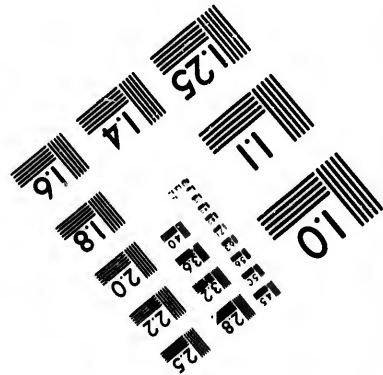
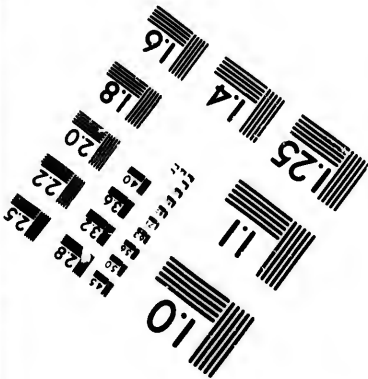
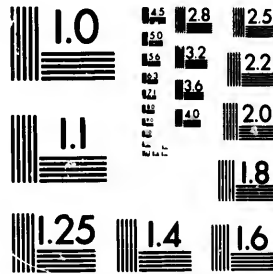


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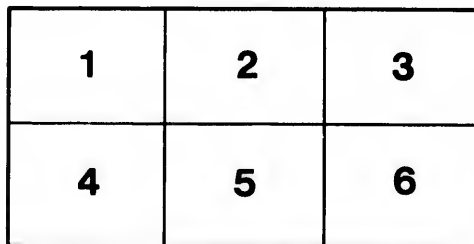
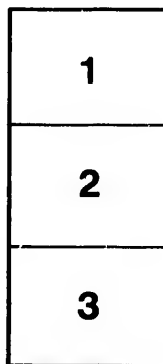
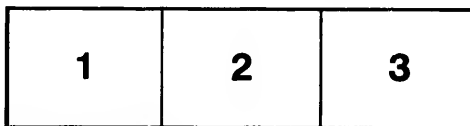
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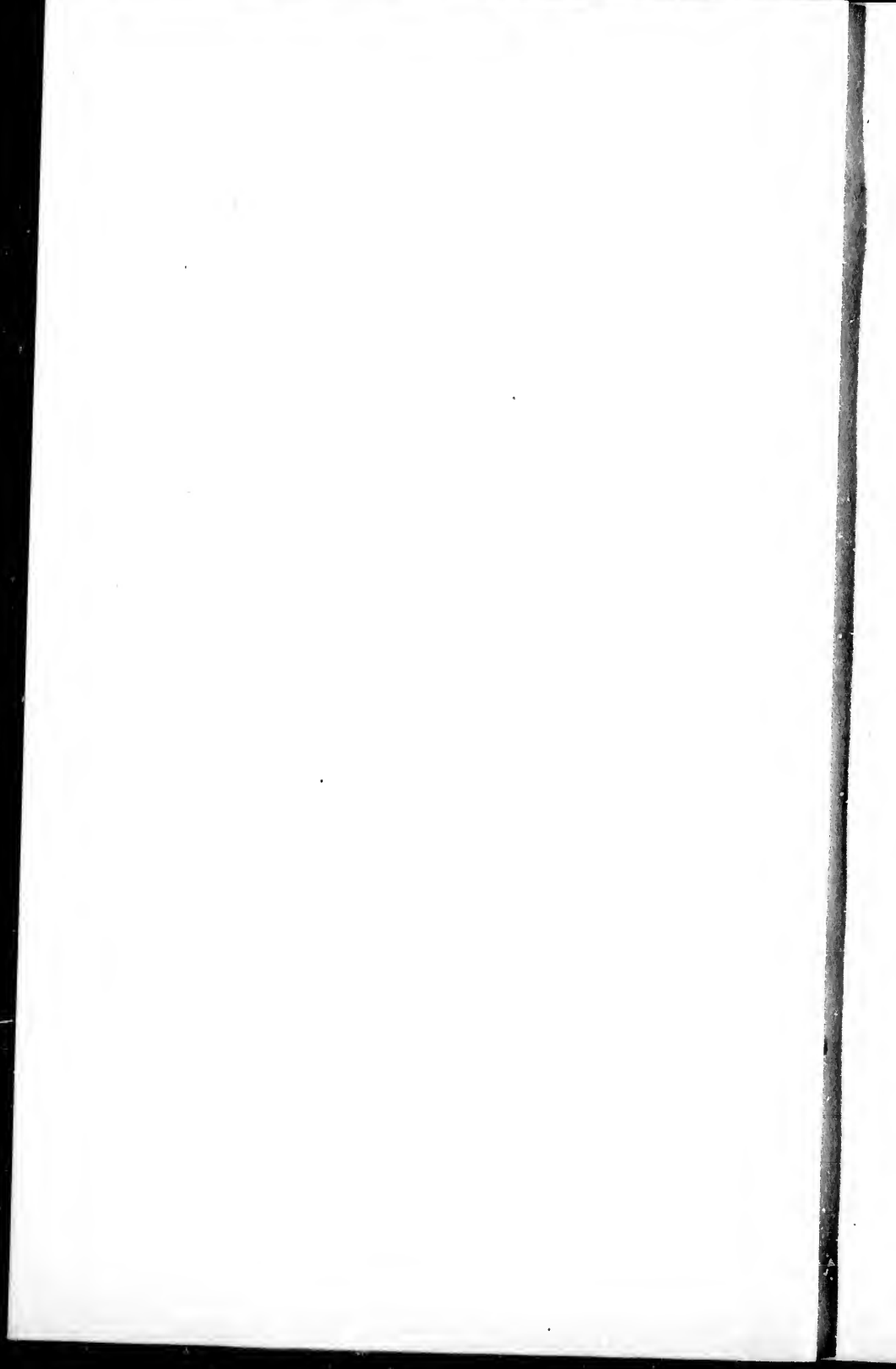
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THE  
DOMINION OF CANADA.  
A STUDY OF ANNEXATION.

A DISSERTATION IN PART FULFILLMENT OF THE REQUIREMENTS FOR THE  
DEGREE OF DOCTOR OF PHILOSOPHY IN THE SCHOOL OF  
POLITICAL SCIENCE, COLUMBIA  
COLLEGE.

BY

WILLIAM BENFORD AITKEN, M. A. COL.

