a late act of the General Assembly of this Province, is secured to persons of all persuasions, Papists excepted, as may more fully appear by the following abstract of the said act, viz.:—Protestants dissenting from the Church of England, whether they be Calvinists, Lutherans, Quakers, or under what denomination soever, shall have free liberty of conscience, and may erect and build meeting houses, for public worship, and may choose and elect ministers for the carrying on divine service and administration of the sacrament, according to their several opinions, and all contracts made between their ministers and congregations, for the support of their ministry, are hereby declared valid, and shall have their full force and effect according to the tenor and conditions thereof, and all such Dissenters shall be excused from any rates or taxes, to be made or levied for the support of the Established Church of England.

"That no taxes have hitherto been laid upon His Majesty's subjects within this Province, nor are there any fees of office taken upon issuing the grants of land.

"That I am not authorized to offer any bounty of provisions: and I do hereby declare that I am ready to lay out the lands and make grants immediately, under the conditions above described, and to receive and transmit to the Lords Commissioners for Trade and Plantations, in order that the same may be laid before His Majesty for his approbation, such further proposals as may be offered by any body of people, for settling an entire township, under other conditions that they may conceive more advantageous to the undertakers.

"That forts are established in the neighbourhood of the lands proposed to be settled, and are garrisoned by His Majesty's troops, with a view of giving all manner of aid and protection to the settlers, if hereafter there should be need.—Given in the Council Chamber at Halifax, this 11th day of January, 1759, in the 32d year of His Majesty's reign.

(Signed)

"CHARLES LAWRENCE."

APPENDIX G.

ESTABLISHMENT OF REPRESENTATIVE INSTITUTIONS IN NOVA SCOTIA.

From Akins's "Selections from the Public Documents of the Province of Nova Scotia."

At a Council holden at the Governor's House in Halifax on Saturday the 20th May, 1758.

PRESENT—

HIS EXCELLENCY THE GOVERNOR,

THE LIEUT. GOVERNOR,

JOHN BELCHER,	}	Couns.	{	BENJ. GREEN,
JNO. COLLIER,				ROBT. GRANT,
MONTAGUE WILMOT;				CHAS. MORRIS.

His Excellency having communicated to the Council an extract of a Letter to him from their Lordships of the Board of Trade dated February 7th, 1758, relative to the plan framed by the Governor and Council on the 3rd day of January, 1757, and transmitted to their Lordships by the Governor for carrying into Execution His Majesty's instructions upon calling General Assemblies within the Province, signifying their Lordships' approbation of the same in General, with some few alterations which being considered the Council came to the following Resolution thereon, vizt., That the said plan with the amendments proposed by their Lordships shall be forthwith carried into Execution and published in form as follows, vizt.:—

His Excellency the Governor, together with His Majesty's Council, having had under mature consideration, the necessary and most expedient measures for carrying into execution those parts of His Majesty's commission and Instruction which relate to the calling of General Assemblies within the Province, came to the following Resolution thereon, vizt.,

That a House of Representatives of the inhabitants of this Province be the Civil Legislature thereof in conjunction with His Majesty's Governor or Commander in Chief for the time being, and His Majesty's Council of the said Province. The first House to be elected and convened in the following manner, and to be styled the General Assembly, vizt.,

That there shall be elected for the Province at large until the same be divided into counties, Sixteen Members, for the Township of Halifax Four, for the Township of Lunenburg Two.

That until the said Township can be more particularly described the limits thereof shall be deemed to be as follows, vizt.,

That the Township of Halifax comprehend all the lands lying southerly of a line extending from the Westernmost Head of Bedford Basin across to the northeasterly head of St. Margaret's Bay, with all the islands nearest to said lands, together with the islands called Cornwallis's, Webb's, and Rous's Islands.

That the Township of Lunenburg comprehend all the lands between La Have River and the easternmost Head of Mahone Bay. With all the Islands within said Bay and all the islands within Mirliguash Bay, and those islands lying to the southwards of the above limits.

That when fifty qualified electors shall be settled at Pisiquid, Minas, Cobequid or any other township which may hereafter be erected, each of the said Townships so settled shall, for the encouragement be entitled to send two Representatives to the General Assembly and shall likewise have a right of voting in the Election of Representatives for the Province at Large.

That the House shall always consist of at least eleven Members present besides the speaker, before they enter upon business.

That no person shall be chosen as a member of the said House or shall have a right of voting in the Election of any Member of the said House who shall be a Popish Recusant, or shall be under the age of twenty-one years or who shall not at the time of such election be possessed in his own Right of a Freehold Estate within the District for which he shall be elected, or shall so vote, nor shall any elector have more than one Vote for each Member to be chosen for the Province at large or for any Township and that each Freeholder present at such election when giving his Vote for one Member for the Province at large shall be obliged to vote also for the other eleven.

That respecting Freeholds which may have been conveyed by the Sheriff by virtue of an Execution, the right of Voting shall remain and be in the persons from whom the same were taken in Execution until the time of redemption be elapsed.

That no non-commissioned officer or Private Soldier in actual Service shall have a right of voting, by virtue of any dwelling built upon sufferance, nor any possession of Freehold, unless the same be registered to him. That all the electors shall, if so required at the time of the election, take the usual State Oaths appointed by Law, and declare and subscribe the test.

That any Voter shall at the request of any Candidate be obliged to take the following Oath, which Oath together with the State Oaths, the returning Officer is hereby empowered to administer.

"I, A. B., do swear that I am a Freeholder in the Township of _____, in the Province of Nova Scotia, and have Freehold Lands or hereditaments lying or being at _____, within the said Township, and that such Freehold Estates hath not been made or granted to me fraudulently on purpose to qualify me to give my vote, and that I have not received or had by myself or any person whatsoever in Trust for me or for my use and benefit, directly or indirectly, any sum or sums of money, office, place or employment, gift or reward, or any promise or security for any money, office, employment or gift in order to give my vote at this election, and that I have not before been polled at this election and that the Place of my abode is at _____."

That a precept be issued by His Excellency the Governor to the Provost Marshal or Sheriff of the Province requiring him by himself or his deputies to summon the Freeholders of the Province to meet within their respective districts, at some convenient place and time, to be by the said Provost Marshal or one of his Deputies appointed, and of which he or they shall give Twenty days' notice, then and there to elect (Agreeable to the regulations hereby prescribed) such a number of representatives as shall in the said precept be expressed, agreeable to the preceding detail.

That on account of the present rigorous season the precept for convening the first Assembly be made returnable in Sixty days from the date thereof, at which time the Assembly shall meet at such place as His Excellency the Governor shall appoint in the Precept.

That the Provost Marshal or his Deputy shall be the returning officer of the elections to be held by him with the Assistance of three of the Freeholders present to be appointed and sworn by the returning officer for that

purpose, and in case a scrutiny shall be demanded, the same shall be made by them, and in case of further contest the same to be determined by the House. The Poll for each township to be closed at the expiration of Forty-eight hours from the time of its being opened and for the Province at large the Poll, after four days from the time of its being opened for the election, shall be sealed up by the returning officer for each Township and transmitted to the Provost Marshal by the first opportunity, that reasonable notice may be given to the persons who shall upon examination appear to have been chosen by the greatest number of the said votes. Provided, nevertheless, that if the votes in the Townships of Annapolis Royal and Cumberland for the first members of the Province at large, shall not be returned Eight days before the expiration of the time limited for returning the Precept, the Provost Marshal shall in such case proceed to declare who are the persons elected, from the other votes in his hands.

That the Provost Marshal or his Deputy shall appoint for each candidate, such one person as shall be nominated to him by each candidate, to be inspectors of the returning officer and his assistants.

That no person shall be deemed duly elected who shall not have the vote of the majority of the electors present.

That the names of all persons voted for, together with names of the Voters, shall at the time of voting, be publicly declared and entered on a Book kept for that Purpose.

That in case of the absence of any of the Members from the Province for the term of two months, it shall and may be lawful for the Governor, Lieut. Governor or Commander-in-Chief (if he shall judge it necessary) to issue his Precept for the choice of others in their stead.

That the Returning Officer shall cause the foregoing Resolution to be publicly read at the opening of each meeting for the Elections and to govern the said Meetings agreeable thereto.

CHAS. LAWRENCE.

JNO. DUPONT, Sec., Conc.

Extract from a letter of Govr. Lawrence to Lords of Trade dated,

HALIFAX, 26 December, 1758.

I have now the honour to acquaint your Lordships that the Assembly met according to appointment on the 2nd of October and passed a number of laws, a list of which are enclosed and I have reason to hope from their proceedings hitherto that we shall get through the whole business in good time and with less altercation than (from the seeming disposition of the people) I was heretofore apprehensive of. Whenever the session is closed I shall take particular care that your Lordships have fair copies of the Laws at large, under the seal of the Province as directed by His Majesty's instructions together with transcripts of the Journal and proceedings of the Council and Assembly during their session.

VOTES OF THE HOUSE OF ASSEMBLY.

PROVINCE OF NOVA SCOTIA.

HALIFAX, Monday, October 2nd, 1758.

Joseph Gerrish,*	} Esquires.	Robert Campbell,	} Gentlemen.
Robert Sanderson,		William Pantree,	
Henry Newton,		Joseph Fairbanks,§	
William Foye,		Phillip Hammond,	
William Nesbitt,		John Fillis,	
Joseph Rundel,		Lambert Folkers,	
Jonathan Binney,†		Phillip Knaut,	
Henry Ferguson,		William Best,	
George Suckling,		Alexander Kedie,	
John Burbidge,‡			

Met at the Court House pursuant to a summons from the Provost Marshal acquainting them that they were duly elected and chose William Nesbitt, Henry Newton and Joseph Rundel to wait on the Governor with a message that they were assembled at the Court House and were ready to enter on business. And they were answered that he would send down two members of the Council to swear them. Accordingly the Hon. Benjamin Green and Charles Morris, Esqrs., came to the Court House and administered the oaths to the aforementioned, and they all made and subscribed the Declaration, after which the House received a message that His Excellency would meet the Assembly at his own House pursuant to which they waited on His Excellency who was then in Council when he directed them to proceed to the choice of a Speaker, upon which they went down and chose Robert Sanderson, Esq., for their Speaker, and returned to acquaint His Excellency therewith, who approved of the choice they had made and was pleased to make the following speech:—

“Gentlemen of the Council and House of Representatives:—His Majesty having been most graciously pleased by His Royal Instructions to his Governors of this Province to direct the calling and assembly of the Freeholders to act in conjunction with his Governors and Council as the Legislative authority when such a measure should be found essential to his service.

I am to assure you that it is with particular pleasure I now meet you convened in that capacity in consequence of a plan sometime since formed here for that purpose with the advice and assistance of His Majesty's Council, and my me transmitted to the Lords, Commissioners for Trade and Plantations to be laid before His Majesty for his approbation.

Gentlemen of the House of Representatives:—I entertain the most sanguine hopes that you are come together unanimously disposed to promote the service of the Crown, or in other words the real welfare and prosperity of the people whom you have the honour to represent in every point to the utmost of your authority and capacity. This I presume you will conceive is justly to be expected not only from the immediate regard due to the civil rights and interest of your constituents but likewise from the unspeakable obligations you are under to demonstrate in their behalf your dutiful sense of His Majesty's paternal concern for the prosperity and security of these his Subjects in those distinguishing marks of his Royal Favour and protec-

* See Appendix D.

† See Appendix D.

‡ Col. Burbidge afterwards settled in King's County.

§ Great uncle of the late Hon. John Fairbanks, the late Hon. Judge Fairbanks, and W. B. Fairbanks and Saml. P. Fairbanks, Esquires, of Halifax.

tion which we have from time to time so happily experienced in the fleets and armies sent out for our immediate preservation when we were under the most imminent danger of being swallowed up by a merciless enemy, also in the ample supplies of Money for so many years annually granted for the support and encouragement of this infant Colony and moreover still in the continuance of His Majesty's Royal Bounty for that purpose when from the seeming inclination of the inhabitants to have an Assembly convened some time since, it might have been presumed and indeed by an article of His Majesty's Instructions (which I shall order to be laid before you) it has been judged that the Colony was become capable for providing necessary support of Government here as has been usual in all His Majesty's other American Dominions.

Gentlemen of both Houses,—As my military occupation requires my attendance as early as possible upon the Commander in Chief of the Forces to the Westward and as the Lieutenant Governor is now necessarily employed and will be for some time to come upon an enterprise of importance in a distant part of the province, there is not at present an opportunity of entering upon such particulars as might otherwise call for your attention, I am therefore earnestly to Recommend, to your serious consideration the expediency or rather necessity of unanimity and dispatch in the confirmation of such acts or resolutions of a Legislative nature, as the Governors and Council under His Majesty's Royal Instructions have found expedient before the forming of an Assembly and indispensably necessary for promoting the welfare and peaceable Government of this people.

You may depend upon it Gentlemen on my return to the Government you will find me perfectly disposed to concur with you in enacting such further laws, making such amendments to the present ones and establishing such other Regulations as shall appear upon more mature deliberation to be consistent with the Honor and Dignity of the Crown and conducive to the lasting Happiness of His Majesty's subjects where I have the honor to preside."

CHAS. LAWRENCE.

The House went down and proceeded to the choice of Officers and voted Mr. David Lloyd be clerk of the Assembly.

Voted that William Reynolds be door-keeper and have Five shillings a day for his attendance.

Voted that John Callbeck be Messenger to the House and have Three shillings a day for his attendance.

The question being put whether any money should be voted to the members of the House for their service during the present session, unanimously resolved in the negative, and that they would all serve without reward this session.

A motion being made by Mr. Suckling for leave to bring in a Bill to establish the authority of the House.

Voted, that Mr. Suckling bring in the Bill on Wednesday morning.

Voted that committee, vizt. Mr. Nesbit, Mr. Newton, Mr. Gerrish, Mr. Foye and Mr. Burbidge should prepare an address in answer to His Excellency's Speech by Ten o'clock to-morrow morning.

Then adjourned till to-morrow morning ten o'clock.

Tuesday, October 3rd, 1758.

The committee appointed to prepare an address in answer to His Excellency's Speech reported to the House that they had prepared the same, which being read was approved of.

Voted that a message be sent by a Committee to desire His Excellency will be pleased to order that all the Resolutions of His Majesty's Governors and Council heretofore made and passed, may be laid before the House, and also the collection of the English Statutes.

The Clerk of the Council came down with a Message from His Excellency, that he was ready to receive any message from the Assembly.

A committee, vizt., Mr. Gerrish, Mr. Newton, and Mr. Suckling were directed to carry a message to His Excellency, that the House is ready to attend him with an Address, To which His Excellency answered that he was ready to receive it, which being reported they accordingly waited upon His Excellency with their address which was read by Mr. Speaker as follows :—

TO HIS EXCELLENCY CHAS. LAWRENCE, Esquire, Captain General and Governor in Chief in and over His Majesty's province of Nova Scotia or Acadia in America, Vice Admiral of the same, Etc., Etc.

The Humble address of the House of Representatives met in General Assembly.

“ MAY IT PLEASE YOUR EXCELLENCY,—

We His Majesty's most Dutiful and Loyal Subjects of the House of Representatives, having taken into consideration your Excellency's Speech delivered upon the opening the first General Assembly, beg leave to return Your Excellency our thanks for the particular pleasure you express in meeting us convened as Representatives of the Freeholders of this Province to act in conjunction with His Majesty's Governor in Council as the Legislative Authority.

We assure Your Excellency that we are come together unanimously disposed to promote the service of the Crown, and the real welfare and prosperity of the people whom we represent, in every point to the utmost of our authority and capacity, which we conceive may justly be expected from us, not only from the immediate regard due to the Civil rights and interests of our Constituents, but likewise from the unspeakable obligation we are under to demonstrate in their behalf our dutiful sense of His Majesty's paternal concern for the prosperity and security of His Subjects in general ; and for the many distinguishing marks of His Royal favor, protection and bounty to this infant Colony in particular having so happily experienced the same in the means directed by His Majesty for our immediate preservation when we were under the most eminent Danger of being swallowed up by a most merciless enemy, also for the ample supplies of money for many years annually granted for the support and encouragement of this infant colony, and not only in the continuance of His Majesty's Royal Bounty for that purpose but also for the Happiness and prosperity which we conceive will with the blessing of the Almighty flow from His Majesty's Royal Favor to this Infant Colony in directing the calling a General Assembly within the same from minds deeply impressed with a sense of the greatest loyalty and gratitude to the best of kings, everything may justly be expected to answer His Majesty's Royal intentions in directing the calling of a General Assembly in this Province which the present low circumstances of the Colony and our authority and capacity are able to provide.

We beg leave to assure Your Excellency in particular that it is a great concern to us that your military occupation requires your attendance so soon upon the Commander in Chief to the Westward, as the Lieut. Governor is necessarily absent in a distant part of this Province ; we are fully sensible of the great necessity of a due consideration of such acts or Resolutions of a Legislative nature as the Governors and Councils under His Majesty's Royal Instructions have found expedient before the forming an Assembly. The work is great and will of course take up much time to digest into due

method to answer your Excellency's intentions in recommending the same to our speedy consideration, but in the meanwhile we shall as well in that as in everything else that may require our consideration (with your Excellency's assistance) disinterestedly endeavor to promote the welfare and peaceable government of His Majesty's people in this province and the future ease and assistance of your Excellency, and we doubt not on your Excellency's return to the Government we shall find you perfectly disposed to concur with us in enacting such further laws and establishing such other regulations as shall appear upon more mature deliberations to be consistent with the honor and dignity of the Crown and conducive to the lasting happiness of His Majesty's subjects of this Province."

ROBERT SANDERSON, Speaker.

After which His Excellency acquainted the House that he would return his answer to-morrow morning.

Then adjourned till to-morrow morning Ten o'clock.

THE SECOND SESSION.

Wednesday, August 1st, 1759.

A Quorum of the House having met agreeable to the prorogation the Clerk of the Council attended with a message from His Excellency that he was in the Chair and directed the attendance of the House who attending accordingly he was pleased to direct them to proceed to the choice of a speaker which they did and chose William Nesbitt, Esquire, and immediately attended His Excellency with their Speaker who being presented was approved of by His Excellency who was pleased to make the following speech :—

"Gentlemen of the Council and House of Representatives :

Your remarkable zeal and attention to the true interest and prosperity of the Province in the business of the last long session give me the strongest assurances of your coming together again with dispositions that cannot fail to afford the public and me the highest satisfaction.

In the course of that Session you got through almost everything essentially necessary of a legislative nature and of consequence there can be but little remaining to be done at this season, when your private avocations but ill admit of your attendance upon the publick service. The most material points that seem to call for your consideration under the present circumstances of the Province are a provision for maintaining the Light House erecting on Cape Sambro, and the establishing such rules and regulations as may be necessary in conducting and managing the affairs of the Work House.

And as overseers are appointed for taking care of the poor, I conceive in order to render them of any use in their office, some provision should be thought of for enabling them to give relief and assistance to such objects of compassion as must perish without it ; how far the state of our finances may encourage the consideration of a measure so laudable and expedient, it is not easy to form any tolerable conjecture, unless it could be ascertained what demands will probably be made on the Treasury under the promises of the Publick for exciting labor and industry ; but I fear there is too much reason to apprehend from the inconsiderable amount of the sums collected upon the different Duties since October last that if the bounties upon industry be demanded in a degree that it were to be wished they may, the Funds will prove far from more than sufficient for answering the several purposes to which they have been appropriated. I cannot therefore refrain from recom-

mending to you gentlemen, in the most earnest manner the resumption of a bill under your consideration last session, making liable to the present Duty all spirituous liquors retailed in any quantities under fifteen gallons; such a bill I am well informed would greatly improve our circumstances, be a further check upon vice and debauchery (in my opinion) stand unexceptionable in every publick light whatever; if upon the revival of it you should find yourselves of the same opinion I make no doubt of its taking place as I can have no room to suppose there are any amongst us so sordid as to sacrifice publick benefit to private views of personal advantage.