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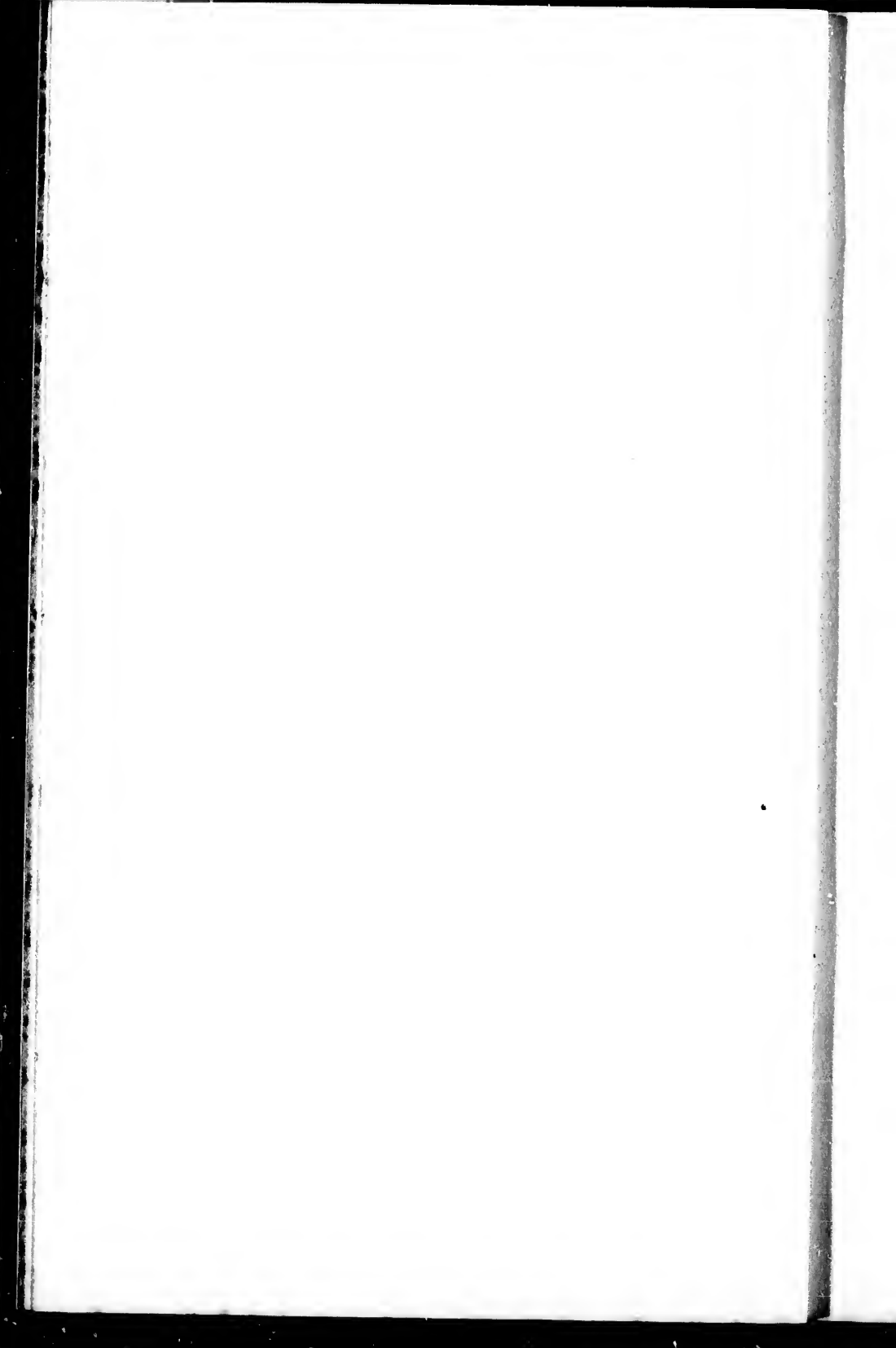
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## INTRODUCTION.

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At a time when so much is said about independence or annexation for Canada, and national pride declaims a great deal about "manifest destiny" and the glory of a North American Republic, it may be of interest to examine the progress of the United States and Canada and the relations which they bear to one another at the present day.

In a discussion of the advisability of annexation no attempt will be made to assert any theories as to the future, but those brought forward by induction through the historical, comparative and statistical methods.

Thus the reader may see the influence that history, the principal of these three methods, has had upon Canada's people and present political situation. For history is the useful instructor of nations and its lessons derived from antiquity are of inestimable value to the modern statesman. Therefore the true historian and political writer endeavors to regard the facts and events that present themselves to his knowledge with impartial eyes, accepting neither Catholic nor Protestant accounts of religious or political movement without due allowance for prejudice, and aiming above all to give a just interpretation of all conflicting circumstances.

The method by comparison will enable us to see

the difference between the two countries and observe what traits the peoples possess in common, in arts, manners and habits, and the causes that have been at work in the New World to make several of these traits differ in various degrees.

The statistical method, though often of less interest, is useful in obtaining exact facts and their deductions, and must consequently be used with the other methods.

In treating of the organization of a state we must see what has been its development and thus forecast its future. The state must be regarded as a unity embodying in itself the three unities of people, territory and government.

Therefore, since this unity in its larger signification is represented by the word nation, we can best determine whether it is advisable to make one great Republic of the United States and the Dominion of Canada, by seeing how far the two countries co-incide in geographical, ethnical and political characters.

# THE DOMINION OF CANADA :

## A STUDY OF ANNEXATION.

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### CHAPTER I.—HISTORICAL.

#### COMPETITION FOR NORTH AMERICA.

The English King Henry VII. had experienced a feeling of keen regret that the petition of Columbus had been refused when he sought aid from his court. Therefore, John Cabot and his son Sebastian were freely given a patent under which they set sail with a band of explorers, and on the 24th of June, 1496, came in sight of land which Cabot hoped was India, but he said: "I found that the land ranne toward the north, which was to mee a great displeasure."<sup>1</sup> This land was the coast of Labrador, and Cabot had discovered the American continent.

But England's right to the northern part of the continent by prior discovery was not valid without actual possession and occupation; therefore, when the French settled the country a few years after, their title by occupancy was sustained by international law. They gave the name Canada to the country in 1506, from the Indian word "Kannatha," meaning a collection of huts. But it was not until the exploration of John Verrazzani, in 1523, that the French Government encouraged the settlements of whale and cod fishermen in Newfoundland and Nova Scotia.

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1 "Lives of the Admirals"—Campbell. Vol. I., p. 338.

The discovery of the St. Lawrence River by Jaques Cartier in 1534, and the favorable report which he brought back of the beautiful country on its banks, induced Francis I. to grant him a commission "pour l'établissement du Canada," dated October 17, 1540.<sup>1</sup> By this patent, along with one creating a viceroy or agent of the King, France established a permanent though miserable settlement, relying for its support upon annuities from the home government, and recruited in numbers by exiles and prisoners from France. The city of Quebec grew up about 1608 and became prosperous through the efforts of Samuel de Champlain. Montreal was settled some years later.

In the year 1627, Cardinal Richelieu as "Superintendent-General of the Navigation and Commerce of France,"<sup>2</sup> succeeded through a royal edict in forming a "Company of One Hundred Associates," of merchants and priests, to promote colonization and Christianity in Canada. If the King knew what he was bestowing he was exceedingly liberal, for he conveyed the soil of Canada with the monopoly of its fur trade for the simple consideration of fealty to the sovereign and a small amount of gold.

Richelieu and Champlain, "le père de la Nouvelle-France,"<sup>3</sup> were wise enough to understand that Frenchmen were not suited to the task of colonization, and that if France was to found an empire it must be by civilizing the Indians, and bringing them under her rule. From this time it became the policy of France to bring the savages under her sway.

The settlers in Canada traded with the Indians and "made no attempt to found an agricultural state." They penetrated farther and farther up the St. Lawrence

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1. "Histoire de la Nouvelle France"—l'Escarbot.

2. The title in full was, "Chef et Superintendent Général de la Marine, Navigation et Commerce de France." See the introduction to Rambaud's "La France Coloniale."

3. "Charlevoix's Histoire de la Nouvelle-France."

River, until at length Colbert descended the Mississippi River in 1682 and was followed by hunters and Jesuit missionaries, who made many settlements. Thus the French possessions under the name New France included not only Canada but that long strip of territory called Illinois and Louisiana, extending from the mouth of the Mississippi and Ohio rivers to the Gulf of Mexico, and from the Appalachian Mountains to the highlands west of the Mississippi.

England about this time began to encourage emigration by granting patents of lands in those parts of the continent which she claimed, although the time for colonization did not come until the conflicts in her government were settled by the Reformation. The erroneous geographical descriptions in these patents or charters were the causes of many of the subsequent boundary questions.

The Spanish claims to America can not be based on the discovery by Columbus or the subsequent Bull of Pope Alexander VI. giving to Ferdinand and Isabella all the New World, but their actual occupation of the country by the Pacific Ocean and the Gulfs of California and Mexico under the name New Spain. By the treaty of Utrecht in 1713, in which all nations are involved, Great Britain acknowledged the claims of Spain to her possessions in the West Indies and the western part of the continent, and made those arrangements which were the development of modern diplomacy and maritime law, whereby both nations might enjoy undisturbed their respective rights of navigation, commerce and fishery.

By the tenth article of this treaty, France ceded to England "to be possessed in full right forever, the Bay and Straights of Hudson, together with all lands, seas, sea-coasts, rivers and places situated in the said bay and straits," as well as Nova Scotia and Newfoundland, but retained Canada and Louisiana.

Thus the colonies grew up in the New World and

were augmented in population by those fleeing from the political and religious disturbances in Europe. Side by side the Romance and the Anglo Saxon races became prosperous under very different circumstances. The one had no popular government for many years after its foundation; the other was self-organized and self-governed. The religion of one though sincere and moral in its influence was a religion that clung to forms, and to an imposing ritual; the religion of the other was far from that of Rome both in form and spirit and claimed to be guided by the simple interpretation of the Bible.

#### THE OLD RÉGIMES.

We now arrive at that period of history when the religious and political character of Canada began to assume that form which has influenced its destiny. This is the period when America began to receive steadily increasing numbers of immigrants, seeking in a new country better and surer means of living. They were the Puritans and Quakers from England; the Huguenots and Jesuits of France, the most daring of Spanish adventurers, the most restless of French explorers—exiles from all nations fleeing from whatever was conscientiously or politically extreme in the society of Europe.

The causes of the development of the continent, and in particular of those parts which are now the United States, are to be found not merely in the physical capabilities of the country, or in the ample room for growing numbers, but in the desire of freedom and commercial enterprise which the settlers brought with them. The spirit of commerce pushed on the population into the wilderness, thus opening new channels of trade, and creating cities.

The Canadian system was grafted upon the feudal

and agricultural; hence the mixed character of the country combining the elements of monarchy with democracy. Liberty of conscience and worship was not permitted, and although the Huguenots would rather have settled in a country under their King, they were not allowed to do so. The duty of spreading Christianity was permitted only to the Roman Catholics, and their power was sufficient to exclude entirely the liberal and republican tendencies of the Huguenots. Political influence was ever present on the side of the Catholics, and to the Society of Jesus was given the entire control of ecclesiastical affairs. Although we may conclude from a study of the Jesuits that they were sincere in their mission of introducing Catholicism among the savage tribes, still it was the possession of the fur trade that gave impetus to their efforts. Placed side by side with civilizing influences there was left to the Indians no compromise of rites. They had mistaken darkness for light. They had worshiped the great spirits of the Sun and Moon instead of the True God and Saviour. They were in error. They must abandon their system at once. This the tribes who spread along the shores and rivers of Canada were told, and the Jesuits kept nothing back. They founded churches among them, and translated the Roman Ritual and Prayer Book into their language.

It was impossible for the French and Indians to co-exist on the same territory. History proved it. The Indians could only live in prosperity by their own laws and customs. It only remained for the colonists to push them farther into the wilderness as civilization advanced. As the colonists increased in numbers, they desired more territory, which the Indians did not hesitate to sell as long as their own domain seemed almost boundless. But although many paid for the lands which they took from the Indians, there were others who drove them without mercy from their ancient homes and the graves of their forefathers. They ob-



tained *per fas aut nefas* the territories marked out by their royal charters without regard to the previous "rights" of the uncivilized occupants of the soil. There are some who think that the claims of the Indians were to be preferred to those of the settlers and would have retained them in their original homes, but the accepted doctrine of international law confirms the right of civilized nations to the lands of those who live in a savage state. In opening up new realms it is

"The simple plan .  
That he shall take who has the power,  
And he shall keep who can."

On a continent of vast resources it is the duty of a civilized nation to cultivate the soil and invite civilized men to its shores. And between two civilized nations the one that first takes possession has the better title to new territory.

In the words of Francis Parkman in *The Old Régime in Canada*: "The Jesuits had essayed a fearful task—to convert the Iroquois to God and to the King, thwart the Dutch heretics of the Hudson, save souls from hell, avert ruin from Canada, and thus raise their order to a place of honor and influence both hard earned and well earned." The mission stations of the Jesuits formed one of the worst systems of government—that of the theocratic state—and it is not strange that Richelieu's Company of New France made no political progress.

The Colony increased to only one hundred and five persons, and only two families were able "to support themselves from the products of the soil; the rest lived on supplies from France." Cruelty toward the Indians caused desperate retaliation, and the colonists were compelled to build their settlements close together, and cultivate only the land near them. This accounts for the peculiar military style of some of the old towns.

The settlements in Canada were not only in danger

of destruction by the Indians, but there was a bitter domestic quarrel between the Jesuits who controlled Quebec and the priests of St. Sulpice. The Jesuits, who for nearly thirty years had constituted the Canadian church, strongly objected to the appointment as bishop of Father Queylus of the Sulpitian order. The dispute was quieted for a time by the choice of a bishop in the person of the great François Xavier de Laval—Montmorency, Abbé de Montigny.

At that time the Catholics of France were divided into two great parties—the Papal party, who believed that the Pope was Christ's vicegerent, supreme over all earthly rulers and vested with all sacerdotal authority; and the Gallican party, who maintained that to the King belonged the temporal and to the Church the spiritual power, while the bishops had an independent commission from heaven.