You have a most pleasing and flattering prospect now before you, Gentlemen, this seems to be the cressis for putting the Province into a flourishing and happy state. The town of Halifax surprisngly improved of late increases daily in wealth and numbers. Very extensive tracts of the vacated lands on the banks of the Bay of Fundy have been lately granted away to industrious and substantial farmers, applications for more are crowding in upon me faster than I can prepare the Grants, and I make no doubt but that the well peopling of the whole will keep pace with our warmest and most rapid wishes. The establishment of a yard in this excellent Harbor is a matter of the highest advantage and importance to us, and if His Majesty's arms in North America be blessed with that success this Summer which all appearances are big with at present, the progress made in the Province of Nova Scotia during one year will exceed the growth of half a century in the most boasted of His Majesty's American Dominions.

Let me entreat you therefore Gentlemen of the House of Representatives to make despatch in the Business before you, to conduct it with mildness and unanimity and to record nothing in your Journals which can serve only to tarnish the credit of your proceedings.

If anything for advancing the happiness of the people should present itself to your consideration which has escaped my notice, you may be assured of my ready concurrence with you in the prosecution of it, that I shall adhere strictly to every proposal and join heartily in every measure to promote the publick welfare and in that the lasting honor and reputation of the Legislature."

RESOLVED, That a Committee be appointed to answer His Excellency's Speech.

RESOLVED, That for the future the Assembly meet at the Court House. Then adjourned till to-morrow morning ten o'clock.

SECOND ASSEMBLY, 1st Session. } VOTES OF THE HOUSE OF ASSEMBLY.

Province of Nova Scotia,

Halifax, Tuesday, December 4th, 1759.

List of Members returned by the Provost Marshal.

William Nesbitt, Esq.,	Capt. Charles Proctor,	Erasmus Jas. Philips, Esq.,
Henry Newton, Esq.,	Mr. Michael Franklin,	John Newton, Esq.,
Malachy Salter,*	Mr. Archibald Hinshelwood,	Winckworth Tonge, Esq.,
Mr. Jonathan Binney,	Sabastine Zouberbuhler, Esq.,†	Capt. Simon Slocomb,
Mr. John Burbidge,	Mr. Phillip Knaut,	Col. Joseph Fry,
Mr. Benjamin Gerrish,	Col. Jonathan Hoar,	John Huston, Esq.
Joseph Scott, Esq.,	Mr. Isaac Deschamps,	

A Quorum of the House being met a Committee waited on His Excellency the Governor to acquaint him therewith and that they were ready to proceed

* Mr. Salter was a native of New England. See Appendix D.

† Afterwards a member of Council.

on business. The Committee having returned acquainted the members that His Excellency desired that they would attend him at the Council Chamber to be qualified which being done His Excellency signified to the House that they should proceed to the choice of a Speaker, the Members then returned chose William Nesbitt, Esq., and presented him to His Excellency who approved of their choice.

Mr. Speaker then prayed His Excellency that the members of the Assembly might have their usual privilege, to which His Excellency answered that he would allow the House all such privileges as His Majesty's Instructions would permit.

Then His Excellency was pleased to make the following speech :

" Gentlemen of the Council and House of Representatives,—I embrace this pleasing opportunity of our first meeting to congratulate you on the universal success with which it has pleased the Almighty to bless His Majesty's Arms by sea and land, in this year of His most Glorious Reign : but as we are more immediately interested in these events of the conquest that have been made in the northern countries of this Continent, I would more especially rejoice with you upon the victory of that ever memorable day which (by Divine permission) through the wise perseverance and active vigor of His Majesty's Admirals and Generals, seconded by the matchless intrepidity of their followers, justly rebuked the pride of France and put His Majesty in possession of that barbarous metropolis from whence his good subjects of this Province and of the King's other American Dominions have groaned under such continual and unpardonable wrongs. It is not to be doubted but that this blow will soon be rendered so fatal to the insolence of Canada by the unwearied zeal vigilance and activity of our first Deliverer General Amherst as will put a final period to those interruptions the Enemy have too successfully thrown in the way of our progress in every part of this province as well as to the monstrous cruelties they have hitherto exercised with impunity over the British American Empire in peace and in war without distinction.

This, Gentlemen, is the important change we have all along look'd and wished for, and for which I am persuaded our spirited and Noble minded Countrymen by sea and land, Regulars and Provincials, who performed the work, will have our latest and sincerest acknowledgments with the prayers of our children's children : This I say is the crisis we have eagerly but justly panted after and which thank Heaven our most Gracious and August Sovereign has outlived his labors to be happy in.

Under these circumstances and with the enlivening prospect that is before us of introducing so many hundreds of youthful settlers into the Colony as are now preparing to Establish the vacated and other Lands we may form to ourselves the strongest assurance that if we rightly improve the opportunity, we cannot fail to be as much an object of envy as we were before of compassion. I persuade myself, gentlemen, that on your parts nothing will be wanting that may contribute towards it, on my own, I can only renew those engagements which I entered into with many of you as members of the Houses before.

In the meantime the Gentlemen of the House of Representatives as I see more reason than ever for doing it I must here repeat my recommendation of the Bill for laying a Duty on Spirituous Liquors retailed in any quantities under Fifteen gallons, it was rejected by the late Assembly upon considerations I will not enter into ; but as I flatter myself no such motives will influence the conduct of the present Assembly, I make no doubt of your seeing it in a very different light and passing it ; because it cannot but be of Publick utility.

I must likewise recommend to your consideration the framing some amendment to the second and third clauses to the act Concerning Marriages and Divorce, the inconveniency of them as they now stand are too obvious to need being pointed out and I am of opinion likewise that upon perusal of the first clause of the Act for establishing Religious Publick worship you will perceive its insufficiency for effectually answering the end of such an act.

These, Gentlemen, are the matters that have occurred to me as necessary to be laid before you ; any Bills you shall prepare you may depend upon it will have their due weight with me, for I can have no other standard for the regulation of my conduct than the Duty I owe to my Sovereign in my ambition to see you a very happy people a very flourishing and a very considerable people."

The House then went down to the Assembly Room.

The oaths of Allegiance were taken by the House and the members present subscribed the Declaration.

Resolved that the office of Clerk to the Assembly be executed by a member or members of the House.

Voted, that Mr. Hinshelwood and Mr. Deschamps be joint clerks to the House.

Voted that John Callbeck be Messenger and Doorkeeper to the House.

Resolved that a Committee, vizt., William Nesbitt, Esq., Mr. Hinshelwood and Henry Newton, Esq., Malachy Salter, Esq., and Mr. Franklin, do prepare an address in answer to His Excellency's speech by to-morrow morning.

Then adjourned till to-morrow morning Ten o'clock.

Wednesday the 5th of December, 1759.

The Committee appointed to prepare an address in answer to His Excellency's Speech reported to the House that they had prepared the same which being read was approved of.

A message was sent by a Committee to acquaint His Excellency that the House is ready to attend him with their address ; to which His Excellency answered that he was ready to receive them which being reported the House accordingly waited on His Excellency with an address which was read by Mr. Speaker as follows :—

TO HIS EXCELLENCY

Charles Lawrence, Esq., Captain General and Governor in and over His Majesty's Province of Nova Scotia or Acadie, Vice Admiral of the same, etc., etc.

May it please your Excellency,—

We His Majesty's most dutiful and loyal subjects, the representatives of this Province, return your Excellency our sincere and hearty thanks for your speech delivered from the Chair. It is with inexpressible joy that we reflect on the glorious and successful events that have attended His Majesty's arms under God, and the vigilance and good conduct of our Admirals and Generals in all parts of the world, but more especially in North America and it is with infinite pleasure we foresee the great honor, dignity and advantage that will accrue therefrom to His Majesty's sacred person, his Crown and his Dominions. And we have the most sanguine hopes from the experienced great abilities of our worthy Commander in Chief, General Amherst, and from the known valor and intrepidity of the troops, as well regular as provincials under his command, that he will be able soon to finish the glorious work he has begun by entirely subduing the pride and insolence of France in the compleat

reduction of Canada, the mother and nurse of the most cruel, savage enemies to these his Majesty's American Colonies.

It is with pleasure we embrace this occasion of expressing the grateful sense we have of your Excellency's paternal care in the wise and prudent steps taken to engage such great numbers of substantial and reputable Protestant families from the neighboring Colonies to settle on the vacated and other lands of this province which your Excellency has been enabled to effect by rightly improving the favorable opportunity which the success of his Majesty's arms has afforded the consequence whereof must throw the highest lustre upon your Excellency's administration and cannot fail speedily to render this a rich and flourishing Colony. On our part we beg leave to assure you, Sir, that as we have no doubt of the rectitude of your measures no assistance in our power shall be wanting to strengthen your hands in the conducting so great and laudable an undertaking.

We shall take into our immediate consideration the matters recommended by your Excellency as first necessary to be done upon this session and we shall in these as in all other Cases, pay the highest regard to whatever your Excellency may propose to us for the welfare and prosperity of this province which under the happy influence of your wise administration we hope to see the real barrier, as well as the envy of our most opulent neighbors."

His Excellency acquainted the House that he would return his answer on Friday morning.

Then adjourned till to-morrow morning Ten o'clock.

APPENDIX H.

STATE OF NOVA SCOTIA IN 1783-84.

From Colonel Morse's Report on Nova Scotia in 1783-84 (See Report on Canadian Archives for 1884.)

The extent of this Province,¹ beginning, as before, with the Peninsula, from the north-east to the south-west, the greatest length, is about 225 miles ; and the greatest breadth, which is nearly north and south about 75 miles, containing, by calculation, 16,271 square miles. There are, in different parts of the Province, about 38,000 acres of cleared up lands, and 24,000 acres of marsh land diked in, making together about 60,000 acres under cultivation. The extent and contents of that part lying on the Continent, cannot be ascertained with the same precision till the boundaries are better established. There may be about 27,000 square miles, making the whole contents of the Province upwards of 43,000 square miles.

The old inhabitants, whom I shall first name, separately from the disbanded troops and loyalists, which have come since the late war, are computed at about fourteen thousand, exclusive of Acadians and Indians. Of the former, who are the remains of the old French inhabitants, and are dispersed all over the Province, there are about one hundred families ; of the latter about three hundred men of the tribe of Mickmacks, the original Indian of the Peninsula ; and upon the rivers St. John and the Scodiac about one hundred and forty men of the tribe of Mareshites ; but as I could not obtain such information upon this head as I wish, the computation may not be strictly correct. Before I proceed to give the number of the disbanded troops and loyalists, it may not be improper to observe that a great part of the old inhabitants, especially the wealthy ones, are from New England, and that they discovered, during the late war, the same sentiments which prevailed in that country. I think it necessary to add that the Legislature is principally composed of these men, and that some of the higher public offices are at present filled with the most notorious of such characters.

The number of new inhabitants, viz., the disbanded troops and loyalists who came into this Province since the peace, I shall be able to give with precision, the whole having been mustered in the summer of 1784, in order to ascertain the number entitled to the Royal bounty of provisions. The following Return will not only show the number of men, women and children, but the different parts of the Province in which they are settling, and here I am sorry to add that a very small proportion, indeed, of these people are yet upon their lands, owing to different causes—First—their arriving very late in the season. Secondly—timely provision not having been made by escheating and laying out lands, in which great delays and irregularities have happened. Thirdly—a sufficient number of surveyors not having been employed, but lastly and principally, the want of foresight and wisdom to make necessary arrangements, and steadiness to carry them into execution, the evils arising from which will be felt for a long time to come, not only by the individuals, but by Government, for if these poor people who, from want of land to cultivate and raise a subsistence to themselves, are not fed by Government for a considerable time longer, they must perish. They have no other country to go to—no other asylum. They have hitherto been mostly employed in building towns at the principal settlements. At Port Roseway and the mouth of the River St. John, astonishing towns have been raised, and in less time, perhaps, than was ever known in any country

¹The province then included New Brunswick.

before. It is, however, much to be lamented such great exertions had not been more profitably directed in cultivating their lands, for besides loss of time, they have wasted their substance in that which can never prove profitable to themselves of useful to the country.

Return of the Disbanded Troops and Loyalists Settling in the Province of Nova Scotia, Mustered in the Summer of 1784.

Where Settling.	When Mustered.	Men.	Women.	Children above 10 Years.	Children under 10 Years.	Servants.	Total.
About Halifax Harbour	July 13..	27	15	.....	6	.....	48
Dartmouth	do 14..	175	104	68	92	41	480
Musquadoffin	May 28..	10	4	.....	2	.....	16
Jedore	July 17..	7	5	8	6	.....	26
Ship Harbour	June 2..	77	25	28	19	2	151
Sheet do	do 5..	71	21	7	18	5	122
Country do	do 13..	201	26	7	14	41	289
Chedebucto	do 21..	580	204	68	139	62	1,053
Island Saint John	do 12..	202	60	27	65	26	380
Antigonish	July 12..	76	12	8	6	18	120
Pictou and Merrigonish	do 26..	192	65	27	40	.....	324
Cumberland, etc	June 28..	257	160	186	232	21	856
Partridge Island	.....	38	26	31	24	69	188
Cornwallis and Horton	June 4..	91	37	44	27	38	237
Newport and Kenticook	May 27..	150	60	28	47	22	307
Windsor	do 20..	127	49	23	58	21	278
Windsor Road and Sackville	July 8..	52	26	23	26	3	130
Annapolis Royal, etc.	June 24..	608	349	325	318	230	1,830
Bear River	do 25..	71	18	3	14	9	115
Digby	May 29..	483	240	216	204	152	1,295
Gulliver's Hole, St. Mary's Bay	June 6..	53	26	50	31	13	173
Nine Mile River	July 19..	38	17	6	6	5	72
Chester Road	do 27..	16	6	1	4	1	28
Pasamaquody	.....	833	304	340	310	.....	1,787
River St. John	.....	4,131	1,619	1,630	1,439	441	9,260
At Halifax, being the widows and children of Loyalists and soldiers, and other objects of charity	.....	90	39	46	29	4	208
Between Halifax and Shelburne	.....	326	149	51	120	8	651
Shelburne	.....	3,401	1,823	1,420	1,279	.....	7,923
Total	.....	12,383	5,486	4,671	4,575	1,232	28,347

An abstract of the number of inhabitants will stand thus, viz. :-

Of Old British Inhabitants	14,000
Of Old French or Acadians, One Hundred Families at four a Family	400
Of Disbanded Troops and Loyalists which are called New Inhabitants	28,347

Total..... **42,747**

The Indians are not enumerated, or can they be considered as making any part of the community.

This Return includes the Negroes, whose numbers are about 3,000, but as they have not been distinguished from the other Loyalists I cannot give their number with precisicn.

APPENDIX I.

SPEECH OF HON. J. W. JOHNSTON IN THE HOUSE OF ASSEMBLY OF NOVA
SCOTIA ON THE 10TH FEBRUARY, 1854, ON THE UNION OF
THE BRITISH NORTH AMERICAN PROVINCES.

The following correspondence, which precedes the Speech in question, sets forth the circumstances under which it was republished in pamphlet form in 1865 at Halifax.

Sir,—The "Union League" have considered that it might be of benefit, under the present circumstances of the country, to publish a speech delivered by you in 1854 on the subject of a Union of the Colonies; but they do not feel at liberty to do so without your concurrence, as your sentiments may have undergone change since that period—in which case the re-publication might not be agreeable to you. I have the honour to be, your obedient servant,

P. S. HAMILTON, Acting Secretary.

To His Honour the Judge in Equity.

Halifax, March 2, 1865.

My Dear Sir,—I have to acknowledge the receipt of a note from you, in which, as acting Secretary of the Union League, you inform me that they think it might be of benefit under the present circumstances of the country to publish a speech delivered by me in 1854, on the subject of "Union of the Colonies," but do not feel themselves at liberty to do so without my concurrence, as my sentiments may have undergone change since that period,—in which case the re-publication might not be agreeable to me.

The scheme for the Confederation of the British North American Provinces offers to their Legislatures a question of supreme importance, standing apart from party issues, and transcending temporary interests. In relation to such a subject I see no occasion to hesitate in saying that my sentiments, as expressed in the speech delivered in 1854, have not been essentially changed, and that the re-publication will give me pleasure, if it will promote in any degree a measure so necessary as the Union of the Provinces.

Previously to that year, Canadian gentlemen had deliberated on Confederation, but the subject had not (so far as I know) been distinctly presented to any Provincial Legislature.

Under the influence of a long cherished belief that union was indispensable, if the British North American Colonies were to furnish a country where British people should attain a position and occupy a field of action essential to the expansion and elevation of political communities, I introduced the resolutions which the speech prefaced, with the purpose of keeping the important consideration before the public and engaging attention to it in our sister colonies not less than in this province. In 1857 the subject was brought under the notice of the Colonial Secretary in London, by Mr. Archibald and

myself, under the authority of the Provincial Government, and for several years past it has, in varied forms, been presented to public notice in the Legislature and the press and on the platform in most of the Provinces, by leading public men without distinction. And it is a source of highest gratification that, after the long period since Lord Durham propounded the Union of these Colonies, that policy should meet the approval of the Imperial Government; and that a Minister of the British Cabinet should, in Parliament, now use in allusion to the present scheme of Confederation, and those who advocate it, such language as this:—

“They have conceived a noble ambition; they have designed to form, I venture to say, a nation, but not a nation divided from the allegiance they owe to the British throne, nor separated from the institutions under which it is their pride to live; nor estranged from the associations and attachments that bind them to the Mother Country. In a spirit of the most fervent loyalty to the British throne, in a close attachment to the British Crown, and in devotion to British institutions they have desired to form all the North American Provinces on the eastern coast into one great Confederation.”

In judging of the probability of a Union of all the Provinces being consummated the obstacle which ever seemed most formidable, was the indifference that might be expected, on the part of Canada, to unite with communities much feebler than herself. Hence the Union of the Maritime Provinces was an object that appeared (though probably without reason) more easily attainable. It was a measure valuable in itself, but was not the fulfilment of all the requirements of the case; for this the combination of the whole was requisite.

The apprehended indifference of Canada has been removed in a very striking and unexpected manner; but so far from seeing reason for prejudice against the measure, because Canada seeks Union from an appreciation of its benefits to herself, that fact would seem to be an element of strength in the compact.

Were this letter to be silent on the comparative schemes of legislative and confederate union, my sentiments would be liable to misapprehension, because in 1854 I expressed a strong preference for the former; but it will be seen that the resolutions then submitted, by leaving the choice between the two plans open for deliberation, excluded the idea that Legislative Union was deemed *sine qua non*. The reasons which, in 1854, induced my preference for this form of Union, have lost none of their force; although I may not then have given quite as much consideration to the obstacles to its accomplishment as I have, since the question has come practically more near. Then, however, the necessity of supplying some mode for meeting the wants of the country, more convenient than legislation in a distant parliament, was felt; and it will be remembered that I introduced about the same time for this purpose a Bill for the municipal incorporation of the counties, carefully elaborated from the best precedents I could procure. Its fortunes were inauspicious. The Legislature gave it but a dubious existence, making its operations dependent on acceptance by the counties. The counties courteously declined the boon of self-government it proffered; half a county alone accepted the gift, and after a few years rejected it.

Thus, unacceptable proved a measure which is essential should the perfect political amalgamation of the Provinces be effected; and it is probable that greater obstacles would be found opposed to Legislative than to Confederate Union. But if, after Confederation, the Legislatures of the several Provinces should deem a closer connection desirable, the way would be as open then as now.

At present, however, the alternative is not before us. It is known that Legislative Union is impossible, and the comparison between the two systems is without object. The choice offered to the Legislature of the Province is:—

On the one hand :—

Union under one government, giving to British subjects in their confederate and growing strength a nationality worthy of their origin, and a theatre of action such as national expansion demands ; where—acknowledging the sovereignty—maintaining the institutions—cultivating and perpetuating the principles of the parent state—and putting forth the energies of free men, they and their descendants may, under a gracious Providence, have the opportunity of rising to degrees of political influence, material prosperity, intellectual and literary attainment, religious, educational and moral progress and refinement of taste and manners which cannot be reached in small and contracted communities.