The Jesuits were bound to the Papal or Ultramontane party, and labored for the support of the Holy See; they condemned the Gallican liberties and were aided by the court of France. Laval was of the Papal party and came to Canada, not as Bishop of Quebec, but as Vicar Apostolic of the Pope, thus placing Canada under the direct jurisdiction of the Pope. Therefore, the Church of Rome has always endeavored to retain its control over the government of Canada, while always maintaining its liberty and independence in that country.

Laval was a devout Roman Catholic, and believed firmly in the principles of his church, that he, as Vicar of the Pope, was Christ's Vicar on earth, and that so far as Canada extended it was his duty to God to uphold the Papal supremacy. He came at a time when the Company of New France had clearly shown its uselessness, and established an ecclesiastical control over Canada which has always existed, and is the foundation of the great power and influence of the Church of Rome in that country at the present day.

The influence of the Jesuits, and the high birth of Laval, gave him great strength at Court. He went to France, and succeeded through an edict passed by Louis XIII. in having the government of the colony vested in a Superior Council, composed of five persons, nominated by Laval, and by a Governor, whom he had also chosen, who should assist the Governor and principal ecclesiastic in the performance of their functions. The agent of the King was the intendant. This council had legislative power subject to the ultimate control of the parent state, and a supreme jurisdiction in civil and criminal cases according to the forms and usages prescribed by the Parliament of Paris. The Company of New France was dissolved.

Thus Laval strengthened the power of the Church over Canada and used the Governor and Council as a tool to carry out his designs. He introduced a system of removable curés under the will of the superior, which prevails in most of the parishes at this day. But the most lasting and effective method of enriching the Church was introduced with the feudal system, whereby all lands were granted *en fief*, as manors or *en roture* subject to the *servitudes* which the law exacted from the vassal to his lord paramount. Fines were paid to the lord on the sale of inheritances, and the right of pre-emption was reserved to the *seigneur*, or in some cases the heirs of the vendor. Lands were granted out as fiefs to those who would carry settlers with them, and the holders were the peasantry or *habitants* who paid small rents and did military service in protecting the feoddom from the Indians. The lord reserved for himself the right of trading in furs and fishing.

The results of this system have been to check the transfer of property and force large estates into the hands of a few. Vast tracts of land in the best and most beautiful parts of Canada were granted to the Church, to meet the expenses of the clergy and the

support of ecclesiastical schools. There were no schools under a general system of education supported by local rates or taxes, except the seminaries, and they were under the exclusive control of the Church, which imposed for their support a tithe of one-thirteenth on all products of the soil or forest for their support. In addition to this a portion of the salaries of the curés was paid by the King.

In granting letters patent for the establishment of the Seminary at Quebec, the King distinctly limited the college to one "In which shall be educated and trained young clerks, who shall appear fit for the service of God, and to whom, for this purpose shall be taught the manner of administering the sacraments; the method of catechising, and of preaching modern theology, according to apostolical doctrines; the ceremonies of the church; the full Gregorian chaunt; and other matters appertaining to the duties of the good ecclesiastic."<sup>1</sup>

The grants to the Roman Catholic Church were made in mortmain. That of 1677, establishing the college at Montreal, included the whole of the island and *seigneurie* of that name. Those creating the Greater and Lesser Seminaries were also very liberal. These seminaries still exist and are the most important Catholic institutions on the continent.

Francis Parkman, in "The Old Régime in Canada," in treating of the manner in which Laval disposed of his vast estates, says: "Some of these he sold or exchanged; others he retained till the year 1680, when he gave them, with nearly all else that he then possessed, to his seminary at Quebec. The lands with which he thus endowed, it included the seigniories of the Petite Nation, the island of Jesus and Beaupré. The last is of great extent and at the present day of great value. Beginning a few miles below Quebec, it

1. "Edits et Ordonnances," tome 1., p. 25.

2. p. 164.

borders the St. Lawrence for a distance of sixteen leagues, and is six leagues in depth, measured from the river." From these sources the seminary now called Laval University draws an abundant revenue, "though its seigniorial rights were commuted on the recent extinction of the feudal tenure in Canada."

Dependence taught the colonies to lean upon the mother country; and thus retarded natural prosperity. They lived under a despotism, political, religious and commercial. The interference of the government in the local affairs of Canada was carried to the extreme. Every household was under the eye of the officials or priests, and some of the orders of the council declared that a chimney should be swept, cattle should be killed, and even "that besides white bread and light brown bread, all bakers shall hereafter make dark brown bread whenever the same shall be required." There were many peculiar orders regulating religious matters. The colonists were strictly forbidden to quarrel in church, and in order that there might be perfect harmony during the service the pews were assigned in the order of rank and precedence.

France, under the despotic government of the Bourbons, could not be a mother of prosperous colonies. The Peace of 1763, and consequent renunciation of all claims of France to Canada, marks a period of new and healthy growth in that country. The fourth article of the treaty declares that:

"His Most Christian Majesty renounces all pretensions which he has heretofore formed, or might form to Nova Scotia or Acadia, in all its parts, and guarantees the whole of it and all its dependencies to the King of Great Britain. Moreover, His Most Christian Majesty cedes and guarantees to His said Britannic Majesty in full right, Canada with all its dependencies, as well as the Island of Cape Breton, and all the other Islands and Coasts in the Gulf and River St. Lawrence."

By this treaty Spain gave Florida to England and

received in exchange from France, Louisiana beyond the Mississippi. This territory was retroceded to France in 1800, and transferred by France to the United States in 1803, "in the name of the French Republic, forever and in full sovereignty."

The exploration and settlement of the west and northwest was brought about by the many companies engaged in the fur trade. The Hudson's Bay Company was chartered in 1670 by a grant of Charles II. to his cousin, Prince Rupert, and after the English took Canada it obtained a monopoly of almost the entire fur trade of North America. The Northwest Company, the Pacific Fur Company and other traders were thus driven to the regions of the Rocky Mountains.

The several discoveries made in the northwest by explorers in search of a supposed northern passage between Hudson's Bay and the Pacific Ocean, caused Russia to send several expeditions under the direction of a Siberian and Kamtchatkan fur company, to the shores of America. In 1763 Russia established trading posts in Alaska.<sup>1</sup> Thus Russia based her claims to American territory on "The title of first discovery; the title of first occupation; and in the last place, that which results from a peaceable and uncontested possession of more than half a century."<sup>2</sup> And both England and the United States by the St. Petersburg Convention of 1824, recognized the territorial rights of Russia as far south as 54° 40' north latitude. By the treaty of March 30, 1867, Russia ceded Alaska to the United States.

England's supremacy gave to Canada commerce, cultivation and security, but her first policy was weak and uncertain. She found herself possessed of a country entirely different in language, religion and constitution, that had imbibed French politics from

1. British and Foreign State Papers, 1821-22, p. 484.

2. *Idem*, p. 485.

the cradle and still retained the hereditary antipathy toward her, but instead of insisting that British law should be enforced and the English language and religion encouraged, she granted her newly conquered subjects every privilege in her power. Thus she allowed Canada to retain those influences of feudalism and Papalism which, as we shall see, produced the characteristic peculiarities of Canadian politics.

The freedom of local government allowed the other colonies in America was the cause of their increase in population and wealth, and of that power to rely on their own resources which asserted itself at the time of our independence. An entirely opposite state of affairs existed in Canada; they had never been accustomed to think or act for themselves, and were in constant need of aid from the court of France. The monarchic principles under which they were born were firmly implanted in the minds of the Canadian people, and they were not capable of self-government or of comprehending the benefits which they could derive from joining in a movement for the assumption of imperial powers.

After the American War of Independence in the treaty as determined on September 3, 1783, England made the following concessions as to North America :

1. The Independence of the thirteen United States and its participation in the Newfoundland fisheries. The Navigation of the Mississippi was thrown open to both nations.
2. France obtained participation in the Newfoundland fisheries, and the isles of St. Pierre and Miquelou.
3. Spain retained Florida and received back territories that had been conquered.

The treaty made many regulations of commerce, and the period therefore is one of development and prosperity both on the continent and in Europe. The

American Republic prospered and England soon found that instead of losing by the separation, she gained by a commerce with America which proved a source of great wealth.

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## CHAPTER II.—ETHNICAL.

### RACE.

There is a difference in the ethnical characters of the two countries. Comparison will enable us to determine how far they differ. Thus we may see the origin of the peoples from early colonization and the effect upon them of a large foreign immigration. The subject cannot, however, be fairly treated without attention to language; for the character and comprehensiveness of a language tells the character of the people who speak it, and plays an important part in the formation of a nation. The languages of later immigrants come in contact with those of earlier settlers, and where the Teutonic elements predominate English is likely to prevail.

A Teutonic people has laid the foundations of freedom and civilization in America, and by the usual custom of that people Christianity and liberal education have been diffused. The principles of self-government in local and general affairs have trained men in the exercise of their public duties and taught the necessity of giving that security to person and property so firmly guaranteed by our constitution. The colonies were governed by the utmost strictness in religious and political matters, but underneath an apparent aristocracy there were capacities of self-government which developed into a state. The people gradually formed the government, and therefore, being satisfied and prosperous, the corner stone of a great empire was securely laid. It is not necessary to re-

peat the history of the Anglo-American people from the year 1620, when the emigrants landed at Plymouth Rock, to the War of the Revolution, when, following the example of their Pilgrim ancestors, they formed a "civil body politick," and founded a federation of states which seems destined to hand down to posterity the language and the laws of England. Democracy was the only practical and proper constitution for a country without a past. The government of the United States developed from the needs and exigencies of the people, that of Canada was firmly established for ruling its people even long before those people existed and their wants were known.

The laws and usages which France established in Canada formed the character of that country and the habits, manners, moral education and prejudices of its people, trained under the French administration, were radically different from our own. This difference was shown when the people of Canada refused to join with the colonists of New England in asserting their independence. It was because of their Romance extraction and their training in a school of monarchy and theocracy. They did not know the full meaning of freedom or how they could better their political condition. They were becoming accustomed to the English yoke, and had already found it more agreeable than that of France. It was not strange that they did not wish to make a hazardous experiment and link their fortunes with a people with whom they had few sympathies or common interests. The French and Indian war had left a feeling of dislike toward the inhabitants of New England, since there had always been trouble between the French and English colonies. On the other hand, when Canada was conquered by the British, the New England colonists had no longer the spirit of loyalty to the mother country.

Congress endeavored repeatedly to enlist the people of Canada in aid of the revolution and caused circulars

and eloquent addresses to be printed and distributed among them. The address of the General Congress of October 26, 1774, while showing that the Americans knew the great obstacles to union, tries to smooth them over. It contains this reference to the religion of Canada : "We are too well acquainted with the liberality distinguishing your nation, to imagine, that difference of religion will prejudice you against a hearty amity with us. You know, that the transcendent nature of freedom elevates those who unite in the cause above all such low minded infirmities. The Swiss Cantons furnish a memorable proof of this truth. Their union is composed of Catholic and Protestant States living in the utmost concord and peace with one another, and thereby enabled, ever since they bravely vindicated their freedom, to defy and defeat every tyrant that has invaded them."

The committee sent to work among them reported that the population was uninfluenced, as only one out of five hundred could read ; and Dr. Franklin with his usual wit wrote back that the next mission sent up to Canada had better be "composed of schoolmasters." While attending the negotiations of the Treaty of Peace at Paris, Dr. Franklin urged the giving up of Canada to the United States and argued that there could be no solid and permanent peace without it ; that it would cost the British government more to keep it than it was worth ; that it would be a source of future difficulties with the United States ; that some day or other it must belong to them ; and that it was the interest of both parties that it should be ceded in the treaty of peace. Yet he did not urge the cession as a necessary condition of peace, and it was not much dwelt upon in the negotiations, but on the rights of Americans to fish in the Canadian waters he laid special stress.

The people of the United States are for the most part of Teutonic extraction, and although the different

branches are not fully amalgamated, the Anglo-American element is rapidly absorbing the others. The different elements once so conspicuous in various localities are now hardly distinguishable, and we seldom refer to the English of New England, the Welsh of Pennsylvania, the Dutch of New York, the Germans of Pennsylvania, the Scotch of New Jersey, or the numerous other races who first cultivated the soil. The immigrants who have arrived on the Atlantic shores at different periods have made their settlements among the English speaking inhabitants, and all learning their language, had gradually become assimilated to them in manners and habits. Then, as the Eastern States became more crowded, the native-born left for new openings and younger cities in the West. The decrease in the population of the New England States would be very perceptible but for the fact that their places are taken by French Canadians. But although we can not perceive by ethnical character the original populations in the States, it is a noticeable fact that immigrants seek those parts, which are similar in geographical character to their native countries. Thus, the Swedes and Norwegians settle on farms in our northern states, as the Dakotas, Minnesota, and Wisconsin. The Germans settle in the states along the Mississippi and Missouri Rivers, and with the Scotch and English make good farmers. The Irish remain in the cities and generally move toward the New England States in preference to the far West. The Italians also are inclined to swarm in cities, and, being of Romance extraction, do not form a congenial element in a community.

There is a distinction between Anglo-Canadians and French-Canadians. The former have retained a predilection for the English manners, language, tastes and religion; while the latter have become attached to their original French habits and language. The French-Canadian element predominates in certain

localities, especially in the Province of Quebec, and has a decided influence on the entire social and religious life.

This element is "an old stationary society in the midst of a new and advancing world." In many respects the French in Canada are quite different from the French of the present day in France; those of France are more advanced in modern ideas. The first settlers in Canada quitted Europe before the great revolution of 1797 had turned the Frenchman into a progressive being. The English care little about them and hold almost all public offices. Therefore the French population is opposed to the English, and there is between the two little social intercourse, and no good understanding or co-operation. The English are more practical and energetic, and are therefore richer; the French do not advance beyond theories. They are very proud since many are descended from the old *seigneurs*, and desire to maintain old laws, especially those respecting landed property, by which the activity of the English is everywhere impeded.