On the other hand is :—

The perpetuation of the present isolated condition of the province ; and rich as she is in material benefits and prosperous within the limits which small communities may attain, yet few in numbers, weak in strength, unequal to the development of her own resources, unable to furnish to her sons professional education, or to retain at home her enterprising youth, she has little prospect for the future beyond a dwarfed existence and ultimate absorption into the neighbouring republic.

One of these must be chosen, the other rejected. There is no other alternative. My sentiments formed and publicly advocated through a quarter of a century, leave me no room for deliberation now. To an old man, individually, any decision is of small moment ; but as a member of the community, in the exercise of my best judgment, on a question of vital interest to all of us and those who come after, I dare not deny a national existence with its privileges and duties to my descendants and my countrymen.

I therefore accept Confederation as a great benefit, whatever my tendencies in favor of Legislative Union, and though they were greater and more fixed than they are.

There is another point requiring explanation in connection with the republication of my speech.

The example of the United States was urged by me in '54 as strongly illustrative of the advantages of Confederation. The civil war that has since arisen has been supposed to afford an argument in the opposite direction ; but, as I think, without reason. If history can teach anything, no lesson is more plain than that taught by the great contrast between the imbecility of the United States, after their independence was acknowledged and the bond was dissolved that during the war had held them together, and their wonderful progress and power after the constitution was adopted by which they were united.

That after three-quarters of a century, when thirteen States had increased to thirty and three, and four millions of people had grown to thirty millions, a powerful section possessing individually and extensive powers of State Legislation should desire separation, was quite within the operation of human passion and interests ; and if it was necessary to meet this desire with cannon balls then the civil war might be an argument against all confederations. But a peaceful separation might have taken place ; two prosperous states might have occupied the place held by one before ; and in a few years the parent state, renewed by natural increase and foreign accessions, have been prepared to give off—when the necessity arose—as it almost inevitably will arise—fresh offshoots, and become a mother of nations. The system of confederation would then have proved itself adapted for progression such as the world had never seen, and adapted equally, when reason and justice demanded it, for contraction. It must not, therefore, be charged with consequences which forbearance and a regard for justice and equal rights would have averted ; and we may hope that if in distant time a great confederate

nation of Britons should be placed in like circumstances, better regulated dispositions and the warning lessons of this terrible civil war stamped on the page of history may lead to the happiest result of peaceful adjustment, and the formation of new states.

The delegates have, I think, improved on the American model in the distribution of legislative powers, between the general and local governments.

It being my purpose to do little more than make such explanations as the republication of my speech requires to prevent my being misunderstood, the details of the plan are not within the purpose of this letter. I may, however, say that, as far as I can judge, the scheme propounded manifests an earnest desire, with no small measure of success, to secure solidity and endurance to the constitution and harmony in its action and to do impartial justice among the constituent members, and I sensibly feel that the delegates have well earned the praise for moderation, forethought and ability in a case of great complication, delicacy and difficulty which has been freely accorded to them by the British Government, and in leading journals in England. It would not be surprising that some of the details should be liable to criticism or to improvement. It would be surprising were it otherwise—the most perfect plan would not commend itself alike to all minds, and no plan can be perfect when diversified interests, prejudices, feelings and judgments require to be accommodated and harmonized.

In a case of such momentous and enduring importance, it is well for each one, before touching the details, to settle firmly in his mind the great question—Isolation or Confederation. If Confederation be thought beneficial, then the details will be considered in relation to the importance of the object to be attained, and the difficulties adjusting conflicting views. Matters temporary, or comparatively inferior, or that may be subsequently adjusted, or that must be sacrificed for the sake of attaining the object, will not be allowed to disturb the judgment; and finally, it is a great security that the whole will undergo the scrutiny and revision of sagacious and far-seeing statesmen in England having no interest but the public good, aided by the local knowledge of able colonial public men. This is no small affair, the influences of which will die away with the excitement of its discussion—no thing of petty politics, reaching no farther than personal interests—no matter of party strife. Our country and its destinies, our descendants and their future, are the subjects—and the consideration should be approached with an earnestness, and the decision made under a sense of responsibility not to be exceeded in the most solemn religious duty. I am, dear sir, very truly yours,

J. W. JOHNSTON.

To P. S. Hamilton, Esq., Chief Commissioner of Mines, &c.

*Address on the Union of the Colonies, delivered in the House of Assembly,
February 10th, 1854.*

Hon. J. W. Johnston said: Mr. Chairman, before availing myself of the privilege with which the House has indulged me of expressing my views on the Union of the British North American Colonies, permit me to read the Resolutions I propose to move.

I do this, Sir, that at the outset it may be seen to be my desire that the Imperial and Colonial Governments should be drawn to consider the great question, and to mould it after full deliberation in some form fit to be presented for the consideration of the several Legislatures; and that I presume not at this stage of the enquiry to offer any specific scheme of my own.

The resolutions are as follows :—

Resolved, That the Union or Confederation of the British provinces on just principles, while calculated to perpetuate their connection with the Parent State, will promote their advancement and prosperity, increase their strength and influence, and elevate their position.

Resolved, That His Excellency the Lieutenant-Governor by address be respectfully requested to make known to Her Majesty the Queen, and to the Governments of the sister Provinces of Canada, New Brunswick and Prince Edward Island, this opinion, and the desire of the House to promote the object ; and that His Excellency by correspondence with the Imperial and Provincial Governments, and by all means in His Excellency's power urge and facilitate the consideration of a measure, which, if matured on principles satisfactory to the several Provinces and calculated to secure their harmony, and bring into action their consolidated strength, must result in lasting benefits of incalculable value.

Mr. Chairman, if the desire to improve his circumstances and raise his condition be a sentiment natural to a man having under proper control beneficial effects upon the race—the same principle when applied to national elevation must rise to a higher order, and become a duty of greater obligation just as the object is freer from selfishness and the benefits are more extensive and more enduring.

That the dispositions and tendencies of nations are moulded and directed by their Government and institutions, is a truth which reason approves and nature confirms. Yet national characteristics being but the concentration of the prevailing propensities of individuals they become the reflex of each other, and alike derive tone and complexion from the habits of thought and feeling and action engendered by the laws.

I do not forget that religion is the great minister—the effective agent in the amelioration of man and the exaltation of nations. Yet do her influences, like rays of light passing from one medium into another, fall more or less directly and powerfully according to the moral atmosphere that surrounds the subjects of her action.

But, Sir, I freely admit that the obligations resulting from these truths are controlled by a duty no less plain—which forbid needless alterations in the Government and laws. The occasions which call for fundamental changes should be grave, and the conclusions sought, free from reasonable doubt.

If, therefore, a view of the condition and prospects of the British North American Provinces does not justify the conviction that in all their relations, political and material, social and moral—their union is called for, or at least is a measure demanding deliberate examination, then, Sir, the objects for which I solicit the favour of the Committee are unwise and ought to be rejected promptly and decisively. But if the condition and the prospects of these Colonies do force that conviction, then it is the duty of every man according to his influence and ability to be an instrument in urging the accomplishment of their union.

This is a question that reaches beyond the present moment and oversteps the boundaries of sectional claims. Not that I would be taken to mean that the palpable interests of the present are to be sacrificed to the visions of a distant and uncertain future ; or any rights, however, small, disregarded for the sake of theory and speculation. No, Sir, the future of these Colonies—that we have especially to deal with, is that which the shadows of the past distinctly pourtray ; and which the analogies of nature, and the testimony of experience with clearness reveal ; the interests to be sacrificed, if there shall be such are those that shall be compensated by larger benefits and greater good.

The adage that "Union is Strength," and the homily illustrative of that adage in the bundle of sticks lie at the foundation of the proposal before the Committee,—the beginning,—the middle and the end of the argument.

Hence they who oppose the measure should rightly assume the burden of sustaining their views—unless there be something in the nature, situation and circumstances of the several parties to be amalgamated, unsuited for effective union.

If nothing be found to show that the Provinces are unsuited for union, then the way is clear for the question ; and the comparison will present itself between :—

The Provinces severed and dis-united ; and

The Provinces combined and one.

In the preliminary enquiry, the obstacles to union, arising from distance, dissimilarity of race and habits—the difference in their public debt—opposing interests of trade and revenue—geographical obstructions—seem the most obvious and serious.

The impediments resulting from distance and from the unhappy circumstances of both the Canadas, at the time, were chiefly felt by Lord Durham in 1837 when the subject was discussed at Quebec by that distinguished and acute statesman and his able advisers—among whom were the late Charles Buller and Mr. Turton ; and the delegates attending from the Provinces.

These impediments have passed away. Since that time railroads have been introduced into Canada, and the time I believe will not be long before the works of the Grand Trunk Railroad Company will unite Sarnia, on Lake Huron, with River du Loup, on the banks of the St. Lawrence, below Quebec.

I hold in my hand a prospectus and plan of the vast undertakings of that company.

Behold here their lines of railways—running a distance of 1,100 miles, and traversing the whole extent of Canada, by an unbroken line, and with an almost undeviating course, bringing the distant Huron nearly to the border of New Brunswick.

Still shorter will be the time that will suffice to show St. John connected by the iron road with Shediac. For this we have the high authority of Sir Edmund Head in his opening speech to the Legislature of New Brunswick, and I assume as an inevitable concomitant of the Union a continuation of the railroad from River du Loup to Halifax. Thus Montreal, situated not very far from a central position, will be but a few days' journey from the extremest points of the Provincial lines.

Since 1837 the almost magic power of the electric telegraph has been called into use, to annihilate time and distance in the communication of thought and intelligence ; and thus the objection from the distances that separate the inhabitants of these Provinces no longer offers any sound reason against their Union.

The condition of Upper and Lower Canada was, in 1837 unable for Union,

Both Provinces still heaving and agitated under the effects of recent troubles, and divided into parties embittered by a struggle of no ordinary character, were in a condition the worst imaginable for adjusting a new constitution, or carrying a Union into operation.

Besides—differences in language, laws, habits and modes of thinking and feeling—and the rivalry naturally growing out of these differences, placed an obstacle in the way of the Union of Lower Canada with the Upper or the Lower Provinces, which in the nature of things, is the most difficult to be overcome.

This barrier was not sufficient to prevent the amalgamation of the Canadas, and the successful result of that measure not only proves adequately that no dissimilarity that exists in the habits and feelings of different sections of the population of the various Provinces, is a just reason against entertaining the question of their Union, but affords encouragement to its extension to the other Provinces.

The geographical relations of the Colonies can, I think, be no hindrance.

The line separating Canada and New Brunswick creates no separation between the people inhabiting on either side. The Canadian inhabitants there have long found it to their advantage to deal principally with New Brunswick, and to avail themselves of the conveniences afforded by that fine river, the St. John.

The people of New Brunswick and Nova Scotia (once united in the same Province) know no distinction.

Some of the finest portions of Nova Scotia,—Cumberland, Digby, Annapolis, parts of Kings, Hants and Colchester,—are more closely united by business relations with New Brunswick than with any part of their own Province,—while the north-eastern coast of that Province,—with resources of great value, derived alike from the land and the water, are drawn by the facilities of navigation to Halifax rather than to St. John.

The Gulf of St. Lawrence brings us all together. There Canada, New Brunswick, Prince Edward Island, Nova Scotia and Cape Breton and Newfoundland unite in encircling the estuary of the great river of the north, and there as to a common centre, the traders from all the Colonies are every season brought together.

The hindrance to a Union which probably will be found the most difficult of removal will result from real or supposed differences of interest in relation to the regulation of commerce and tariff. But if arrangements of this nature necessary for the common good, should oppose in some particulars the policy of a portion of the Union, it may well be supposed that more than compensation will be found in the advantage of a uniform system, embracing all the Colonies, and conferring on each the privileges and benefits of unfettered intercommunion which at present is not and cannot easily, be enjoyed.

It does not, however, appear to be necessary or expedient to deal at large with this question now. If, on general and enlarged views, a Union be desirable or necessary, I cannot but think that all such questions will be found capable of a solution consonant with the general welfare—and besides they require to be brought into definite form after interchange of opinion and discussion among the several governments, before they can be practically dealt with in open debate in the Legislature.

The same remarks are applicable to the present disparity in the liabilities of the several Provinces, which I have made in reference to the disparity in the rates of their several tariffs, and supposed differences of commercial policy.

The debt of Canada is very large—but the works for which it was incurred remain—and her abundant revenues, after meeting the expenses of Government—the interest of her debt—the contingent of her sinking fund—and liberal allowance for education and other objects of public benefit—leave still a large surplus.

Lord Elgin's despatch, of the 16th August last, states the net revenue of 1852 to be greater than the expenditure including interest on public debt and sinking fund, by \$188,553. Gentlemen may see the statistics at large, in the very useful compilation I have in my hand—Mr. Scobie's Canadian Almanac for the present year.

But, Sir, when I reflect on the immense resources of Canada, I apprehend the obstructions to the Union may arise from measures very different from the fastidiousness of the Lower Colonies, in view of the Canadian debt.

Let us then assume that if a Union of the British North American Provinces be a measure calculated to consolidate their strength—improve their institutions—accelerate their progress and promote their well-being—there exists no insuperable objection to that Union—either in the distance that separates—the diversities of races and of habits and sentiments—from geographical impediments, or financial or fiscal difficulties, or other causes of an individual nature.

This places us on the broad field of enquiry to which the subject invites. The difficulties are to select and arrange the materials within a reasonable compass, rather than to find matter for observation.

The Union of the Colonies of Great Britain in North America is a familiar idea, of which their history before and after the Revolution furnishes many instances.

As early as 1643 occurred the Confederation of the New England Colonies, and it is not uninteresting to notice the causes and motives of that Union—by which, to use the language of the day, the Colonies of New England were "made all as one." Bancroft, from whom I quote, says:—"Protection against the encroachment of the French and Dutch—security against the savages—the liberty of the gospel in peace, were the motives of the confederacy."

The Union embraced Massachusetts, Plymouth, Connecticut and New Haven. Its affairs were conducted by Commissioners, two from each Colony, irrespective of their size or population. The Commissioners, who were to meet annually, or oftener if necessary, might deliberate on all things which are "the proper concomitants or consequents of a confederation." Peace and war and especially Indian affairs, exclusively belonging to them—they were authorized to make internal improvements at the common charge, and they were the guardians to see equal and speedy justice given to all the confederates. The common expenses were to be assessed according to the population. But the Commissioners were in reality little more than a deliberative body; they possessed no executive power, and while they could decree a war, and a levy of troops, it remained for the Colonists themselves to carry the vote into effect. "Thus remarkable," Bancroft notices, "for unmixed simplicity was the form of the first federated Government in America."

Among the active agents in forming this Union, and its first President, was Winthrop, Governor of Massachusetts—a name distinguished in the early annals of New England for the wisdom and virtue of its possessors—and which at the present day has been borne to situations of high elevation and made conspicuous by the integrity, ability and eloquence of the patriotic statesman and the refined taste of the scholar.

I refer to one known publicly to us all for the wisdom and moderation of his course in Congress on the Oregon boundary question—while those who have the pleasure of his acquaintance personally have found him the courteous and urbane gentleman.

The next instance is the proposal of William Penn in 1697, for an annual Congress of all the Provinces on the continent of America, with power to regulate commerce—but which does not appear to have issued in any practical result.

This is followed at the distance of more than half a century by another proposal for Union which reached greater maturity, although it failed in ultimate adoption.

The celebrated Albany Convention is a well-known historical fact, and I shall beg the attention of the committee to this case, both as showing the motives that incited to union at that time, and also for the purpose of enquiring at another stage of my argument into the probable effect that Union, had it gone into operation, would have had on the connection between England and the Colonies, which not very long afterwards revolted from her sway.

The dread of approaching hostilities with France, and the necessity of increased contributions from the Colonies, induced high Colonial officials to entertain the idea and to desire to see it enforced by act of Parliament. Intelligent Colonists preferred a voluntary Union, and they used a significant argument:—"It would be a strange thing if six nations of ignorant savages should be capable of forming a scheme for such an Union, and be able to execute in such a manner as that it has subsisted for ages, and appears indissoluble, and yet that a like Union should be impracticable for ten or a dozen

English Colonies, to whom it is more necessary and must be more advantageous."

Reverses in contests with the French at length hastened forward the project; and at Albany, to use the words of Bancroft, "on the 19th January, 1794, assembled the memorable Congress of Commissioners from every Colony north of the Potomac.

"America had never seen an assembly so venerable for the States that were represented, or for the great and able men who composed it. Every voice declared a Union of all the Colonies to be absolutely necessary"; and it adds interest to this transaction that at its commencement the representatives of the Six Nations were present.

Franklin's project was the basis, and after great debate and deliberation was modified and adopted. Philadelphia was deemed conveniently situated for the site of the Federal Government, because it could be reached from the most distant parts in fifteen to twenty days.

The constitution was a compromise between the prerogative and popular power. The King was to name and support a Governor-General, who should have a negative in all laws; the people of the Colonies, through their legislatures were to elect triennially a grand Council, which alone could originate bills. Each Colony was to send a number of members, in proportion to its contributions, yet not less than two nor more than seven.

The Governor-General was to nominate military officers, subject to the advice of the Council, which was to nominate all civil officers. No money was to be raised but by their joint order. Each Colony was to retain its domestic constitution—the Federal Government was to regulate all relations of peace or war with the Indians; affairs of trade and purchases of lands not within the bounds of particular Colonies; to establish, organize and temporarily to form new settlements; to raise soldiers, and equip vessels of force on the seas, rivers and lakes, to make laws, and levy just and equal taxes. The Grand Council were to meet once a year; to choose their own Speaker, and neither to be dissolved, nor prorogued nor continue to sit more than six weeks at any one time but by their own consent.

"The Board of Trade," adds Bancroft, "on receiving the minutes of the Congress was astonished at a plan of general government, complete in itself, Reflecting men in England dreaded American Union as the keystone of independence."

It is well worthy of note that Franklin's mind took a wider range, and comprehended "the great country back of the Apalachian Mountains," where he predicted in less than a century would grow up a populous and powerful dominion; and through Thomas Pownell, who had been present during the deliberations at Albany, he advised the immediate organization of two new Colonies in the west.

The whole of this transaction offers so much incident for reflection and application, that I make no apology for presenting it so much at large to the Committee.

This was the scheme devised by wise and practical men for protection against foreign invasion and for internal improvement.

England rejected it, and reflective men there, as Bancroft says, were jealous lest it should lead to the independence of the Colonies.

May we not well doubt the reasonableness of the apprehension; as surely we may question the liberality and generosity, and I will add the justice of the principle that sought to keep the Colonies weak that they might be preserved dependent.

Let it be remarked that the thirteen Colonies whose Union was projected, contained at that time less than one million and a half of people, including the colored population.

I reserve as illustrative of a later part of my argument, the Union of

the American States after their independence ; and now take up Lord Durham's report of 31st January, 1839.

In this we find that in 1814, the project of a Union of the North American Colonies had been formed by the late Chief Justice Sewell of Lower Canada ; and by him submitted to his late Royal Highness the Duke of Kent—the father of our sovereign—and approved by the Prince, whose personal knowledge of these Colonies, and whose deep interest in their welfare are well-known facts.

The report of Lord Durham gives the Duke's letter in answer to Chief Justice Sewell's proposal. So interesting a document coming from such a quarter, the House will excuse me for reading :—

Kensington Palace, November 16th, 1814.

“ My Dear Sewell,—I have this day had the pleasure of receiving your note of yesterday, with its enclosure ; nothing can be better arranged than the whole thing is, or more perfectly I cannot wish ; and when I see an opening, it is fully my intention to hint the matter to Lord Bathurst, and put the paper into his hands without, however, telling him from whom I have it, though I shall urge him to have some conversation with you relative to it. Permit me, however, just to ask you whether it was an oversight in you to state that there are five Houses of Assembly in the British Colonies in North America, for if I am not under an error, there are six, viz.:—Upper and Lower Canada, Nova Scotia and New Brunswick, the Islands of Prince Edward and Cape Breton.¹ Allow me also to beg of you to put down the proportions in which you think the thirty members of the Representative Assembly ought to be furnished by each Province ; and to suggest whether you would not think two Lieut.-Governors, with two Executive Councils sufficient for the Executive Government of the whole, viz.:—One for the two Canadas, and one for Nova Scotia and New Brunswick, comprehending the small dependencies of Cape Breton and Prince Edward Island ; the former to reside at Montreal, and the latter at whichever of the two situations may be considered most central for the two Provinces, whether Annapolis Royal or Windsor. But at all events should you even consider four Executive Governments and four Executive Councils requisite I presume there cannot be a question of the expediency of comprehending the two small islands in the Gulf of St. Lawrence with Nova Scotia. EDWARD.”

Lord Durham's report has been in everybody's hand and need only be referred to. That able statesman believed a Union of the North American Colonies to be most desirable for their progress and advancement, and after much deliberation, and it would seem some change of opinion, adopted the conclusion that the Union should be Legislative, and complete to secure the full attainment of its advantages. The reasons by which His Lordship's views are sustained are given succinctly, but powerfully in the report. So clearly and conclusively indeed that it seems as if the best advocacy of the measure might be confined to the reading of those passages of His Lordship's report which relate to this point.

Next and last in the order of time, is the scheme of the British American League, adopted at its second convention at Toronto, in November, 1849. I hold in my hand a full report of the speeches and proceedings on that occasion, and I may say that the knowledge, ability and eloquence, displayed, well entitle to our respectful consideration the opinions of the gentlemen who adopted the conclusion that a Union of all the Provinces was desirable and proper. They were strong in number as in talents—of varied engagements in life, and being selected from all parts of the Province may be considered as expressing sentiments widely diffused.

¹ Cape Breton never had an Assembly and Chief Justice Sewell was correct.

The plan they agreed to submit for the consideration of the Provinces is set out in detail, and occupied considerable space. I will notice the leading portions.

The Canadas, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland, to be joined in a Federal Union under the name of British North America—with a Secretary and office in Downing Street—and a Vice-Regent and a Federal Legislature.

Each Province to have its local Legislature, the Legislative Council to be elected.

The Federal Government to be vested in a Viceroy or Governor-General—a Legislative Council appointed by the Crown, or elected by the Legislature of the Provinces for six years, one-third returning every second year—and an Assembly chosen by the Provincial Legislatures from their own members, by a special election—a deputation of members from the Legislative Council, and from the House of Assembly to have seats in the House of Commons.

The powers of the General Government were to be the imposition of taxes, duties and imports, which would be uniform throughout the Province—to assume and pay the debts of the several Provinces, and provide for the peace and welfare of the Union—to establish uniform commercial relations between the different Provinces and foreign countries, not repugnant to the laws of the United Kingdom—determine disputes—regulate navigation of the rivers and lakes—promote internal improvements—regulate post-office, militia, &c. A Supreme Court, being also a Court of Appeals, &c., &c. A subsequent resolution passed against the election of the Legislative Council.

Here is presented a scheme of confederation, evidently prepared with care, and worthy of consideration, which it is to be regretted had not been pressed upon the notice of the different Provinces.

I turn next, Sir, to a significant and pregnant example drawn from the history of the United States, after their independence, of the necessity of an Union of an energetic character, for the prosperity and advancement of communities bearing many resemblances to the British North American Provinces—and if history be philosophy teaching the example, the lesson will probably be not un instructive.

Examine the condition and prosperity of the States collectively after the peace that ensured their independence, and we are presented with a lamentable picture of national weakness—both material and moral.

Look at their present national greatness. Then trace the causes of each result and we can, I think, be at no loss to make the application to our present subject.

Language could scarcely be stronger than that used to describe the ruinous effects of the weakness of the confederation that bound the States together after the peace—as may be seen on reference to Marshall's Life of Washington, from which I quote on this point:—

Washington earnestly deprecated these consequences, and urged as the only remedy increased confederative powers. He felt very strongly this necessity in relation to the commercial arrangements necessary for the national interests, and the redemption of debts contracted during the war, essential for the national honor. "America," he said, "must appear in a very contemptible point of view to those with whom she is endeavoring to form commercial treaties, without possessing the means of carrying them into effect"; and in other aspects of the case his expressions are not less forcible.

Lafayette, the friend of America and of Washington gives the opinion entertained in Europe:—

"I have often," he says, "had the mortification to hear that the want of power in Congress, of Union between the States, of energy in the Government, would make the Confederation very insignificant."

The testimony of the historian is no less clear and positive. Marshall's language is thus strong :—

"That the imbecility of the Federal Government—the impotence of its requisitions—and the inattention of some of the States to its recommendations, would in the estimation of the world, abase the American character, could scarcely be termed a prediction. From its inability to protect the general interest, or to comply with its political or pecuniary engagements, already had that course of national degradation commenced, which such a state of things must necessarily produce."

Again he says :—"The Confederation was apparently expiring from mere debility. The last hopes of its friends having been destroyed, the vital necessity of some measure which might prevent the separation of the integral parts of which the American Empire was composed became apparent even to those who had been willing to perceive it."

Such, then, was the condition of the American Confederation after their independence had been achieved by sacrifices, self denial and fortitude that all must admire, whatever opinion as to the merits of the contest may be entertained.

What are the United States now? This map answers the question. Nearly half in superficial extent of the northern continent is embraced within their limits—an ocean is the territorial limit on either side, the Gulf of Mexico on the south—British soil on the north—and twenty-five millions of people occupy and own this vast domain.

Harper's Magazine for last month contains a very impressive review and comparison of the several census taken in the United States since 1790.

On the population and territory the article decants in a tone high indeed, but warranted by the facts. We are told that the law of growth has been remarkably uniform. In sixty years it varied but little from thirty-four per cent.:—in ten years, and assuming thirty-three and one-half as the decimal increase for the next half century, at the end of another sixty years the Republic will contain one hundred and thirty millions of people. Its territorial extent is stated as nearly ten times the size of Great Britain, and France combined; three times that of the whole of France, Britain, Austria, Prussia, Spain, Portugal, Belgium, Holland and Denmark together.

It would, sir, be as vain as ignoble to attempt to decry the national position of the United States. America stands high among the nations; and vigorous in youth—pressing onward and upward, well may her sons be dazzled in the prospection of her destiny. Year after year the wilderness retires before the energy and endurance of her people; and her commerce spreads more widely over every sea. Her Ægis guards her humblest citizen in the remotest lands, until the title of an American citizen is as secure a passport as of old was that of Roman.

What has achieved this great result? Union—effective confederate Union.

Would it have been thus had the state of imbecile and imperfect confederation continued, that Lafayette deplored and Washington mourned over, reproved and redressed?

Assuredly not.

Let it be remembered that when Washington showed the evils of disunion on the commercial relations of his country her population did not very greatly exceed that of the British North American Colonies at the present day.

The dissimilarities in the circumstances of the United States, and the British Colonies, do not, I think, prevent the application of this example.

Foreign negotiation was necessary for the commercial arrangements required by the United States, and with us the Imperial Parliament exercises this duty. But it is clear that the commercial relations of the provinces will demand a special consideration controlled by their own circumstances and interests; and Union may be found requisite to give efficacy to these considerations.

The subject naturally leads to the enquiry whether the North American Provinces possess a strength and capacity suited for Union.

Scotland, in 1707, at the Union, had a population of about 1,050,000.

Ireland, in 1821—twenty-nine years after her Union—a population of not seven millions—probably at the Union not more than four millions.

The thirteen Provinces, previous to the Revolutionary War, afford, however, the best materials for comparison.

In thinking of their strength and condition we are apt to be misled by what they achieved in a struggle—for a time unassisted—with a powerful nation—as well as by what they had before done in the wars with the French and Indians.

Franklin, in his examination in 1766 before the House of Commons, declared that in the French war the Colonies had raised, clothed and paid 25,000 men, and spent many millions—and that Pennsylvania alone disbursed £500,000.

Yet he rated the number of men from sixteen to sixty years of age in British North America at about 300,000, and estimated that the inhabitants of all the Provinces at a medium doubled in twenty-five years. In Pennsylvania the taxes annually realized, he said, about £25,000—and her imports from Great Britain amounted to £500,000, and exports thither to £40,000.

The whole population of the thirteen colonies at the beginning of the Revolution did not exceed two and a half millions, and in 1770 it had not reached four millions—a very small advance for the number of years.

Bancroft describes them thus :—

“ Yet the thirteen Colonies in whom was involved the futurity of our race were feeble settlements in the wilderness, scattered along the coast of a continent, little connected with each other, little heeded by their metropolis, almost unknown to the world. They were bound together only as British America, that part of the Western hemisphere which the English mind had appropriated. England was the mother of its language, the home of its traditions, the source of its laws and the land on which its affections centred.

And yet it was an offset from England rather than any integral part of it ; an empire of itself, free from nobility and prelacy, not only Protestant, but by a vast majority dissenting from the Church of England ; attracting the commoners and plebeian sects of the parent country and rendered cosmopolitan by the recruits from the nations of the European continent. By the benignity of the law, the natives of other lands were received as citizens ; and political liberty as a birthright, was the talisman that harmoniously blended all differences, and inspired a new public life, dearer than their native tongue, their memories and their kindred. Dutch, French, Swede and German renounced their nationality to claim the rights of Englishmen.”

The present population of the British North American Provinces greatly exceeds that of the thirteen Colonies at the Revolution. Taking the result of the last census in each Province, we have the following statement of population :—

Population of British North American Colonies, from Hunt's Magazine, January, 1854, page 181 :—

Year.	Provinces.	Population.	Sq. Miles.
1852—	Upper Canada	953,239	147,832
1852—	Lower Canada	890,261	201,989
1851—	New Brunswick	193,800	27,700
1851—	Nova Scotia	276,117	18,746
1851—	P. E. Island	62,678	2,134
		<hr/> 2,376,095	
1852—	Newfoundland	101,600	57,000
1851—	Hudson's Bay Ter....	180,000	2,500,000
1851—	Labrador	5,000	170,000
		<hr/> 2,662,695	<hr/> 3,125,401

The population may now be fairly taken at three millions.

For the rate of increase in the Canadas, I avail myself of two lectures of the Rev. Adam Lisle, before the Mechanics' Institute, Toronto, in February, 1852, in which, with much research and ability, the Rev. gentleman has triumphantly vindicated Canadian as compared with United States progress.

A single passage will serve my present purpose:—"Taking Canada as a whole, its population has increased from 60,000 to 1,582,000 in seventy years." Hence, in 1850, it was over twenty-six times what it was in 1760; more, considerably, than two and a half times what it was in 1825, when it numbered 581,657."

Thus the increase in twenty-five years is over a million, or about sixty-eight per cent. in ten years. We have seen that the present decimal increase of the United States is thirty-three and a half—much beneath that of Canada.

Looking forward for a quarter of a century, the population of the North American Colonies may be assumed to reach over seven millions, and in another quarter to be pressing on to eighteen millions.

As to territory, we have but again to look to the map to perceive that vast as is the extent of the United States, the British domain exceeds it,—and although much of this large territory lies in the inhospitable region of the north, yet more than enough for accumulated millions of people remains of lands of the best quality for settlement. The extent of the several Colonial limits I have already stated; and beyond Canada to the west onward to the Pacific and Vancouver's Island lies a vast country destined to be the home of multitudes.

Aware that a gentleman among us, distinguished by his benevolent regard for the aboriginal inhabitants of Nova Scotia, and his earnest efforts to preserve from destruction our river fisheries, had, under the influence of an energetic spirit, an enquiring mind, and the indomitable zeal of an ardent and scientific sportsman, crossed the American continent and visited the coasts of the Pacific, I sought information from him as regards the country to which I have last alluded.

Although his observation has been chiefly confined to the United States side of the line, yet he crossed over to Vancouver's Island, and had some knowledge of the coast of the British territory extending to the northward.

Captain Chearnley, whom the Committee will recognize as the gentleman to whom I have made reference, has kindly favoured me with information which cannot fail to be interesting. At Vancouver's Island the soil is good, and the country in every way adapted for settlement—the vegetables were of superior size and quality, and he witnessed the importation of cattle, intended to be turned out for breeding, and there coal abounds.

Nisqually, at the south-east extremity of the Straits of St. Juan de Fuca, was highly esteemed for sheep farming, and he there saw an establishment of the Hudson Bay Company at which was probably not less than 3,000 sheep, tended by men from the old country.

The salmon fishery was of boundless productiveness, and fish of great size were ordinarily sold by the Indians for the most insignificant price—a leaf of tobacco purchasing a large salmon. From what he saw of the Oregon territory, wheat of the finest quality is grown, and forests of magnificent pines abound, he had no doubt that across the line on the British side of the country which he did not visit, would present similar characteristics.

But, sir, it is needless to pursue these observations. The Crown of England possesses territory enough in North America to occupy centuries in filling up, and to give space for many national communities.

Confining ourselves to what has been allotted to the Provinces, the field is large enough to exercise the most ardent imagination in the vision of the future.

In view of the increase and trade of the Colonies the facts are more than sufficient for the argument.

The present revenues of the several Provinces may be set down at one and a quarter million of dollars.

In 1852 Canada had	\$723,720
In 1853 New Brunswick had	\$180,554
In 1853 Nova Scotia, say	\$120,000

The Prince Edward Island and Newfoundland revenues and the increase on the Canadian will probably bring the amount not much below the sum I have named.

Two years ago the imports of the five Colonies reached \$8,000,000, and the exports exceeded \$5,000,000.

In the Halifax Sun a few weeks ago the imports in 1852 are said to have reached \$5,720,000, the tons of shipping built, 112,878—not much under half the amount in the United States; and the tons of shipping owned, half a million, exceeded only by England and the United States.

In view of all these facts it may be assumed that the British North American Colonies possess a strength in population, territory, commerce and material resources that entitle them to a higher national position than they occupy, and that would justify their union as the means for attaining that position.

I shall, therefore, proceed to offer some remarks on the motives to union in addition to what has already been incidentally said.

The Union may be presented in a two-fold aspect:—

The benefits it will yield.

The evils it will avert.

Looking at each Colony as possessed of some advantages—some resources peculiar to itself, it seems a conclusion almost inevitable and self-evident, that combination must increase their effectiveness; and that the whole, developed and directed by one governing power, representing all the Colonies, must produce a result greater than the aggregate of the product under the separate, unassisted agency of each separate Colony. As an example:—Nova Scotia, with her eastwardly position, and excellent harbours, offering the first stopping place in the navigation between Europe and America—surrounded on every side by the sea or extensive bays—furnishing great facilities for commerce and navigation—possessing unrivalled mines of wealth, in fisheries and minerals—needs a field larger, a strength greater than her own to give full efficacy to those elements of advancement.

Canada—vast in her dimensions—unexcelled in her agricultural powers—equal to unlimited immigration—and teeming with the materials and means of progress, almost without a precedent—is shut out from navigable communication with the sea, by the rigours of winter for a large portion of the year.

Without Union, the Colonies will not minister as they might, to each other's benefit. At present they feel not the disposition; if they would, they cannot without an united government, and a common system and policy.

The small interest felt in each other by the Colonies would be almost incredible to strangers. They confound us as one. We, as communities, are not only several in fact, but in feeling.

Union, giving us a common interest, and making us fellow-workers in advancing that interest, would remedy this great evil; and an uniform system would remove impediments, which the regulations and partial interests of the Colonies will, while separate, ever be presenting.

If it be objected that Union would be distracted by opposing interests, I answer that Union is not anticipated except on the basis of mutual benefit, and the assumption that no large interest would be sacrificed.

If, again, it be urged that the United States afford to the Colonies many of the facilities that are presented as reasons for Union; the reply is:—That

to a large extent that is impossible—that as far as the fact does extend, the continuance cannot be relied on—and above all that one of the chief objects of union is to concentrate Colonial interests and to augment Colonial strength, and thereby avert the otherwise inevitable consequences of gradual absorption into that republic; which I believe must result from keeping our interests detached, while each Colony is gradually drawing itself closer to the United States.

It is impossible to enter into details—the occasion permits only the consideration of general principles, and on general principles I cannot but assume that the balance of good as regards each portion of the Union would predominate over partial inconvenience.

Rising to a higher point of view—and turning from the influence of union on the internal improvements of the Colonies, to the effects of the Union in external aspects—the relation of the Colonies to Great Britain and to the United States present themselves as the principal subjects of consideration.

In these relations the weakness of the Colonies—separate; their strength, united, present a contrast that strikes the mind instantly and with irresistible force. This contrast gathers power as it is carried forward, and let it not be forgotten that undeviating smoothness in the progress of events as little characterises the existence of communities as of individuals.

Times will come and occasion will arise when these Colonies in whole or in part will find emergencies demanding all their strength and forcing to united efforts, when, perhaps, the opportunity and means of effective Union may be wanting.

We may find some illustrations at the present time, in the cases of the navigation of the St. Lawrence, sought by the United States—reciprocal trade between the Colonies and the United States—and the fisheries on our coasts.

United, the Colonies would have a common interest sustained by consolidated strength and promoted by undecided counsel. Divided, each pursued its own views, on its own strength, and according to its own judgment, possibly at conflict with the others, and it may be with results at the moment considered for the benefit of one, but which had an united interest compelled to more enlarged views, would have been rejected by all.

Let us consider for a few moments the case of the fisheries which peculiarly affects us in Nova Scotia.

Within the limits of three marine miles the coasts of Nova Scotia abound with fisheries of incalculable value. The law of nations and sanctions of treaties give to the Queen's subjects as clear a right to their exclusive enjoyment as they have to merely any territorial possession; and this right is essentially Colonial, because its enjoyment is inseparably incident to Colonial residence. Yet it may be that at this very moment this birthright and property of Colonists is being the subject of treaty and traffic at Washington—nay, they may already have been surrendered for some partial compensation, adding insult to wrong. I will not say that Nova Scotia has not been consulted; but has her voice been invited or been heard as the voice of a free people ought in such a matter?

Who has most influence in this affair—the manufacturers of Manchester—sustained by a Parliamentary host or Her Majesty's loyal subjects of Nova Scotia, unaided by one vote—whose geographical position, if not existence, is, it may be, unknown to one half the assembled commoners of the parent state?

If it shall be said that exclusive possession requires protection against encroachment beyond what we can afford, I might in the present relations of the Colonies question the conclusion. But admit its correctness. It is the consciousness of this weakness that prompts me. From this injurious imbecility I would see my country delivered by a Union that would give the North American Colonies in matters affecting themselves a prospect of having

weight proportioned to their rights in the Councils of the Empire, and in the deliberations of foreign States. I would see it raised to the dignity and possessed of the ability of contributing towards expenditures incurred for its benefit. I attempt not to conceal the fact that the United Colonies would be called to assume burdens and responsibilities greater than they have yet been accustomed to. No. Enlarged privileges must bring increased obligations, and no man worthy of the name would evade the privileges of manhood that he might escape its duties.

It may be objected that interests prized by some Colonies would be lightly esteemed by others :—Canada, for instance, may be supposed to care little for our fisheries. The answer is that what promoted the common welfare cannot be presumed to be disregarded by any of the members of the Union ; and that what is valuable to one is an accession to the general stock, not likely to be inconsiderately sacrificed by their united government.

But, however this may be, if any surrender should be made after due deliberation by the Supreme Colonial Government, none—dissatisfied though they might be with the act of their own Government—could complain that their rights had been disregarded, without having enjoyed the privilege of constitutionally vindicating their claims ; and they would be relieved from the humiliating consideration so often forced upon them in their present condition.

No part of this subject is in my mind more important than the bearing it has on the systems of government and administration of justice, especially in the smaller Colonies. The consequences affect society in its vital interest—the moral sentiment of a people.