The population of French origin in Canada, according to the census of 1881, is 1,299,161. The great majority remain in the province of Quebec, which is thoroughly French, having a French speaking population of 1,075,130, out of a total population of 1,359,027. Their language is spoken throughout the province, in many places in the Dominion, and in the Federal Parliament. Consequently, laws are printed in French as well as in English, and both languages are used in debates, public meetings and courts.<sup>1</sup> The families of the French are large and increase rapidly, and in the Province of Quebec they buy up the farms of the English who move to the west. The clergy encourage them in this, since lands occupied by Catholics must pay tithes. Families of twelve children are common in French-Canada, and those of twenty are not rare. Therefore,

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1. B. N. A. Act, sec. 123.

although the English people predominate, the chances of an overbalancing increase are equally in favor of the French-Canadians.<sup>1</sup>

Prof. Rambaud, of the Faculty of Letters of Paris, says :

“Les Franco-Canadiens ont conservé non seulement leur langue, mais l'amour de la France. Sans doute ils sont de loyaux sujets l'Angleterre, et la protection britannique est une de leurs garanties contre les ambitions de la République américaine. Comme drapeau national, à côté du drapeau britannique, ils ont le drapeau français : non celui de l'ancienne monarchie, mais celui de la France de 1789. Dans leurs fêtes nationales, ce sont les pavillons et les oriflammes tricolores qui pavoisent les monuments, et c'est le drapeau tricolore qui flotte dans les manifestations publiques. Plus d'une fois déjà, dans la guerre du Mexique, dans la guerre de 1870, de nombreux volontaires canadiens sont venus partager nos dangers.

“Sur un autre point du continent américain à l'embouchure de ce Mississippi que découvrit Cavalier de La Salle, dans notre ancienne colonie de Louisiane, autour des villes de Saint-Louis et de la Nouvelle-Orléans, notre langue s'est maintenue également dans la descendance d'une poignée de nos anciens colons : elle compte aujourd'hui environ 200,000 âmes.”<sup>2</sup>

Do the inhabitants of Quebec cherish the hope of establishing a French Nation? They are an independent element in the Dominion, and on many domestic questions are antagonistic to the central government and would probably remain in the same attitude toward our own, should annexation take place. In the other provinces, although the French language does not predominate, its influence is greatly felt.

The motion brought before the present session of

1. Rambaud's "La France Coloniale, Introduction Historique," p. 37.

2. Rambaud's "La France Coloniale," p. 37.

the Dominion Parliament by Mr. Dalton McCarthy, a conservative, proposing the abolition of the law recognizing French as the official language of the Northwest Territories, brought forcibly before the public the strong desire of the French population to retain everything French. Mr. McCarthy and his followers argued that it was necessary for the peace and prosperity of the country for Anglo-Saxon institutions to predominate; but they were unsuccessful, since the dual language has been fastened upon the courts, leaving the use of the French language in the discretion of the provincial legislature.

The French language in Canada has not remained as it was spoken by the first settlers. It appears to have formed itself into a conventional dialect which is not pure French, and is known as Canadian French. When the French traders communicated with the Indians, they did so in a rude, simple language composed of the most useful words and despoiled of all case ending and syntax. There developed, therefore, in those parts of Canada where there was little communication between village and village, a dialect deprived of all uniformity and in which are found many Indian words and expressions.

The growth of this dialect was natural and received encouragement from the frequent inter-marriage of the whites and Indians, and the consequent mixed language of their children. From these half-breeds or *Métis* many of the influential citizens of Canada are descended.

The French common people who went up into the northwest soon adapted themselves to the existing customs of forest life. Being superstitious and illiterate, they readily made friends with the Indians, who respected their religious and festive ceremonies. They took to wife the daughters of the Cree, Blackfoot and Chippewa Indians and reared large families, which constitute to this day a distinct element in the ethnical character of the Dominion.

In the remote regions of British North America where the native tribes have not come so closely into contact with the French or English-speaking people as those nearer the centres of civilization, the language has become changed into one in which the French language does not predominate but by natural process of variation, several dialects have been produced.

This multiplicity of dialects arises from the amalgamation of races of different habits and modes of thought, and this, with special rapidity where, among pioneer settlements, the art of writing hardly exists to form a model for words and sound. Where three or four settle together in a locality, one speaking French, another English, and a third Indian, they will invent a language of some kind as a means of communication, and in no two cases is this language exactly the same.

It is probably for an analogous reason that the Abbé Clavigero found thirty-five dialects in Mexico. This confusion of tongues was due to the decentralized tribal organization of the natives of America. The Jesuit missionaries were greatly surprised at the number of languages spoken by the Indians. This is a proof that the original possessors of the soil had never attained a high state of civilization or been subject to any powerful political centralization. Their tendency to retain the uncivilized tribal form of government always manifests itself, and the great number of Indians in the northwest cannot be amalgamated with our population. In British Columbia and the Northwest Territories they number 97,057. In the Manitoba agency there are 11,311 "Treaty Indians."

For a few years past Icelanders have settled in the Dominion. In the regions near Winnipeg there are about 3000. Their presence was prominently brought to notice by a conference of the Icelandic Lutheran Church of America, held at Argyle, in Manitoba, in 1889, which was well attended, and showed a surprising growth and prosperity of this element of the popu-



lation. The Icelanders retain the language and customs of their home country, and it is yet to be determined whether they would amalgamate readily with the Americans.

The Scandinavians in Manitoba in 1886 numbered 25,676, about the same proportion as the Irish, Scotch and English.

Russia has contributed to Canada about 6400 German Mennonites who emigrated from the country by the Sea of Azov. And 1500 Russian Jews are becoming successful farmers in the Qu' Appelle valley.

The Chinese in Canada, numbering 4350, are almost all in British Columbia. The emigration to America of these undesirable citizens became so great that they were forbidden to land in British Columbia as well as on our shores. The Preamble to the Chinese Exclusion Act of British Columbia of 1886, which was disallowed by the Governor-General as unconstitutional, stated the reasons why they are not wanted as follows: 1. That the emigration is large. 2. That they are superior in number to our own race.<sup>1</sup> 3. That they do not obey our laws. 4. That they are dissimilar in habits and manners. 5. That they evade the payment of taxes. 6. That they are unclean. 7. That they are useless in cases of emergency. 8. That they remove the bodies from grave yards. 9. That they have a bad influence on the community.<sup>2</sup> The 104,541 Chinamen who are with us are distributed over the entire Union, while in Canada they exhibit a tendency to remain within the limits of British Columbia, where, as domestic servants, they supply a long felt want.

Although the French in Canada number 30.40 per cent. of the population, according to the last census, their influence is being gradually overcome by im-

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1. This refers to China's population of 530,000,000.

2. Vide "The Invasion of Pauper Foreigners," by Arnold White. The Nineteenth Century, March, 1888.

migration from the British Isles and the United States. The percentage of English speaking races is as follows: Irish, 22.18; English, 20.35; and Scotch, 16.23. Of these about 10.91 per cent. were born in the British Isles, and about 1.74 per cent. in the United States. The emigrants from the British Isles and the United States have been instrumental in advancing the English language and institutions.

After the War of the Revolution those who were loyal to England moved to Canada. Their number was larger than that of the exodus from Canada of those who were in sympathy with the Americans, but no valuable statistics of the respective numbers of these immigrants and emigrants at that time are available, nor can we determine except from the statements of settlers, the movements back and forth across the frontier.<sup>1</sup>

The endeavors of the British government to encourage emigration to Canada met with but little success at first. Fully four-fifths of the colonists left Canada after a short residence, to seek surer and easier means of living in the United States. Mr. Southley in work from data obtained in the First Report on Emigration, states that "When assistance for removing to Canada has been afforded to poor families, either by their parishes or the state, a great many have availed themselves of it, only for the sake of a passage, at the public expense, to this promised land."<sup>2</sup> Thus those English people who would have been so beneficial to Canada in counteracting the French influence, have augmented the population of the United States.

Out of the 3,000,000 emigrants from the British Isles during the years 1872-86, being in the proportion of 1,760,000 English, 930,000 Irish, and 300,000 Scotch, fully 60 per cent. went to the United States,

<sup>1</sup> For information concerning immigration in Canada, etc., previous to 1828 see "Emigration," by A. C. Buchanan.

<sup>2</sup> "Southley's Colloquies," Vol. II., p. 278.

20 per cent. to the Australian colonies, and less than 12 per cent. to Canada.<sup>1</sup>

The Northwest offers great inducements to the more enterprising Americans, and when we calculate the American element in Canada we must add to the number who were born in the United States, the far greater number of those who have settled there after remaining a number of years in the United States.

Next to the English and Americans, the Scotch make the best settlers in the great forests. The Irish are not so good since they dread the forest and prefer a mode of life in the large cities. The Welsh make better farmers than the Irish. The Germans succeed very well, but prefer to buy a farm already cultivated. The Swiss are much the same as the Germans. The French and Italians are totally unfit for planting colonies in the woods. Nothing could be more alien to the usual habits of a Frenchman. The population of France is almost universally collected in cities, towns and villages, even in the agricultural districts, and thus from early habit as well as constitutional disposition, Frenchmen love society and cannot endure the loneliness and isolation of the frontier settlements. When they attempt to form colonies it is by grouping together in villages, hence their settlements are seldom either extensive or vigorous. French emigrants find themselves happier in the cities and large towns. If resolved to establish themselves in the country, they go to comparatively well settled neighborhoods, not to the forests of the far West.

#### RELIGION.

After comparing the history of colonization in Canada with that in this country it is not surprising that we should find that the influence and resources of the

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<sup>1</sup> Vide "The Swarming of Men," by Leonard Courteney. The Nineteenth Century, March, 1888.

Roman Catholic church have caused it to obtain institutions and privileges at variance with those in the United States, and incompatible with its government. The early colonists in Canada were Roman Catholics, and subject to ecclesiastical authority in all matters.

In this country, on the other hand, the first colonists were Protestants, except a few in Lord Baltimore's Roman Catholic colony of Maryland. The Puritans were opposed to the Roman church and, as their name implied, they wished to see the church purified from every ceremony and form not clearly enjoined by the Bible. The Dutch who settled in New York were Protestants. Mr. Bancroft says: "The Reformation led to European settlements on the Hudson. The Netherlands divide with England the glory of having planted the first colonies in the United States; they also divide the glory of having set the example of public freedom."<sup>1</sup>

The Welsh and Scotch Presbyterians, as well as the Quakers, were the first emigrants to Pennsylvania. The Scotch and Irish carried Presbyterianism into New Jersey, Delaware, South Carolina and Georgia. The Carolinas, however, were principally settled by the Huguenots after the revocation of the Edit of Nantes. In Louisiana the bigotry that checked the growth of French colonies, was clearly displayed when Louis XIV. refused to permit about four hundred Huguenot's families from South Carolina to settle on the Mississippi. The Germans and Poles who first came to the country were Protestants, and their descendants can be found in Ohio, Indiana, Illinois, Michigan, Missouri and other Western States. The emigrants who have come to the United States have been for the most part Protestants and have maintained the liberal religious character of the country.

These references would not be complete without

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1. "History of the United States," Vol. 2, p. 256.

mentioning the Irish Catholics who have been pouring into the United States by thousands. They leave their country of English rule, and take an active interest in American politics, and especially those governing local affairs. The freedom of religion and separation of Church from State, if not actually leading to the conversion of many to liberal ideas, at least detracts from the influence of the Pope over them.

The religious denominations of this country differ in beliefs, but nearly all are Christian. Christianity in the United States is encouraged by the government, but there is no union between Church and State. The United States was the first nation to deprive itself of all legislative control over religion, and by the first amendment to the Constitution it is declared that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." But, although there is religious freedom and "no religious test is required as qualification to office," the tendency of the government to recognize Christianity is evidenced by laws recognizing the Sabbath and proclamations from the Executive providing for general holidays in which the people are advised to thank God for his guiding providence and tender mercies.

Mr. Justice Story in commenting on the sound policy of the government to foster and encourage religion, says:

"Every American colony, from its foundation down to the Revolution, with the exception of Rhode Island (if indeed, that state be an exception), did openly, by the whole course of its laws and institutions, support and sustain, in some form, the Christian religion; and almost invariably gave a peculiar sanction to some of its fundamental doctrines. And this has continued to be the case in some states down to the present period, without the slightest suspicion that it

was against the principles of public law or republican liberty.<sup>1</sup>

“Indeed in a republic, there would seem to be a peculiar propriety in viewing the Christian religion as the great basis on which it must rest for its support and permanence, if it be, what it has ever been deemed by its truest friends to be, the religion of liberty.”

The principle of the United States Constitution in regard to religion is found in all the State Constitutions. The New York Constitution says :

“The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all mankind.”

The United States has been in advance of England in this branch of political science. In England religious toleration was not granted to the Unitarians until 1813 ; to the Roman Catholics in 1829, one year after the abolition of the Test and Corporation Act ; and to the Jews in 1858.

The established Church of England is the Protestant Episcopal. The retention of the doctrine of Church and State has been explained by the Hon. W. E. Gladstone by assuming that as the family relation demand family worship, so must the personality of the state require a worship peculiar to the state. “As the nation fulfills the great conditions of a person—a real unity of being, of deliberating, of acting, of suffering—and these in a definite manner, and upon an extended scale, and with immense moral functions to discharge, and influences to exercise, both upon its members and extrinsically ; therefore it has that kind of clear, large and conscious responsibility which can only be met by its specifically professing a religion, and offering, through its organ the state, that worship which shall publicly sanction its acts.”<sup>2</sup>

1. “Kent’s Commentaries,” p. 35. Rawle. On the Constitution.

2. “State in its Relations with the Church.—W. E. Gladstone, Esq.”