How far the artificial system of administration, through a parliamentary majority, as in England, is well adapted to any country free from the complications of an Imperial State, and ancient institutions it is not necessary to enquire—as I assume the Government of the United Colonies, if a Legislative Union should be effected, would be modelled after the British form. But quite sure I am that for a Colony with a small population, scattered thinly over its surface—a large proportion of them scantily educated—having no men of leisure—comparatively few of much wealth, and still fewer distinguished by literary attainments, such a system of administration is unsuited alike to the moral elevation and to the material progress of the people.

That it is British proves nothing, unless to prepare us to expect that what suits a country circumstanced as England would not be fitted for communities such as ours. There exist the opposite principles of monarchy, aristocracy and democracy, and there, too, are large classes of landholders, and men of property whose interest is alive to preserve the balance necessary for the security of the State ; while learning, refinement and leisure abound to assist the interests of property in creating, fostering and preserving those sentiments of public virtue, essential for the well-being of society, and in guarding against and checking the abuses and corruptions to which governments are prone.

Hence a public opinion, which through the medium of a free press, is able alike to control the Crown, nobles, Parliament, statesmen and the people, when strong occasion calls it forth. In such a country conflicting elements require to be combined, harmonized and kept in check, and the means exist to effect that object. But here we have not and cannot have the presence of the influence of monarchy or nobility, and all attempts at imitation will but produce spurious and incongruous results. We have and can have but one element of Government—the democratic, and that it is our interest so to regulate and check as to create and preserve a simple, an incorrupt and an economic system of government.

The great want in a small community such as Nova Scotia, under the system of government instituted among us, is the free working of a healthy

public opinion. The party divisions which will exist under this system, and which, indeed, may be deemed necessary for its effective operation, leaves no middle class to adjust the scale and check the violation of public faith and personal honour in public men, and the circumstances of the country furnish not men of education and leisure adequate to control and direct the public sentiment.

We have but to examine the system in its operation--to trace the influences of the Executive on the Legislature, and of the Legislature on the Executive, and of both on the people to perceive that its tendencies are to imbecility of executive action, to defective Legislation, and above all to corruption; and that there exists no influence to stay the evils.

It was my intention to have gone into this branch of the subject more largely, but I pass over my notes on this topic--because I shall, without further enlargement, more than sufficiently occupy the time of the House and tax its patience, and because I might awaken feelings opposed to the calmness essential to the proper consideration of the question before us.

The evils to which I have alluded must reach the administration of justice, and gradually, but inevitably deteriorate the intelligence and professional knowledge and the independence of the Judges, not only because the system makes to a considerable extent political position the path to the Bench, but because the causes that led to the toleration of corruption in private and public men, will be fruitful of evil throughout society in all its relations.

The Union of the Provinces, with one general government, would at least diminish the evil consequences inevitable in communities too small--too poor--too little advanced for the advantageous exercise of the system.

A wider field would give greater scope to the aspiring and larger, and perhaps more generous, influences would be required for success. Party action operating in an extended circle, would become less personal in its nature, and be consequently mitigated in its acrimony and less powerful in suppressing a wholesome public opinion.

There is another consideration not yet touched, but which lies deep in the foundations of the subject, and pervades it in all its relations, awakening emotions too powerful not to make themselves practically operative--the anomalous position of a Colonist.

The Englishman, Scotchman and Irishman has a country by which he calls himself, and claims a nationality that commands respect.

The United States citizen has a national character that is a passport over the world. The eagle of his country follows him in the remotest regions, and he is sure of the vindication of his violated rights at all hazards and any expenditure.

The Colonial subject of Great Britain may, indeed, find a similar protection and redress in the case of flagrant wrong. But his national standing as he realizes it in the ordinary occurrences of life, is dubious and unsatisfactory.

Let him go to England and he perhaps discovers his cherished home to be there an unknown land, or in some strange geographical confusion confounded with distant and unconnected places; and when his countrymen have clearly ascertained the fact that he is indeed a Colonist, he perceives that he has sunk in estimation, and that he occupies in their consideration a standing of inferior order to that accorded to the citizens of the United States, or other subjects of a foreign State. It fares not much better with him anywhere else. He carries nowhere a recognized name or acknowledged national character.

It is true communities as well as individuals may be virtuous and happy in secluded and inferior stations; but in this age of progress and of change, those who are pressing on our footsteps, and will presently occupy our places, and for whom it is our duty to think and act, will not be contented to hold

the equivocal and hybrid relation of Colonists, unless their own standing shall become elevated, and shall give them an acknowledged name and at least a quasi nationality. This the United Provinces of British North America, by whatever name denominated, are able to do.

This leads to a different branch of the subject—the influence which the Union of the North American Colonies would have in their connection with the parent State.

I cannot perceive that the form which the inhabitants of a Colony may prefer as best suited for the management of their own affairs can of itself affect their relations with the Imperial State ; still less than ever now that the principle of Colonial self-government is clearly acknowledged and practically adopted.

The mode in which the Colonies expand and advance towards maturity, leaves untouched the principle on which the Colonial relation depends, and in proportion to their happiness and prosperity would naturally be their reluctance to dissolve a connection fruitful of results so desirable, while their increasing strength and importance would give them a weight and consideration in the Councils of the Empire, that would render improbable any unhappy and injudicious interferences with their rights ; and so avert the causes of dissatisfaction.

It is interesting in this view to look back upon the past. Some of the Colonies in their early history received constitutions so independent as to be quite startling, in contrast with the policy in after years advanced by the British Government. The American historian tells us that "in Pennsylvania human rights were respected. The fundamental law of Wm. Penn, even his detractors concede, was in harmony with universal reason, and true to the ancient and just liberties of the people."

But Connecticut, as early as 1662, presents the most peculiar spectacle in this respect. The charter of that State created a simple democracy, and gave the people, without reference to, or control by the Imperial Government, the unmodified power to elect all officers, enact laws, administer justice, inflict punishments and pardon offences ; and "in a word to exercise every power deliberative and executive" ; and yet this charter was granted by Charles II. It is true it emanated from no just principle on his part ; but from the usual coincidence that the favourite (a Winthrop) whom he desired to reward, was a man of noble nature, who, unlike the ordinary recipients of Royal bounty, sought not the advancement of his own fortunes, but the benefit of his country. Still the fact that nearly two centuries ago such powers of Colonial self-government were not imagined to infringe Colonial dependence may make those pause, who in the present advanced state of political science, see in the Union of the North American Colonies danger to British connection.

It may be said that these instances are not happy illustrations of my argument, seeing that revolt and separation followed. Long previously, however, the early charters had been violated, and practices introduced and claims advanced inconsistent with their principles.

Who that regards the earnest desire to avert separation, which at first animated many of the most distinguished actors in the American revolution, will venture to declare that revolt and separation would have ensued had the principles of early charters never been interfered with ?

Suppose again, that the Albany Union had been effected, under the sanction of the British Government, may it not be questioned whether capricious, and inconsiderate and obstinate statesmen would have urged the same claims—acknowledged now to have been arbitrary and unconstitutional—upon the thirteen Colonies compact and strong in union, which it was ill-advisedly thought might safely be ventured upon with separate Colonies, weak in themselves, and apparently without the elements of consolidated power. This revolt and separation that union might—humanly speaking it probably would—have been averted.

Let me not forget one significant fact. Not only has the Union of the British North American Colonies been advocated by able British statesmen, but we have seen that it was a subject of mature consideration and found favour with a Prince of the blood—the father of our revered sovereign. He could have seen in it no tendencies to rend an Empire, the maintenance of whose undiminished glory and power must have been so dear to him.

Before leaving this portion of the subject I feel myself constrained to express a sentiment, which I hope will not be misapprehended or misapplied.

If an Union be necessary for the happiness and prosperity of these Colonies, it is no legitimate ground for withholding it, that it may possibly tend to a severance of the connexion with the parent State. Justice demands alike from Imperial and Colonial statesmen that on such a question, the preliminary—the controlling consideration should be the essential and permanent well-being of the Colonies.

It only remains that a few words should be said on the nature of the Union. This may be either by First, Confederation; or Secondly, by Legislative Union, including the Lower Provinces, with Confederation with Canada.

In all the instances I have quoted, we do not meet with the scheme of Legislative Union until Lord Durham's report in 1838, and therefore example favors confederation.

I stated at the outset that I did not think this was the time to spend much consideration on details; but though the mode of Union is hardly the question for present deliberation, I will not here withhold my strong conviction that a Legislative Union would best promote the common interests and the objects to be attained.

But with this there must be connected a mature and perfect system of Municipal Corporations—giving to the people in every country, not only the entire control and management of their own immediate affairs but much which is now the subject of Legislative and Executive functions.

Thus in the concentrated strength and energy and progress of these Colonies—in an enlarged and more wholesome public opinion—a wider range for talent, and more extended scope for the aspirations for ambition, might be found a remedy for the evils that seem inseparable from the condition of Colonists at present; and a theatre of action for British subjects be prepared, worthy of British energy and suited to British feelings.

I cannot conclude, Mr. Chairman, without acknowledging how far short I feel I have fallen of the capacity of the subject—I will not say of its requirements, for the measure I have advocated needs little aid of argument or of eloquence. The principle on which it rests is so simple—so truthful—so practical—so acknowledged—that argument and eloquence seem superfluous.

Union is strength—reason, philosophy and experience declare, illustrate and confirm the truth. Religion and civilization demand its aid.

It upholds the sovereignty which God has given to man over creation, and is the basis on which rests all the agencies for fulfilling the Creator's designs for the amelioration of our race.

Supported on this principle, the question seems no longer open to debate, so soon as the practicability of Union is affirmed. And yet the subject affords ample scope for reasoning the most rigid, and eloquence the most exciting. Hence at one moment the mind is embarrassed to find valid objections to oppose—at another oppressed by emotions difficult to utter.

I trust and believe my deficiencies will be lost in the more perfect and able exposition the subject will receive from those around me, and that graced by the aids of reasoning and eloquence it will be placed in the light it ought to occupy before this Province, our sister Colonies, and the Empire.

I offer no apology—or if any be required, my interest as a Colonist, my duty as a citizen, my country's welfare, and the well-being of our posterity must plead my excuse for inviting this discussion. Called in the providence

of God to take part in the councils of my country, I have now fulfilled a duty I should have been ill-satisfied to have left undone, when my public career should terminate.

If it be destined that no such Union as that contemplated shall be effected, and those who succeed us shall feel the stern alternative of exiling themselves from the land of their birth, because it satisfies not the exigencies of their nature,—or of transferring that land to a foreign nationality—I at least shall have done what in me lies to avert these consequences; and if it shall please God to raise up in the northern portion of this great continent a nation of freemen, acknowledging British sovereignty, and advancing with the expansive energy of which Britons are capable and the age demands—rivaling—but with no mean jealousy—rather with a friendly and co-operative spirit, the progress of our Republican neighbours—and giving to our children a place among men which their fathers possessed not—then, Sir, will it be reward enough for any man that his memory shall be recalled as having been one, although among the humblest, of the pioneers in so great a work.

I move, Sir, the adoption of the resolutions which I read at commencing, and which I now present for the deliberation of the Committee.

APPENDIX J.

MR. HOWE'S SPEECH ON THE ORGANIZATION OF THE EMPIRE.

(From Howe's Speeches and Public Letters).

On the 11th of March, [1854] on a motion brought forward by the leader of the Opposition, to promote a union of the Provinces of British North America, Mr. Howe delivered a speech on the organization of the Empire which has been justly regarded as very able. It was extensively circulated and much admired on this side of the Atlantic at the time of its delivery; and, when republished in England in 1855, attracted a great deal of attention from the metropolitan and provincial press of the mother country:—

Mr. Chairman,—Had the Government brought this question here, my honourable friend from Londonderry might have charged upon us the selection of an inappropriate season, or disregard of the pressure and strain of public business already tasking the industry of this Assembly. But, sir, the resolution has been brought here by the leader of the Opposition, and we are challenged to discuss it. Perhaps if we had introduced the measure, it might not have been met in the spirit which I trust we shall display. One half of the House might have fancied that some sinister design lurked within the resolution, and the supposed interest of parties might have combined them against it; but I desire to treat the gentleman with more courtesy—the resolution with the consideration it deserves, and I trust that the day is yet far distant in Nova Scotia when questions of transcendent importance will be entangled in the meshes of party, or fail to challenge, no matter whence they emanate, earnest and thoughtful investigation in this Assembly. Sir, I differ from my honourable friend from Londonderry, and from all those who are disposed to treat this subject lightly. Come from whose hand it may, the resolution before the Committee opens up for discussion the broadest field, the noblest subjects ever presented to the consideration of the Legislature. A day, or even a week, may be well spent upon such a theme. If, sir, such topics were oftener presented here, our ideas would expand beyond the charmed, it may be, but the contracted circle of party disputations; our debates would assume a higher tone; and the hopes and aspirations of our people, clustering around their firesides, would point to interests more enduring than even the result of half our controversies—some poorly paid office, of paltry provincial distinction.

Sir, I regret not the time which this question will engross, but my inability to do it justice. When the prophets and orators of old were about to discourse of the destinies of nations, they retired to the mountains or by the streams, to meditate; they communed, in the abundance of the leisure with God above, and caught their inspiration alike from the tranquillity which enabled him to penetrate the dispensations of His Providence, as some phenomena of nature all around them; and which tinged with beauty the "thoughts that breathe, and words that burn" which have come streaming down like lines of light, even to the present hour. They were often untrammelled by daily duties and human obligations borne down by official labour and responsi-

blittles of various kinds. I feel that, for me at least, the occasion of this discussion is inauspicious. Believe, me, Sir, that my obligations to my Sovereign as her sworn Counsellor to the head of the Government, as his constitutional adviser, and to the party with which I act, press heavily upon me. But yet, rising with the magnitude of this great theme, I shall endeavour to catch its inspiration; remembering only that I am a Nova Scotian, the son of a loyalist, a North American, a true subject of the Queen; but one whose allegiance, to the perfect, must include every attribute of manhood, every privilege of Empire.

Sir,—I wish that my leisure had been greater, that I might have brought before you the ripened truths of meditation, the illustrative stores of history, which research only can accumulate. In no vain spirit do I wish also that the sentiments which I am about to utter, might be heard and pondered, not only as they will be by those who inhabit half this continent, but by members of the British Parliament, by Imperial statesmen, by the Counsellors who stand around, and by the gracious sovereign who sits upon the throne. Perhaps this may not be. Yet I believe that the day is not distant when our sons, standing in our places, trained in the enjoyment of public liberty by those who have gone before them, and compelled to be statesmen by the throbbing of their British blood, and by the necessities of their position, will be heard across the Atlantic; and will utter to each other, and to all the world, sentiments which to-day, Mr. Chairman, may fall with an air of novelty upon your ear, I am not sure, sir, that even out of this discussion may not arise the spirit of union and elevation of thought that may lead North America to cast aside her Colonial habiliments, to put on national aspects, to assert national claims, and prepare to assume national obligations. Come what may, I do not hesitate to express the hope that from this date she will aspire to consolidation as an integral portion of the realm of England, or assert her claims to a national existence.

Sir, the first question which we men of the North must put to ourselves, is, Have we a territory broad enough of which to make a nation? at the risk of travelling over some of the ground trodden yesterday by the learned member for Annapolis, I think it can be shown that we have. Beneath, around and behind us, stretching away from the Atlantic to the Pacific, are four million square miles of territory. All Europe with its family of nations, contains but three million seven hundred and eighty thousand or two hundred and ninety-two thousand less. The United States include 3,330,572 square miles, or 769,128 less than British America. Sir, I often smile when I hear some vain-glorious republic exclaim:—

“No pent-up Utica contracts our powers,
The whole unbounded continent is ours;”

forgetting that the largest portion does not belong to him at all, but to us, the men of the North, whose descendants will control its destinies for ever. Sir, the whole globe contains but 37,000,000 square miles, we North Americans living under the British flag have one-ninth of the whole, and this ought to give us “ample room and verge enough” for the accommodation and support of a countless population. It is true that all this territory is not yet politically organized, but

	Square Miles.
Canada includes	400,000
New Brunswick	28,000
Nova Scotia	19,000
Prince Edward Island	2,000
Newfoundland	37,000
Making in all	486,000

which have settled landmarks, and are controlled by Provincial Legislatures. Throwing out of consideration the unorganized territory behind, let me show you, by comparison what the rest include. The great Province of Canada is equal in size to Great Britain, France and Prussia. Charmed by her classic recollections, how apt are we to magnify everything in the old world, and to imagine that Providence has been kind to her alone. Yet the noble St. Lawrence is equal in proportions to the Nile—the great granary of the east, which, from the days of the patriarchs, has fed millions with its produce. Take the Italian's Po, the Frenchman's Rhone, the Englishman's Thames, the German's Rhine and the Spaniard's Tagus, and roll them all into one channel and you then have only a stream equal to the St. Lawrence. The Great Lakes of Canada, are larger than the Caspian Sea, and the Gulf of St. Lawrence (with which we are so familiar that we forget what it is) contains a surface of one hundred thousand square miles, and is as large as the Black Sea, on which the proud fleets of four hostile nations may at this moment be engaged. Accustomed to think and feel as Colonists, it is difficult for us to imagine that the Baltic, illustrated by Nelson's achievements and Campbell's verse, is not something different from the Gulf of St. Lawrence, and yet it is not. Its dimensions are about the same; its climate rigorous; its coasts originally sterile, and the sea kings and warriors who came out of it, made of no better stuff than the men who shoot seals on the ice flakes of Newfoundland, till farms on the green hills of Pictou, or fell trees in the forests of New Brunswick.

But, Sir, let us confine our attention for a few minutes to the Maritime Provinces alone. Of these you rarely hear in the mother country. If an Englishman thinks of North America at all he divides it between Canada and the United States. Except in some sets and circles, chiefly mercantile, you rarely hear of Nova Scotia, New Brunswick, Prince Edward Island or Newfoundland. The learned member for Annapolis truly described the Colonial condition when he stated that in the estimation of our fellow subjects at home, a Colonist is nothing. But with God's blessing we will wipe away the invidious distinction. The Maritime Provinces alone cover 86,000 square miles of territory. They are half as large again as England and Scotland together. They are as large as Holland, Greece, Portugal, Belgium and Switzerland all put together. New Brunswick alone is as large as the kingdom of Sardinia and even Nova Scotia is larger than Switzerland.

Mr. Chairman, I listened with pleasure to the member for Annapolis, when he spoke as he did yesterday of the resources of Nova Scotia. I do not so listen to him when, misguided by passion, he disparages his country that he may have a fling at the Government. I have said that Nova Scotia is as large as Switzerland, a country which has maintained its freedom for ages, surrounded by European despotisms. If it be answered that Switzerland owes her national existence to her inaccessible mountains, then I say that Nova Scotia is as large as Holland, which, with a level surface, did the same.

The Hollanders, who almost won from the sea a country no larger than ours, defied the whole power of the Spanish monarchy, swept the British channel with their brooms, and for a century monopolized the rich commerce of the Eastern islands which they had subdued by their enterprise and valour. Our country is as large as theirs, and let us not be told then that we are getting on stilts when we either point to the resources which past industry has but imperfectly developed, or foreshadow that future which looms before us so full of hope and promise. Why, Sir, even little Prince Edward Island is larger than all the Ionian Islands put together, and yet they are more thought of by European diplomats than are our Provinces, only because they sometimes indulge themselves in the dignity of insurrection.

But it may be said, What is extent of territory if it be a howling wilder-

ness? If you have not the population you can aspire to no national existence. Let us see, sir, if we have not men enough to assert and maintain any status to which we may aspire.

	Inhabitants.
Canada contains	1,824,264
New Brunswick	200,000
Nova Scotia	300,000
Newfoundland	100,000
Prince Edward Island	75,000

Yet, after all, it may be retorted, what are two millions and a half of people? Not many indeed, but everything must be tested by comparison. What have two millions and a half of people done? That is the question. Take Scotland, for example; she has but two millions six hundred and twenty thousand now, yet will any man assert, that if Scotland desired a distinct national existence, if the old lion which Punch affects to laugh at were really angry, that Scotsmen would hesitate to unfurl the old flag and draw the broad claymore?

True it is, that Scotland has not her separate legislature, but she has what we have not,—and to this point I shall shortly turn the attention of the Committee,—her fifty-three members to represent her interests in the Imperial Parliament. British America, with an equal population, has not one.

Turn to our own continent, and by way of example, take the State of Ohio. She has but a million and a half of people, yet she has not only her State Legislature and Government as we have, but sends nineteen members to the National Congress. She is a Sovereign State, but she forms a part of a great confederacy, and her nineteen members guard her interests in the discussions which touch the whole, as ours are not guarded in the great Council of the Empire of which we form a part. Will North Americans long be satisfied with less than every State of the Union claims?

Turning again to Europe we find Saxony, that centuries ago gave conquerors and kings to England, has but one million seven hundred and fifty-seven thousand inhabitants. Wurtemberg, with about the same population is a kingdom, with its European potentate at its head, its Court, its standing army, its foreign alliances. Denmark, which also gave kings and ravagers to England and has retained her national position from the days of Canute to our own, has but two millions two hundred and twelve thousand and seventy-four inhabitants. Yet her Court is respected; her alliance courted; she maintains a peace establishment of twenty-five thousand men, which is raised to seventy-five thousand in time of war. Look at Greece:—

“The isles of Greece, the isles of Greece!
Where burning Sappho loved and sung.”

Greece that broke the power of Xerxes, and for arts, arms, oratory, poetry and civilization stands pre-eminent among ancient states. Greece, at this moment has her King, who reigns over but nine hundred and thirty-six thousand subjects. But, sir, does extent of territory make a nation? Never, Number of people? No. What then? The spirit which animates, the discipline that renders them invincible. There were but three hundred men at the pass of Thermopylae; yet they stopped an army and their glories stream down the page of history, while millions of slaves have lived and died and are forgotten. Glance at Portugal; she numbers less than three and a half millions (3,412,000), and yet, when she had a much smaller population, her mariners explored the African coast, found their way around the stormy cape and founded in the East a political and religious ascendancy which lasted for a hundred years. We, North Americans, sit down and read the exploits of Gustavus Vasa, or of Charles XII., of Sweden. We wonder at the prowess of those Norman adventurers who carved out kingdoms with their conquering

swords and founded dynasties, in France, Italy and England. Yet we are apt to forget that Sweden and Norway together have but four million three hundred and six thousand six hundred and fifty souls, and that the mingled blood of the Scandinavian and the Saxon courses through their veins. The men who are felling pine trees upon the Saguenay, or catching fish in our Baltic would make good sea kings to-morrow, if plunder and not commerce were the order of the day. Let us, in Heaven's name, then, throw aside our stupid devotion to historic contemplation and look the realities of our own position fairly in the face. Sir, I have spoken of Switzerland, but I forgot one striking fact; that with a population less than that of British America at this moment, she has not only maintained her nationality, but has sent armed warriors to fight the battles of half the states of Europe.

Let me now turn your attention to South America. Here we find a cluster of states, certainly not more intelligent or more deserving, but all challenging and enjoying a higher status than our own. Let us group them:—

	People.
Venezuela	1,000,000
New Granada	1,678,000
Equador	600,000
Peru	1,373,000
Bolivia	1,700,000
Chili	1,200,000
Buenos Ayres	675,000

Some of these countries are, in education and political knowledge, beneath contempt, not one of them contains two millions of people, yet all of them not only manage or mismanage their internal affairs, but form alliances, exchange diplomatic representatives, and control their foreign relations. Is there a British statesman then, with a head on his shoulders, who, looking at what North America is, and must become, but must feel the necessity for binding her to the empire by some enlightened provision for the protection of her material interests for the gratification of her legitimate ambition?

Sir, a country must have resources as well as breadth of soil. Are we destitute of these? I think not. Between the extremes of cold and heat lies a broad region peculiarly adapted for the growth of wheat. About half of this, the peninsula formed by the great lakes, belongs to Canada. The soil of Lower Canada, of New Brunswick and of Prince Edward Island, if less fertile, is still productive. Boundless forests supply with materials for ships and with an inexhaustible export. Are there no mineral resources? I believe that the riches of the copper mines of Lake Superior have scarcely yet been dreamed of. We know that in the lower provinces we have iron and coal in abundance. I have spoken of the St. Lawrence, but have we no other navigable rivers? What shall we say of the noble Ottawa, the beautiful Richelleu, the deep Saguenay? What of the broad Miramichi, of the lovely St. John? Nova Scotia, being nearly an island has no mighty rivers, but she has what is better than them all—open harbours throughout the year. She has old ocean wrapping her around with loving embracements; drawing down from every creek and cove and harbour her children to share the treasures of an exhaustless fishery, or to carry commodities across her bosom. Though not large, how beautiful and diversified are the lakes and streams which everywhere gladden the eye, and give to our country water carriage and water power in every section of the interior. Already Nova Scotia has shown what she can draw from a soil of generous fertility. What she can do upon the sea. Sir, I am not a prophet nor the son of a prophet, and my head will be cold long before my prediction is verified; but I know that the day must come

when Nova Scotia, small as she is, will maintain half a million of men upon the sea. Already is she becoming remarked and remarkable for her enterprise. Taking her tonnage and applying to all the other provinces her ratio of increase since 1846, they collectively own six thousand one hundred and thirty-nine vessels, measuring 453,000 tons. We are perpetually told of the progress made by the great republic and the learned member for Annapolis ascribes all their prosperity to their union. But the North American provinces have not been united, and yet they own as much tonnage as the fifteen of the United States which I can about to name.

I take North and South Carolina, Georgia, Florida, Alabama, Mississippi, Texas, Tennessee, Kentucky, Missouri, Ohio, Michigan, Wisconsin, Oregon and California; and, altogether they own only four hundred and fifty-three thousand and nine hundred tons of shipping, or but nine hundred and forty-six tons more than the five North American provinces which have no union, no national investments, no control over their foreign relations, no representation in the national councils of the Empire to which they belong. I may be told that some of these States raise more corn, cotton or tobacco or have more manufactures than we have. I care not for these. Since the world began the nation that had the most ships, has had the most influence. Maritime countries ever take the lead in freedom, in commerce, in wealth and true civilization. Sir, let not the member for Annapolis, while he directs our attention to higher objects, fail to see in the maritime position which his country has achieved, unmistakable evidence of her energy and enterprise, and let it ever be borne in mind that the United States were a century in advance of us in point of time, and that she came into possession of all the property that the Loyalists left behind them. But, sir, take the combined tonnage of North America and you will find it equals that of Holland, Belgium and the two Sicilies, three of the maritime powers of Europe. Who then will say that we have not a mercantile marine wherewith to endow a nation?

Scotland maintains upon the Clyde the greatest manufactory of ships in the world. Vessels glide up and down that beautiful stream like swallows round a barn, scarcely a moment passes but richly laden vessels arrive or depart with domestic manufactures, or the products of foreign climes. Go into the factories where the mighty engines for her steamers are wrought and the noise of the fabled Cyclops' cave is realized. The roar of waters behind Niagara Falls is scarcely more incessant or more deafening. And yet, sir, the tonnage of Scotland is only a trifle more than that of the North American provinces. Her whole commercial marine included but five hundred and twenty-two thousand two hundred and twenty-two tons in 1853.

At the risk of being tedious let me now turn your attention to two or three curious historical facts illustrative of this argument. Since we were boys we have all read of the Spanish Armada. We have all read of Queen Elizabeth reviewing her land and sea forces; and preparing with grave doubts in her royal mind, to defend her sea-girt isle against the foreign invaders. This was in 1588. We read in old chronicles that England then owned but one hundred and thirty-five merchant ships. But that some were "of great size"; some were four hundred tons, and a few reaching five hundred tons! If my friend George McKenzie, of New Glasgow, had dashed into the midst of the maiden Queen's navy with his one thousand four hundred and forty-four ton ships, I fear that he would have shaken her nerves and astonished our forefathers of whose exploits we are so enamoured that we never think of our own. Sir, in 1702 the mercantile marine of England and Wales included only 261,290 tons; and even as late as 1750, not a century ago, it was but 432,922; less than the tonnage of North America at this moment; and yet for ten centuries prior to that period they have maintained an independent national existence.

Let me now enquire, Mr. Chairman, whether we have or have not other elements upon which to rest our claims. Is there any reason to fear that our ships will rot in the docks for want of commodities to carry, or of commercial activity? Look to our imports of 1853:—

Canada	£8,200,640
Nova Scotia	1,194,175
New Brunswick, 1852	1,110,600
Newfoundland, 1852	795,738
Prince Edward Island	298,543
	—————£11,599,696

The imports of the whole United States in 1791, sixteen years after they had established their independence, only amounted to \$52,000,000; but a trifle over what ours are at the present time. Yet with that limited amount of commerce, they had gone through a bloody and expensive war with one of the foremost nations of the world; whose statesmen, unfortunately, still go on dreaming that they can keep continents filled with freemen, without making any provision for their incorporation into the realm or for securing to them any control over their foreign relations.

Let me now turn your attention to the exports of British America:—

Canada	£5,570,000
Nova Scotia	970,780
New Brunswick, 1852	796,335
Prince Edward Island (about)	242,675
Newfoundland	965,772
	—————£8,545,562

And if we add to this amount another million, for the value of new ships annually built and sold, we may take the whole at £9,545,562. Turn again to the statistics of the United States for 1791 and you will perceive, that sixteen years after they had declared their independence, their exports amounted to but \$19,000,000, or about half the value of our own.

Glance again at the parent state, from whom we have learnt so much, and to whose history we always recur with interest. She occupies a proud position now; but what was she, commercially, a few centuries ago?

In 1354, when the Black Prince was carrying the conquering arms of England half over France, her exports were but £212,338; less than one-fourth of what the exports of Nova Scotia are now. Turn to the period of the civil wars, when the people of England felt strong enough to dethrone a King and cut off his head. When Cromwell's Puritan sea warriors so raised the national character abroad, that an Englishman was secure and respected in every quarter of the globe, how limited was the trade of England then! Even after the Restoration, so late as 1669, the exports of England and Wales only amounted to £2,063,294. I have another remarkable contrast for you, Mr. Chairman. In 1688 England secured for the first time in her history that system of acknowledged accountability which we call responsible Government. Now, from 1698 to 1701 the average exports of England and Wales did not exceed £6,449,394; less than our own by two millions; not more than ours were when we claimed and established the same political safeguards. The exports of England in 1850 had risen to £175,416,000. Expanding with the principles of unrestricted commerce, their value must now be above £200,000,000. While then we look back at her days of decrepitude let us borrow hope from her small beginnings, and cherish the freedom and self-reliance which have ensured her prosperity.

But, it may be said, if you are going to look like a nation, if you wish to put on the aspect of a great combined people—you must have some revenues to support your pretensions. Well, sir, look at the revenues of these provinces under tariffs remarkably low :—

Canada collects	£1,053,026
Nova Scotia	125,000
New Brunswick	125,000
Prince Edward Island	35,345
Newfoundland	84,323
	<hr/>
	£1,477,694

We raise this amount now without any extraordinary effort, with but a very inefficient force to collect, without anybody feeling that it is collected ; the sum is not large, but other people, even in trying times, have had less ; and see what they have done with what they had. Take the United States. At the Declaration of Independence the revenue of the thirteen states was but \$4,771,000, or £1,200,000, so that when those thirteen colonies entered upon a mighty struggle with the parent state they had less revenue, by \$300,000, than these five provinces have now. But, sir, we are told every now and then, that there is something in these northern regions adverse to the increase of population. That the Mayflower may flourish under our snowdrifts but that children will not ; that, compared with the so-created powers of the "sunny south" here they must be "few and far between." I deny the impeachment. In the North marriage is a necessity of nature. In the South a man may do without a wife, but in the long cold nights of our winters he cannot sleep alone. Large, vigorous, healthy families spring from feather beds in which Jack Frost compels people to lie close. The honourable member for Annapolis showed us, yesterday, that the inhabitants of Canada have increased sixty-eight per cent. in ten years. New Brunswick has advanced in about the same ratio, while Nova Scotia has quintupled her population in fifty years. At the same rate of increase Nova Scotia will count her population by millions before a new century begins and British America—taking every means of calculation into account—will probably then contain at least ten millions of people.

If then, Mr. Chairman, the British and colonial statesmen at the present day, cordially co-operating, do not incorporate this people into the British empire or make a nation of them, they will, long before their numbers have swelled so much, make a nation of themselves. Let me not be misunderstood, sir, I shall say nothing here that I would not utter in the presence of the Queen. If disposed to declare our independence to-morrow, I do not believe that Her Majesty's Government would attempt to prevent us by force. If they did, they would fail. But what I want them to understand is this, that they lost one-half of this continent from not comprehending it, and that just so sure as they expect a sentiment of loyalty to attach the other half to England while the people of two small islands divide the distinctions and the influence of empire among them, they will by and by be awakened by the peaceful organization of a great country, whose inhabitants must be Britons in every sense of the word, or something more.

This may seem to be vain and arrogant language, and I may be asked to support it by some reference to the ultima ratio of nations—physical force. Taking our population at two millions and a half, every fifth person should be able to draw a trigger, giving 500,000 men able to bear arms. Such a force would be powerless as an invading army, but in defence of these provinces, invincible by any force that might be sent from abroad. Put into these men the spirit which animated the Greek, the Roman, the Dutchman or the Swiss;

let them feel that they are to protect their own hearthstones ; and my word for it, the heroic blood which beats in their veins will be true to its characteristics. How often have we heard that our republican neighbours "down south" were going to overrun the Provinces. They have attempted it once or twice, but have always been beaten out and I do not hesitate to say, that the British Americans, over whom the old flag flies, are able to defend every inch of their territory, even though Her Majesty's troops were withdrawn. Indeed, sir, if these 500,000 men are not able to defend our country, they deserve to be trodden down and made slaves of for the rest of their natural lives.

Why, sir, the standing army of Great Britain, charged with the defence of an Empire including provinces in every quarter of the globe, numbers but 120,000 men ; in war this force is raised to 380,000 ; so that North America can muster for the defence of our own soil more men than are required to maintain the honour of the Crown or the integrity of the Empire at home and abroad. The whole standing army of the United States includes but 10,000 men, a number that we could call out in a day from our Eastern or Western counties. Sir, my honourable friend from Pictou has only to sound the Pibroch in the county he represents, and 10,000 sons of the heather, or their descendants, would start up with musket and claymore, and I am not sure that there would not be bagpipes enough found in the county to cheer on the warriors with the wild music of a martial nation. Why, sir, the old thirteen colonies, sixteen years after their Declaration of Independence, deducting slaves, had but a little over three millions of people ; while at the Declaration of Independence of 1775, they had only two millions two hundred and forty-three thousand all told, or a smaller physical force than we have now.

My father used to tell me curious old stories of the colonial army that went to take Louisbourg. The whole New England force fitted out for that expedition was but 4,070 strong. Just about as many as, upon an emergency, the leader of the Opposition could turn out from the county of Annapolis. I should not like to see him clothed in more warlike habiliments than those he usually wears ; but if he fancied military command, I am quite sure that he could enroll in his own county 4,000 as daring and gallant warriors as went to the capture of Louisbourg. I do not think that I am mistaken when I say that the women of that county are as well worth fighting for as any on this continent, and that they can regale their defenders on the best cheese and apple pies that are to be found on either side of the line.

But we have all heard of another armament, some of the wrecks of which, on a calm day, may still be seen reposing at the bottom of Bedford Basin. I mean the great fleet fitted out by France for the conquest of the old colonies, under the Duc d'Anville. That fleet consisted of seventy sail, but it transported across the broad Atlantic but three thousand one hundred and fifty fighting men. An armament that this Province alone should defeat in a single battle. At the battle of Bunker Hill there were but three thousand men on one side and two thousand on the other. Though there was a fair stand-up fight, the physical force engaged was nothing compared with the great political principles which have rendered the conflict immortal. I turn to Scotland again to keep my honourable friend from Pictou from going to sleep. He has heard of Bannockburn. Well, at that great battle which secured the independence of his country, there were but thirty thousand Scots engaged ; about half as many men as Nova Scotia could arm to-morrow, if an emergency demanded an appeal to physical force.

In 1745, 6,000 Scotchmen marched to Derby, in the very heart of England, "frightening the isle from its propriety" ; and at the battle of Culloden, where the power of the Stuarts was finally stricken down, there were but 4,000 Scotchmen engaged, with muskets a great deal worse than those which we affect to despise.

At the union of England and Scotland in 1707, the population of the latter country was but one million and fifty thousand; her shipping not fifty thousand tons; her revenue only £110,694. These facts are curious, for with such apparently straitened resources Scotland had maintained her national independence for ages; often fighting great battles and passing through fiery trials. Where, sir, is my friend the Financial Secretary? He wants something to lend dignity to the dull figures which he pores over day by day. Let me assure him that he need not fear to contrast his revenue of £125,000 with that of Scotland at the union. As late as 1766 the shipping of Scotland measured but 32,818 tons, but a trifle over what it was a century before, while ours has increased enormously in the same period of time.

Historical events, which genius illustrates, dazzle us, as stage plays do, so that we rarely count the strength of the company, or measure the proportions of the scene. The Royalist army at Marston Moor mustered but twenty thousand men, and yet the Crown of England hung upon the issue. The Scots at Dunbar had but an equal number. Three such armies could be furnished by Nova Scotia alone. I am often amused at the flippant manner in which our old arms are spoken of; but at Nasby King Charles had only "twelve cannons," and they were not much better than those which are used for firing salutes at our mud fortresses in Guysborough and Lunenburg. Why, at the battle of Cressy there were but thirty thousand Englishmen—about one-half of the militia of Nova Scotia. At Poltiers there were but twelve thousand, fewer men than our friends from Cape Breton could muster without drawing a man from the main. Man for man, then we have in North America force enough to fight over again all the great battles that emblazon our national history; that is, if the blood of the sires has descended to their sons, and if the mercurial atmosphere of the north, which ought to lend it vivacity, does not render it sluggish and inert.

You will be amused to find that Frederick the Great had only two and a half millions of people to develop his schemes of conquest, and to defy a world in arms. So that nobody ought to be surprised if two and a half millions of British subjects, accustomed to the forms and securities of freedom, physically as enduring, and intellectually as intelligent should at least ask for the same political status as the Cockneys of London or the weavers of Manchester.

But it sometimes is said by politicians for party purposes, that all the world is advancing faster than we are. Is it so? Take Halifax for example. It numbers 25,000 inhabitants. How many cities in the whole United States are larger? Only twenty-one. Montreal has 60,000 people; there are only eight cities in the republic more populous.

Let us now, sir, turn to another aspect of the question. If we have got the resources, the trade, the territory, the men and the cities to begin with, have we not got the freedom? Look to your old monarchies or recent republics and see if any of them have exhibited any more of the love of liberty, or the capacity for securing its practical enjoyment than we have. The very tone of this debate proclaims Nova Scotia a free country, and whatever we may lack, we have the first best gift of God to man; freedom of thought, of speech and of public discussion. The people of this country select every public officer, from one end of it to the other, either directly or by their representatives, with one single exception. The Lieutenant-Governor alone is appointed by the Imperial Government; we have more power over those who manage our affairs than they have in England, where the Peers are permanent—the Crown hereditary. Our people, in their town meetings, do their local business; this Legislature forms the administration and sustains it. We are as free as any people in Europe, Asia or Africa; and as for America, I believe the principles of the British constitution secure a sounder

state of rational freedom than the constitution of the republic. And, sir, let us bear in mind, that these form the only cluster of colonies that have devised a system which makes freedom compatible with allegiance, and to whom free institutions have been conceded. I recollect, when in England three years ago, meeting delegates from Australia and the Cape, in search of constitutions for their colonies. I told them that we had a very good one in Nova Scotia which they ought to copy. But their heads were filled with theories, repudiating, as we have done, the principles of the British Constitution, they saw visions and dreamed dreams. The delegates from the Cape wanted an elective council, the members to be elected by the constituency of the whole colony. I tried to make him understand that canvassing a county in Nova Scotia was no joke and that before a gentleman got through his canvass of the whole Cape Colony he would either be devoured by Mons or shot by Kaffirs. My friend would not believe me, but before he got home the Kaffir war broke out and I fear that he has been either killed or eaten before this, while in search of his new constitution.

If you look across the border, Mr. Chairman, we have in some respects not much to envy. I have never sought to disparage the United States. Familiar with their early history, their trials, their achievements and their blunders, I give them credit for all they have accomplished and make liberal allowance even for their mistakes. They speak the same language and are descended from the same ancestors; but have they more rational liberty than we have? Until recently they might boast of their universal suffrage which we had not; but we have it now, and even the member from Annapolis tells us that their institutions are more conservative than ours. As regards public burdens, how do matters stand? The United States, with a population of 20,000,000, owed in 1846 \$224,000,000, or \$7.00 to each inhabitant of the country. Nova Scotia, with a population of 300,000, owes but £100,000 (half of it paying four per cent. and the other half paying nothing), or about one dollar twenty-five cents for each inhabitant. Even if our railroads were completed and were entirely unproductive, we would have the use of them at all events; and even then, we would not be as deeply in debt as are, at this moment, the prosperous United States.

I think, then, Mr. Chairman, it is obvious that whether we take extent of territory, rivers and lakes, extent of sea coast, natural resources, shipping, imports and exports, revenue, ratio of increase, physical strength, size of cities, the enjoyment of freedom, general education, or activity of the press—we are entitled to form a nation, if so disposed, and to control our foreign relations as well as our domestic affairs.

How can this be done? In various ways; and, sir, I shall discuss the modes with the same freedom as I have done the means. What would be the advantages of that step? All commercial questions now agitated between the two countries, would be settled at once; we should have unlimited intercourse with the sea-board of that great country and free trade from Maine to California. Our public men would no longer be depressed with the checked aspirations of which the member for Annapolis spoke last night. Every North American whose pride is now wounded by degrading contrasts, would be eligible to the highest offices and positions—not in a colony, but in a nation; and we should enjoy perpetual peace with our neighbours along fifteen hundred miles of frontiers. Sir, I do not deny that any man who sincerely and honestly advocates annexation to the United States has powerful arguments in his favour. I am opposed to it, and would resist such a step by all means within my reach. I believe it would be, unless forced upon us, morally wrong, being a violation of our allegiance and a breach of faith plighted to our brethren across the water for more than one hundred years. Of course, if they expect us to be colonists for ever, and

make no provision for our being anything else ; upon their heads, and not upon ours, be the consequences of the separation, which when this is apparent, will be inevitable. I prefer a full incorporation with them in one great empire ; free participation with them in its good and evil fortunes, its perils and its distinctions. All this I believe to be practicable and shall not despair of its fulfilment.

But, sir, there are other considerations which would deter me from any thought of annexation. At the revolutionary struggle the Loyalists were driven seaward, they lost their homes, right or wrong, acting on their honest convictions and I rejoice that, whether right or wrong, believing themselves right, they had the courage, and enterprise, and energy, so to act. They sacrificed everything but the principles. Their property was confiscated and they cast their lot into a comparative wilderness. They and their descendants have made it to "blossom as the rose." They have fraternized with the French-Canadians and Acadians. English, Irish, Scotch and German emigrants have gradually come over to be incorporated with them to fill up the country to form one race ; so that North America presents the outline of a great improving and self-dependent community. Sir, the Loyalists left all they owned in the United States, and their possessions were merged in the general property of the union. The Republicans cannot restore it to us and I should be ashamed to go back to tell them, "our fathers made a great mistake, they thought their glorious flag and time-honoured institutions worth preserving ; but we, their sons, with a territory larger than yours, and a population larger than you had when you framed your constitution ; with education that our fathers taught us to prize ; free of debt and at peace with all the world, are not fit for national existence, are unable to frame a constitution, but come back after a separation of seventy years and ask to take refuge under the Stars and Stripes !"

No ! Mr. Chairman, I for one will never prefer such a craven request.

Sir, I believe annexation would be unwise for another reason. I believe the United States are large enough already. In a few years the population of that country must reach one hundred millions. They have as much work to do now as they can do well ; and I believe before many years, if their union be preserved, they will have more work to do than any legislature can despatch, after their modes, in 365 days. Congress now sits for half a year. Our Legislature occupies about ten weeks ; that of New Brunswick, about the same time. In Canada the session often lasts three or four months. So that if annexation were seriously contemplated there would be no time in the national congress to get through with the work that ought to be well and wisely done. There is another question which must be settled before you or I or any Nova Scotian will be party to annexation. Sir, I believe the question of slavery must be settled sooner or later by bloodshed. I do not believe it can ever be settled in any other way. That question shadows the institutions and poisons the springs of social and public life among our neighbours. It saps all principles, overrides all obligations. Why, sir, I did believe until very lately, that no constable, armed with the law, which violated the law of God, could capture a slave in any of the Northern States. But the Fugitive Slave Law has been enforced even in Puritan New England, where tea could not be sold or stamps collected. British North America, sir, has not a slave in her boundless territory ; and I, for one, would never cast my lot in with that of the people who buy and sell human beings, and who would profane or soil with the Fugitive Slave Laws, or involve us in agrarian war for the preservation of an institution that we despise. There is another reason that would make me reluctant to be drawn into the vortex of the republic. There might come cause for conflict between that country and Old England. Sir, there is not a man in this Assembly who does not aspire

to hold his head as high as the head of any other man on earth ; but I trust, nay, I know, that there is not one who would raise his hand in hostility against that revered country, from whose loins we have sprung and whose noble institutions it has been our pride to imitate. If the slave states could be cut off, and the free states could be combined with us, in perpetual peace with England, we might see nothing objectionable in a union such as that.

Having discussed the question of annexation, let me inquire how else could we organize ourselves into a nation ? By forming North America into a kingdom or confederation by itself, and establishing friendly connections with other countries, with the entire concurrence of our brethren at home. I agree with the member for Annapolis, that there would be great advantages arising from a union of these colonies. But there must be differences of opinion as to the various modes of accomplishing that object. We may have a king or a viceroy and a Legislature for the whole of North America ; or we may have a federal and democratic union. The advantages of the first would be a strong executive, a united Parliament, the Crown hereditary, distinctions permanent. But there would be disadvantages. Such a government would be expensive, there would be no peerage or feudal bulwark to sustain a sovereign ; and we might get a dynasty of knaves, fools or tyrants. We should have a monarchical and democratic elements warring for ascendancy, and our people would soon feel the loss of their local Legislatures. What has been the complaint of Ireland for years ? That there was no Parliament in College Green. Of Scotland at this moment ? That there is no Parliament at Holyrood. A higher description of talent, a more elevated order of men, in a united legislature would not compensate the people for the loss of local legislation which they have enjoyed for a century. By a Federal Union of the Colonies we should have something like the neighbouring republic ; and if I saw nothing better, I should say at once, let us keep our local Legislatures, and have a President and Central Congress for all the higher and external relations of the United Provinces. We should then have nationality with purely republican institutions. But if we so far change our organization, we must substitute American precedents and practise for Britain. We now refer to Hafsell, as our guide in Parliamentary perplexities. We should then have to take the practice of the neighbouring republic. There might be one disadvantage in having a king or a viceroy. The Queen across the water, because the Atlantic rolls between us, offers nothing obnoxious to the prejudices of our American neighbours. But once establish a monarch or viceroy here and I am not quite sure that we would not have a fight to maintain him on his throne, with those who apprehended danger from our example. Under a Federal Union we should form a large and prosperous nation, lying between the other two branches of the British family, and our duty would evidently be to keep them both at peace.

But, sir, I will say to the member for Annapolis that before we can have this organization or any other we must have railways. The company which has made a line of railway from Hamilton to Windsor, Canada West, deserve great credit for their enterprise and energy. I admit that the Grand Trunk Company of Canada is preparing to connect a large part of that country with these indispensable lines of communication ; but, sir, it will take years to complete what Canada has begun ; and then we have New Brunswick between us. It is clear we cannot have a united Parliament without railroads ; for if any of us were summoned to Quebec tomorrow we should have to travel from the end of our own country to its metropolis through a foreign state. We must have railroads, first ; and then take my word for it, the question we are now discussing will assume a form and shape that would soon lead to a tangible solution. Once put my honourable friend from Clare (Mr. Comeau, a French Acadian) on a railway, and send him up among the

inhabitants of Lower Canada, and he would feel no longer as a poor colonist, but as one of a million of men, speaking the same language, animated by the same hopes, participating in kindred aspirations. Let him see the noble St. Lawrence and the lakes that lie beyond; let him survey the whole of this magnificent country that God has given to his race, and to mine on this side of the Atlantic, and he would come back to meet, without a blush for her capacity, or a fear for her fortunes, an Englishman, an Irishman, a Scotchman, a German, a Frenchman or even a republican, from across the border. Overspread the Colonies with railways and I care not what you have,—a united Congress or nothing. The people of British America will then be united, and will soon assert the position which they will feel their capacity to maintain.

Pondering on these themes, sir, my mind ever turns to an old statesman, who has gone I trust to Heaven, but whose name will be dug up, and whose writing will be read with interest in years to come, on both sides of the Atlantic—I mean old Governor Pownall. Looking through the strife and passion which preceded the American Revolution, through the fire and smoke of it, at the stupid prejudices and blunders which it engendered and has entailed, it is curious to see how a calm mind and sagacious intellect penetrated into the philosophy of a great controversy, and would have laid the foundations of the empire in mutual confidence and respect. What was his advice when the rebels of the Colonies were preparing their muskets and the statesmen of England were deaf and blind? He said:—"You are one family—the ocean divides you; you must have different forms of government, but that is no reason why you should not be a united family; arbitrate on disputed points; keep the peace; have distinct forms of government, if you please, but establish a zolverein, and let there be perpetual amity and free trade between the British races on both sides of the Atlantic." Had his advice been taken, the revolution would never have occurred; we should have been spared the second war; and the paltry jealousies which any sneering scribbler or unprincipled politician may now blow into a flame, would never have existed.

Let us, as far as we can, lend ourselves to the realization of this grand idea. I feel now as I felt yesterday, that every word which dropped from the member for Annapolis was pregnant with meaning, and full of interest. Let us suppose, sir, that our railroads were finished, and that we had the rapidity of intercourse necessary for union. Are there, then, no difficulties in the way? First, the French Canadians may not favour a union. I should like to be assured that they did; but certain facts have given me a contrary impression. Upper Canada favours a union, because the people there think it would tend to keep the French Canadian influence down. That view of the matter has been propagated in Lower Canada, and it has raised prejudices which cannot, perhaps, be easily overcome. The Lower Provinces would never sanction inequality or injustice of any kind; but yet the French Canadians may have their fears. My honourable friend from Clare might, indeed, be sent up as a missionary, to convince his brethren that we would not be less just to them than we are to him; that Nova Scotians treat those of French descent as brethren, who are never permitted to feel any political, religious or social distinctions. The prejudice may be overcome, but it exists in Canada, and may be found a difficulty in the way of a union of the Colonies.

There are other difficulties. If a project of union is to be discussed, let the proposition come from the other Provinces. For various reasons, I have but little desire to reopen intercolonial negotiations about anything just now. The seat of government would be a knotty question; the large debts that Canada has contracted, another. The New Brunswick papers invite the Lower Provinces to form a union, with Amherst or Sackville for a capital.

The former would be most convenient for me, for I should live in the midst of my constituents. If we have a confederation of all the Provinces, the capital should be Quebec—the natural fortress—the Gibraltar of British America. Montreal is indefensible, and I put Halifax out of the question, as it is not central.

But suppose, sir, we were united to-morrow. Might we not have some diversities of interest? It is just probable that the farmers of Western Canada, in their anxiety to get their wheat into the United States, might throw our fisheries overboard. The member for Annapolis hopes such would not be the case; so do I. But he will agree with me, that the interests of all the Colonies are not the same in every respect; and what we have to fear is, that the smaller Provinces may be swamped, and their interests sacrificed, for the benefit of their more populous neighbours. Past experience leads me to guard against such a contingency, for I know that in negotiations which deeply stirred the hopes of our people, Canada has been satisfied to sacrifice national and provincial interests, for not very weighty nor very worthy considerations.

There is yet another position, Mr. Chairman, which North America may aspire to; and to my mind it presents a solution of all the difficulties which attach to this question in other directions. I think the time is rapidly approaching, when there must be infused into the British Empire an element of strength which has scarcely yet been regarded. North America must ere long claim consolidation into the realm of England as an integral portion of the Empire, or she will hoist her own flag. Let us look at this proposition in its broadest light and in its local bearings. We are, and ever will be, a commercial people. It is our interest to have free trade, and close alliance with the largest number of human beings who produce and consume; who have commodities to carry, and who will give the greatest activity to our commercial marine; provided always, that our security and honour can be as well maintained. Suppose Nova Scotia were to form a union with New Brunswick and Canada, to-morrow, and they were all to withdraw from the empire, as they will, if not elevated to equality with their British brethren. Sir, I do not undervalue the claims or standing of the Colonies; but we would withdraw from an empire peopled by hundreds of millions, and unite our fortunes with but two and a half millions of people, with an exposed frontier of fifteen hundred miles, and with no fleets and armies to spare, to protect our sea coast. Suppose we should prefer annexation to an independent national existence; we should become allied to but thirty millions; and though the proportionate advantages would be greater, the loss by withdrawing from the mother country would be immense. We should be part of thirty millions of people, it is true; but they have neither troops nor ships of war to spare to aid us in any great emergency, and they would have enough to do to defend themselves. Now, sir, let me claim your attention for a moment, while I develop another view of this question. What is the British Empire? Look at the outlying portions of it, which contain:—

	Inhabitants.
West Indies	900,000
Australia	307,645
Africa	218,908
Ceylon	1,506,326
Mauritius	159,243
New Zealand	204,000
India	94,210,218
	97,506,340

This includes the colonial portion of the empire strictly speaking, but to the 97,000,000, three times the population of the United States, we must add 133,110,000, being the population of states which are our allies or tributaries in the East. Add again 30,000,000, the population of the British Isles, and we have in round numbers, 260,000,000 of people within the boundaries, or subject to the influence of the empire, to which we at present belong. All the states of Europe include but 233,000,000 of people. Then, sir, I ask, will any Nova Scotian who pretends to be a statesman, will any North American, with his heart in the right place, lightly entertain the idea of withdrawing from the enjoyment of free commercial intercourse with 265,000,000 of human beings; from participation in the securities, the sources of pride which such an empire affords, to form, without cause, an isolated community of two millions and a half, or even ten millions, or to seek a dishonourable share of the advantages enjoyed by thirty millions?

While, however, we value our connection with the empire highly, let not British statesmen, too intent upon the intrigues and squabbles of Europe, undervalue our resources, our claims, our pride in that connection, or our physical force to achieve another whenever this becomes irksome. All that I seek for is entirely compatible with our present relations; by elevating North Americans to the common level with our brethren at home, I would but draw the bonds which bind us closer together. There is no necessity to endanger the connection, commercial or physical or international, which we enjoy in common with so many human beings. "Ships, colonies and commerce" have long formed the boast of Old England. Ships we have in abundance. Her colonies are ours. The empire includes every climate which the sun diversifies, every soil, every race of men, every variety of production. It is guarded by the largest fleet and the best disciplined army in the world. It has for its metropolis the most populous city of modern times. The nursery of genius and the arts. The emporium of commerce, the fountain-head of capital, the nursing mother of skilled labour, in every branch of manufactures. Let us then, not cast about for new modes of political organization until we have tested the expansive powers and intellectual capabilities of what we have. Let us, then, demand with all respect, the full rights of citizenship in this great empire. It is clearly our interest to do this. Surely it is congenial to our feelings. Sir, I would not cling to England one single hour after I was convinced that the friendship of North America was undervalued, and that the status to which we may reasonably aspire had been deliberately refused. But I will endeavour, while asserting the rights of my native land with boldness, to perpetuate our connection with the British Isles, the home of our fathers, the cradle of our race. The union of the colonies is the object of the resolution, in my judgment such a proposition covers but a limited portion of ground which the agitation of that subject opens up. What questions of importance have we to settle with Canada, New Brunswick or any of the other colonies? We have free trade and friendly relations with them all. What have we to ask or to fear? What questions are at issue with the United States? None but that of a reciprocal trade, which would have been settled long ago, if North America had had a voice in the making of treaties and in the discussions of the Imperial Parliament. But have we not questions of some interest to adjust with the mother country? There is one, of more importance than any other except the railroads,—the question of our mines and minerals. Does any man believe that any company would have monopolized for thirty years the mines and minerals of an entire province, had British America been represented in the Imperial Parliament? That monopoly would go down before a searching investigation for a single night in the House of Commons. No Minister could justify or maintain it. Here there is no difference of opinion. But what avails our unanimity? The battle is to be fought

in England, but here it never is fought and never will be, until we have a representation in Parliament or until the Legislature votes £5,000 for a luminous agitation of the question. I yield to the association all that I have ever said in its favour. I would do it justice to-morrow had I power to do injury, but I do not believe that one Nova Scotian within the walls of Parliament would do more to reclaim our natural rights in a single year, than the Legislature could do, by remonstrances in seven.

Take the question of the fisheries. Your fisheries, including all the wealth that is within three marine miles of a coast fronting upon the ocean for five thousand miles, are at this moment subject of negotiation. What have you got to do with it? What influence have you? Who represents you in London or in Washington? or discusses the matter in your behalf? The British Minister, pressed upon by the United States on the one hand, and by the prospect of a war with Russia on the other, may at this moment be giving away our birthright. Tell me not of your protest against such an act of spoliation. It would amount to nothing. Once committed, the act would be irrevocable, and your most valuable property would be bartered away for ever. Sir, I know what gives influence to England, what confers power here—the right and the opportunity of public discussion. Your fisheries, if given away to-morrow would scarcely provoke a discussion in the House of Commons; but place ten North Americans there, and no minister would dare to bring down a treaty by which they were sacrificed. How often have questions in which we took a deep and abiding interest been decided without our knowledge, consultation or consent? I am a free trader, and I am glad that unrestricted commerce is the settled policy of the mother country, as it is of this. But can I forget how often the minister of the day has brought and carried out commercial changes which have prostrated our interests, but in the adoption or modification of which we have had no voice? Sir, with our free Legislatures, and the emulation and ambitious spirit of our people, such a state of things can not last for ever. Is there a man who hears me, that believes that the question of the fisheries can be settled well, or ought to be settled at all, without those who are most interested, being represented in the negotiation?

What is taking place at this moment in the old world invests this argument with painful significance. Notes and diplomatic messages are flying from St. Petersburg to Vienna, and from Vienna to London. A despot is about to break the peace of the world, under pretence of protecting the Greek religion. A fleet of Turkish ships has been sunk in the Black Sea. The Cunard steamers have been taken off the mail routes to carry troops to the Mediterranean. To-morrow may come a declaration of war; and when it comes, our six thousand vessels, scattered over the ocean, are at the mercy of England's enemies. Have we been consulted? Have we had a voice in the Cabinet, in Parliament, or in any public department by whose action our fleet is jeopardized? No, sir, we have exercised no more influence upon negotiations—the issue of which must peril our whole mercantile marine—than if we had had in danger but a single bark canoe.

I do not complain of the statesmen of England. I believe that Lord John Russell and the other members of the Cabinet are doing their best for the honour of old England, and for the welfare of the Empire. But I will not admit that they have the right, at the present day, to deal with subjects which so largely affect the interests and touch the feelings of two million five hundred thousand people, scattered over millions of square miles of land, whose canvas whitens every sea—without our being consulted.

(Mr. Howe next turned to the United Services, and showed how slight was the chance of British Americans to rise in the army and navy. Their brethren at home had more money to purchase; they had all the Parliamen-

tary interest to insure promotion. What inducements had our young men to enter either service? He had five boys, but he would as soon throw one of them overboard as send him to compete where the chances were all against him; to break his heart in a struggle where money and friends, not merit, would render emulation vain.*)

The statesmen of England, sir, may be assured, that if they would hold this great empire together, they must give the outlying portions of it some interest in the naval, military and civil services; and I will co-operate with any man who will impress upon them the necessity for lengthening the ropes and strengthening the stakes, that the fabric which shelters us all may not tumble about our ears.

I now turn, Mr. Chairman, to a topic upon which it may readily be supposed I feel keenly—the negotiations touching our intercolonial railroads. To impress the minds of Imperial statesmen with the truly national character of the works we had projected, I spent six months in England. Here was a noble scheme of internal improvement, requiring about £7,000,000 sterling to carry out. Had it been a question about holy places in Turkey, or some wretched fortress on the Danube, seven millions would have been risked or paid with slight demur. The object was, however, to strengthen and combine four or five noble Provinces, full of natural resources and of a high-spirited people; but, unfortunately, with no representation in the National Council of the Empire to which they belong. The single guarantee of England would have saved us nearly half the cost of this operation, or £200,000 a year. The Queen's name would have been stamped upon every engine running through one thousand five hundred miles of her dominions. On the hearts of two millions five hundred thousand people would have been stamped the grace of the act, which, while it cost nothing—for our revenues were ample enough to pay principal and interest had the roads been unproductive—would have awakened grateful recollections and a sense of substantial obligation for a century to come. At last, by the true nobility of the enterprise, rather than by the skill of its advocate, Her Majesty's Government consented to give the guarantee. The Provinces were proceeding to fulfil the conditions, when, unfortunately, two or three members of the Imperial Parliament took a fancy to add to the cost of the roads as much more as the guarantee would have saved. It was for their interest that the guarantee should not be given. It was withdrawn. The faith of England—till then regarded as something sacred—was violated; and the answer was a criticism on a phrase—a quibble upon the construction of a sentence, which all the world, for six months, had read one way. The secret history of this wretched transaction I do not seek to penetrate. Enough is written upon stock-books, and in the records of courts in Canada, to give us the proportions of that scheme of jobbery and corruption by which the interests of British America were overthrown. But, sir, who believes, that if these Provinces had ten members in the Imperial Parliament? who believes—and I say it not boastingly—had Nova Scotia had but one, who could have stated her case before six hundred English gentlemen, that the national faith would have been sullied or a national pledge withdrawn?

There are other questions of equal magnitude and importance to the empire and to us. Ocean steamers, carrying British mails past British Provinces to reach their destination, through a foreign State; emigration uncared for and undirected flowing past them, too; or, when directed, sent at an enormous cost to Australia, fourteen thousand miles away, while millions of acres of unsurpassed fertility remain unimproved so much nearer

* Two Cadetships in the Navy, annually, have since been given to Canada: one to Nova Scotia and one to New Brunswick. This is a move in the right direction, for which the ministers deserve much credit.

home. Upon these and other kindred topics I do not dwell. But there is one to which I must, for a brief space, crave your attention.

Sir, I do not envy our neighbours in the United States, their country, their climate, or their institutions. But what I do envy them is, the boundless field of honourable emulation and rivalry in which the poorest man in the smallest State may win, not mere colonial rank and position, but the highest national honours. Here lies the marked distinction between Republican and British American. The sons of the rebels were men full-grown; the sons of the Loyalists are not. I do not mean that physically or mentally there is any difference; I speak of the standards and stamps by which the former are made to pass current in the world, while the latter have the ring of metal as valuable and as true. This was the thought which laboured for utterance in the mind of the member for Annapolis yesterday. Let me aid it in its illustration. Some years ago I had the honour to dine with the late John Quincy Adams, at Washington. Around his hospitable board were assembled fifteen or eighteen gentlemen of the highest distinction in the political circles of that capital. There were, perhaps, two or three, who, like Mr. Adams himself, had been trained from early youth in diplomacy, in literature, and in the highest walks of social and public life. These men were superior to any that we have in our Colonies, not because their natural endowments were greater, but because their advantages had been out of all proportion to ours. But the rest were just such men as we see every day. Their equals are to be found in the Legislatures and public departments of Canada, New Brunswick and Nova Scotia; men superior to most of them have been on this floor every session for twenty years. Their equals are here now. But how different are the fields of emulation; how disproportioned the incitements to excellence, the distinctions, the rewards. Almost every man who sat round me on that night either then enjoyed, or has since won some national distinction. They were, or are now, senators in the National Council, foreign ambassadors, Governors, Secretaries of State, commanders of squadrons, or leaders of armies.

Sir, my heart rose when I compared these men with those I had left at home, their equals in mind and manners. But it sunk, aye, and it sinks now, when turning to the poor rewards which British America offers to those who run with these men the race of emulation. What national distinction ever lights upon British America? Has she ever supplied a Governor to the Queen's widely extended Dominions, a Secretary, or an under Secretary of State? Have we ever had a man to represent us in either House of Parliament, or in any Imperial department? How long is this state of pupillage to last? Not long. If British statesmen do not take this matter in hand, we soon shall. I yield to no man in respect for the flag of my fathers, but I will live under no flag with a brand of inferiority to the other British races stamped upon my brow.

(Mr. Howe here contrasted Mr. Johnston, Mr. Huntingdon, Mr. Wilkins, the Speaker, with those who had governed the Colonies within his own observation. He thought the learned leader of the Opposition would make quite as good a Governor as some that had been sent across the Atlantic. He convulsed the House with laughter in describing the attentions paid at Liverpool to a whiskered Yankee, who was the bearer of dispatches from Washington, and who, with a huge bag under his arm, that might have contained his wardrobe, was instantly permitted to land, unquestioned and unsearched. "I," said Mr. Howe, "was also the bearer of dispatches from a British Governor to Her Majesty's Secretary of State. I represented the Province of which I am a native, and the government of which I was a member. I explained my position, and showed my dispatches, more in jest than in earnest, for I knew what the result would be. The Yankee was in London long be-

fore I could get my portmanteau through the Custom House, being compelled to pay duty on half a dozen books and plans necessary to the success of the mission with which I was charged. Imagine what five and twenty British Americans on board the steamer would feel at this practical commentary on the respect commanded in England by successful rebellion, but denied to devoted loyalty. Equally animated was Mr. Howe's description of Massachusetts cotton spinners and backwoodsmen from the west, snugly ensconced in the diplomatic box in the body of the House of Lords, when Parliament was opened by the Queen, while Colonists looked down upon them from the galleries, to which, not as a right, but as a favour, they had been admitted.")

Mr. Chairman, the time will come—nay, sir, it has come—when these degrading distinctions must no longer peril our allegiance. Will any man say that North America does not produce men as fit to govern States and Provinces as those who rule over Maine or Massachusetts at this hour?—as most of those who are sent to govern the forty Provinces of the Empire?—as many that we have seen sent to darken counsel and perplex us in the west? How long will North Americans be content to see their sons systematically excluded from the gubernatorial chairs, not only of the Provinces that we occupy, but of every other in the empire? Not long. If monarchical institutions are to be preserved and the power of the Crown maintained, the leading spirits of the empire must be chosen to govern Provinces; and the selection must not be confined to the circle of two small islands,—to old officers or broken-down members of Parliament.

Look at the organization of the Colonial Office; that department which is especially charged with the government of forty Colonies and yet has not one Colonist in it! How long are we to have this play of Hamlet with Hamlet himself omitted? Sir, I do not share in the vulgar prejudices about the ignorance and incapacity of Downing Street. No man can now be elevated to the office of Secretary of State for the Colonies who is not a man of business habits, holding high rank in either House of Parliament. There is, perhaps, not a man in the department who is not able or adroit in the performance of duties which are admirably subdivided. The under secretaries are men of genial manners, high attainments and varied information. They are something more; they are thoroughly well disposed to serve, and to stand well with the Provinces committed to their charge. But what then? They have no personal knowledge of Colonial public or social life; no hold upon the confidence or the affections of the outlying portions of the empire. Compared with the men who might, and ought, and must be there, if the empire is to be kept together they are what the clever secretaries of the old board of trade were in 1750, compared with such men as Franklin, Washington and Adams. What these last were then, the Baldwins, Lafontaines, Chandlers and Wilmots of North America are now. I speak not of Nova Scotia, although I know that her sister Provinces accord to her the intellectual rank to which she is entitled. I know the men who sit around me here; already I can hear the heart-beat of the generation which is springing up to take our places; and I do not hesitate to say that room must be made on the floors of Parliament, and within the departmental offices of England, for the aspiring and energetic spirits of this continent; or they will, by and bye, assert their superiority in the intellectual conflict with those who attempt systematically to exclude them must provoke. Talk of annexation, sir! what we want is annexation to our mother country. Talk of a union of the Provinces, which, if unaccompanied with other provisions, would lead to separation! What we require is union with the empire; an investiture with the rights and dignity of British citizenship.

In the United States, every forty thousand people send a member to Con-

gress. North America has sixty-two times that number, and yet sends not one member to the National Council which regulates her trade, controls her foreign relations, and may involve her at any moment in war. Mark the effects of the American system. The discovery of gold threw into California in two or three years a large and heterogeneous and comparatively lawless population. California was many thousands of miles away from Washington and from the old States of the Confederation. It was essentially a Colony; and, under our system, would have been so treated for a century. Our neighbours are wiser in their generation. Hardly were the rude communities of California formed, while women were sleeping under tents and men under wagons; while Judge Lynch presided over the Judicatory, and the better class hung thieves in the market square; the citizens met together, formed their constitution, provided for education, and elected three or four men to represent California in the National Congress of the United States. Nova Scotia has been a loyal Province of this empire with all securities of law, and the refinements of civilization, for an hundred years, and to this hour has no such privilege. What binds that rude Californian community to the parent States? The presence of her four or five representatives in the National Council. They may be negligent, incapable, corrupt, but they are there. Australia, not much farther off, with richer treasures, with wider space, has no such privilege, and the wit of British statesmen, with the example of Republican America before them, seems inadequate to a task which elsewhere is found so easy. Sir, this cannot last. England herself has a deep interest in this question, and the sooner her statesmen begin to ponder the matter gravely, the better it will be for us all.

The thirty millions who inhabit the British Islands must make some provision for the two hundred and thirty millions who live beyond the narrow seas. They may rule the barbarous tribes who do not speak their language, or share their civilization, by the sword; but they can only rule or retain such Provinces as are to be found in North America by drawing their sympathies around a common centre—by giving them an interest in the army, the navy, the diplomacy, the administration and the legislation of the empire.

While a foreign war is impending, this may appear an inappropriate time to discuss these questions; but the time will come, and is near at hand, when they will command the earnest attention of every true British subject. We hear much, sir, every day, about the balance of power in Europe; and we all remember Canning's boast, that he was going to call a new world into existence to redress the balance of power in the old.

At this moment we are plunging into a foreign war—the fiercest and most bloody it will be that we have ever seen. What is the pretext on one side? Some question about the Greek religion. What is supposed to warrant our expensive armaments on the other? The balance of power in Europe. But is the balance of power in America nothing? and have these Provinces no weight in the scale? God forbid, sir, that at this moment a word of menace should escape my lips. I am incapable of such a meanness. England's hour of extremity should never be our opportunity for anything but words of cheer and the helping hand. But, sir, come peace or war, it is the interest of England that the truth be told her. Is the balance of power in America an unimportant consideration, and how is it to be preserved, except by preserving that half of the continent which still belongs to England? and that can only be done by elevating the inhabitants of these Provinces in their own opinion, and in that of the world at large. I know that it is fashionable in England to count upon the sympathies and cordial co-operation of the Republic. A year ago, Cobden and other apostles of his school, were preaching and relying upon universal peace. Now all Europe is arming. They preach day by day that Colonies are a burthen to the mother country. The reign of

peace, of universal brotherhood, may come. Should it not, and should Republican America throw herself into the contest against England, when engaged with other powers, as she did in 1812; what then would be England's position should the noble Provinces of North America have been flung away, for want of a little foresight and common sense?

The power of the Republic would be broken if our half of the continent maintained its allegiance. But if that were thrown into the other scale, what then? Fancy the stars and stripes floating over our six thousand vessels; fancy five hundred thousand hardy North Americans with arms in their hands in a defiant attitude; fancy half a continent with its noble harbors and five thousand miles of sea-coast, with all its fisheries and coal mines and timber gone. Fancy the dockyards and depots and arsenals of the enemy advanced 1,000 miles nearer to England. Oh! sir, I have turned with disgust from the eternal gabble about the balance of power in Europe, when I have thought how lightly British statesmen seem to value the power that can alone balance their only commercial rival.

One subsidy to some petty European potentate has often cost more than all our railroads would have cost; and yet they would have developed our resources in peace and formed our best security in time of war. A single war with half this continent added £120,000,000 to the national debt of England. What would a war with the whole of it cost? And yet these Provinces are so lightly valued, that a loan for public improvements cannot be guaranteed or a single seat in the National Councils yielded, to preserve them. Sir, whatever others may think, I pause in the presence of the great peril which I foresee. I pray to God that it may be averted.

Here, sir, is work for the highest intellects—for the purest patriots, on both sides of the Atlantic. Here is a subject worthy of the consideration of the largest minded British statesmen now figuring on the stage of public life. In presence of this great theme, how our little squabbles sink into insignificance, as the witches' cauldron vanishes from the presence of Macbeth. How insignificant are many of the topics which they debate in the Imperial Parliament compared with this. I have seen night after night wasted while both Houses discussed the grave question whether or not a Jew should sit in the House of Commons? a question that it would not take five minutes to decide in any Legislature from Canada to California. How often have I said to myself:—I wonder if it ever enters the heads of those noble Lords and erudite Commoners, who are so busy with this Jew that there are two millions and a half of Christians in British America who have no representation in either House? A little consideration given to that subject, I have thought, would not be a waste of time. When I have seen them quibbling with the great questions of a surplus population, mendicity and crime, I have asked myself:—Do these men know that there is, within the boundaries of the empire, within ten days' sail of England, employment for all? freehold estates for all, with scarcely a provocative to crime? I have often thought, sir, how powerful this empire might be made; how prosperous in peace, how invincible in war, if the statesmen of England would set about its organization and draw to a common centre the high intellect which it contains.

With our maritime positions in all parts of the globe; with every variety of soil and climate; with the industrial capacity and physical resources of two hundred and sixty millions of people to rely on; what might not this empire become if its intellectual resources were combined for its government and preservation? If the whole population were united by common interests, no power on earth ever wielded means so vast, or influence so irresistible. But, sir, let the statesmen of England slumber and sleep over the field of enterprise which lies around them; let them be deluded by economists who despise Colonists, or by fanatics who preach peace at any price with foreign despots;

while no provision is made to draw around the throne the hearts of millions predisposed to loyalty and affection ; and the result we may surely calculate. Should the other half of this continent be lost for the want of forethought and sound knowledge, there will be trouble in the old homestead. "Shadows, clouds and darkness" will rest upon the abode of our fathers ; the free soil of England will not be long unprofaned ; and the gratitude of Turks and the friendship of Austrians or Republican Americans, will form but a poor substitute for the hearts and hands that have been flung away.

APPENDIX K.

COPY OF RECEIPT FOR PAYMENT OF ALABAMA CLAIM.

I give below a copy of a famous historical document which has a special interest for my Nova Scotia readers on account of its connection with Sir Edward Mortimer Archibald, a member of a distinguished Nova Scotian family (see *supra*, p. 21). Sir Edward was the fifth son of Judge S. G. W. Archibald, and after holding several important official positions for many years in Newfoundland he was appointed in 1857 British Consul at New York, and held this responsible office for twenty-two years, until he was obliged to retire at the age of 70 on a pension, in accordance with the rules of the consular service. He was made consul-general in 1871, a Companion of the Bath at the close of the civil war during which he gave constant evidence of his signal ability, and a Knight Commander of St. Michael and St. George on his retirement from office. The following facts will explain his connection with the payment of the Alabama award.

The accompanying certificate is a facsimile of that obtained from the Secretary of the Treasury of the United States upon the occasion of the payment in full of the fifteen million five hundred thousand dollars indemnity for the "Alabama" claims which the Geneva Conference of September 14, 1872, awarded to them on the part of Great Britain.

As will be seen by the endorsements thereon, the great banking firms of Drexel, Morgan & Co., Morton, Bliss & Co., and Jay Cooke & Co. made a contract with the British Government to pay this award on or before the 14th September, 1873.

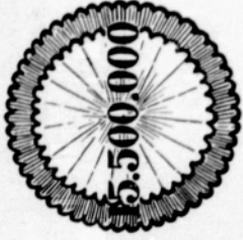
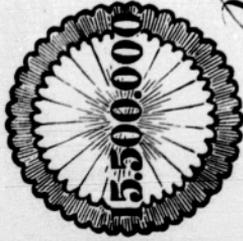
Sir Edward Thornton, H. B. M.'s Minister at Washington and Consul-General Archibald of New York were appointed joint agents to pay over the indemnity.

During three months previous to this event Consul-General Archibald was constantly receiving instalments of the amount, in the form of numerous partial payments, which were deposited with the U. S. treasurer and for which coin certificates were issued. The whole transaction was one involving no small responsibility and actual work in accounting and correspondence with the U. S. Treasury, as in the whole of this important transaction, the Secretary of State, Mr. Hamilton Fish, absolutely declined to have anything whatever to do with the bankers employed by the British Government, and all communications were therefore made only through H. B. M.'s representative at Washington. When the amount was complete and the final deposit to be made, it was Consul-General Archibald who proceeded with it to Washington, and in the presence of Sir Edward Thornton, Secretary Fish and Assistant-Secretary Davis handed over the last amount to U. S. Treasurer Richardson, and received from his hands (after surrendering all previous certificates of deposit) the single one, covering the entire amount, of which this is a facsimile.

A leading New York paper, commenting upon the situation, says of the document that "the series of distinguished endorsements make it an historical document, which, when cancelled and filed away, will cause it to be much enquired after by curious visitors. The presence of the official representatives of the two greatest nations in the world—"made a picture for history"—and the article concludes by saying—"Everyone here looks upon the notable event as the last feature in the greatest victory of peace."

The original certificate of deposit was of course retained by the Secretary of the Treasury of the U. S. and has been framed and preserved among the archives of Government "as a memorial of the amicable settlement of the difference between the two countries without resort to arms." Each endorser of the receipt received a facsimile of the original document, and the one I reproduce in this book was in the possession of Mrs. Charles Archibald, daughter of the Consul-General, until she gave me permission to copy it, and then hand it over to the public archives of Canada.

Act of March, 3^d 1863



It is hereby certified that

Fifteen million five hundred thousand dollars



Have been deposited with the Treasurer of the United States



Payable in

GOLD

At his Office

To DREXEL, MORGAN & Co. MORTON, BLISS & Co. JAY FOOTE & Co. or their order.
Washington, September, 9th 1873.

Approved, *William A. Richardson*
Secretary of the Treasury.

John Allison
Register of the Treasury

E. C. Spencer
Treasurer of the United States

Pay to the joint order of
H. B. M. Minister or
Charge d' Affaires at Washington
and Acting Consul General at
New York. —

Alex Morgan & Co
Morton Bliff & Co
City of New York

Pay to the Order of Hamilton Fish
Secretary of State

Edw Thornton
H. B. M. Minister

Emm Aclubald

H. B. M. Consul General
New York

Pay to the order of Hon. Wm A
Richardson Secretary of the Treasury
Hamilton Fish
Secretary of State —