England allows its dependencies to do much as they please in matters of worship. Scotland is Presbyterian, Ireland is Roman Catholic, although that church is not established there, and Canada has retained the Roman Catholic religion as the virtually established church. The numerical strength of the religious denominations in Canada is as follows :

	Roman Catholic.	Church of England.	Presbyterian.	Methodist.	Baptist.
*Ontario . . . .	320,839	366,539	417,749	591,503	106,680
*Quebec . . . .	1,170,718	68,797	50,797	39,221	8,853
*Nova Scotia . .	109,487	60,255	112,488	50,811	83,761
*N. Brunswick.	109,091	46,768	42,888	34,514	81,092
†Manitoba . . .	14,652	23,206	28,406	18,648	3,296
*Brit. Columbia	10,045	7,804	4,095	3,516	434
*Prince Ed. Is.	49,115	7,192	33,835	13,485	6,236
‡The Territories	9,301	9,976	7,712	6,910	778

\* Census of 1881.

† Census of 1886.

‡ Census of 1885.

Canada is designated in Rome "the eldest son of the Church." In the province of Quebec the Roman Catholic church is established, and the Pope always addresses his communications to the "Ecclesiastical Province of Quebec." The Church of Rome has always controlled the thoughts and actions of the French population under all governments, and ultramontaniam would remain as a power superior to that of the United States.

When Canada was confirmed to England by the Treaty of Paris in 1763, the Pope took care that the rights of the secular clergy should not suffer by the cession, and secured a clause in the treaty protecting the Church from Protestant England.

"His Britannic Majesty on his side agrees to grant the liberty of the Roman Catholic Religion to the inhabitants of Canada. He will consequently give the

most effectual orders, that his new Roman Catholic subjects may possess the worship of their religion, according to the rites of the Romish Church, so far as the laws of Great Britain permit."

If the limitation in the last part of the article had been strictly enforced, the laws then in use in England would have been strong enough seriously to cripple the Roman Church in Canada, but the policy of the government was not to interfere with religion and the rights of the clergy, so long as there was no jurisdiction of the See of Rome or direct allegiance to the Pope. The guarantee meant, according to the Commission to General Murray and the ordinance passed in conformity therewith, that present laws and church rights should remain until a time to be fixed by the government. "The laws of a conquered country continue until they are altered by the conqueror."<sup>1</sup>

King George III. directed Attorney General Thurlow and Solicitor General Wedderburne to investigate "the defective form of government in the province and to prepare a plan of civil and criminal law for the said province, and to make their several reports thereon."

The reports<sup>2</sup> they submitted to the King, fully state the religious condition of the colony and recommend a policy whereby "the inhabitants of Canada should be permitted freely to profess the worship of their religion," and the clergy retained and protected in all those rights not inconsistent with the sovereignty of the King. From information concerning the Jesuits and their vast estates they gave their opinion that:

"The exercise of any ecclesiastical jurisdiction under powers derived from the See of Rome, is not only contrary to the positive laws of England but is contrary to the principles of government, for it is an invasion of

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1. Wheaton III., App. Sec. 4.

2. Dated June 22, 1773 and Dec. 6, 1772. See "Christie's History." Vol. 1, p. 27.



the sovereignty of the King, whose supremacy must extend over all his dominions, nor can his Majesty by any act divest himself of it.

“The establishment of the Jesuits and of the other religious orders, as corporations holding property and jurisdiction, is also repugnant to the political constitution, which Canada must receive as part of the British dominions.

“By the rule of their order the Jesuits are aliens in every government. Other monastic orders may be tolerated, because, though they are not useful subjects, still they are subjects, and make a part of the community ill employed. The Jesuits form no part of the community. They, according to their institution, neither allow allegiance nor obedience to the prince, but to a foreign power. They are not owners of their estates, but trustees for purposes dependent upon the pleasure of a foreigner, the general of their order. Three great Catholic states<sup>1</sup> have upon grounds of policy, expelled them. It would be singular if the first Protestant state in Europe should protect an establishment that ere now must have ceased in Canada, had the French government continued.

“Uncertain of their tenure in Canada, the Jesuits have hitherto remained very quiet, but should the establishment be tolerated there, they would soon take the ascendant of all the other priests; the education of the Canadians would be entirely in their hands, and averse as they may be at present to France, it exceeds any measure of credulity to suppose that they would ever become truly and systematically friends to Britain.

“It is therefore equally just and expedient in this instance to assert the sovereignty of the King, and to declare that the lands of the Jesuits are vested in his Majesty, allowing, at the same time, to the Jesuits now

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1. Viz., Portugal in 1759; Spain in 1764; and France in 1767.

residing in Canada, liberal pensions out of the incomes of their estates."

By the Quebec Act<sup>1</sup> in 1774, all those professing the belief of the Roman Catholic church were allowed the free exercise of their religion, and the clergy were maintained in all their rights, even those of levying tithes and holding large estates in mortmain. Thus this form of religion was established by law in Canada many years before toleration in England. The cause for this policy of England, unusually liberal for the time, was the fear that unless great concessions were made the Canadians would join the Americans in their struggle for independence.

The Jesuits, since their foundation by Ignatius Loyola in 1534, had been bound by a peculiar allegiance to the Pope, and, as we have seen, acknowledged the superiority of no other earthly ruler. Their existence could not be tolerated by the English King, and their estates were declared reverted to the crown. This act of George III. occurred at a time when there was much opposition to the order throughout the world, and Pope Clement XIV., in an effort to maintain peace in the church, declared a bull, *Dominus ac Redemptor Noster*, July 21st, 1773, suppressing the order in Canada and all Christian countries.

The government dealt most liberally with them, and it was not until 1800, after the death of Father Casot, the last of their order, that it took possession of the estates. The property was sold, and, according to an act of the legislature of Lower Canada passed in 1832, the proceeds were applied to education only.

Thus the legal successors to the estates were deprived of all rights to, and the Roman Catholic bishop of all jurisdiction over them, through the action of their own Pontiff, as well as that of their King. The order was regarded as legally extinct in Canada, as well as in other parts of the world, and was so treated

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1. 14 Geo. III., c. 83.

by the Roman Catholic church, but when the bull of Pope Pius VII. *Sollicitudo Omnium Ecclesiarum*, on August 7, 1814, restored the order, a controversy immediately arose on account of the efforts of the Jesuits to recover possession of the large amount of property which they had owned or adequate compensation for its loss. Since that time the claim of the Jesuits that their moral rights to the property were never extinguished has resulted in many bills and petitions presented year after year to the Legislature of Quebec, asking compensation, and the strong influence of the Roman Catholic church has been used toward accomplishing this object.

As Protestants increased in number, Episcopalian missionaries were sent out from England, but they did not meet with any adequate encouragement in Lower Canada. But in Upper Canada, where the Roman Catholic religion was not so powerful, the Church of England received in every township, appropriations of lands, called "Clergy Reserves." The Constitutional Act, 1791, Article 36, allowed the Protestant clergy one-seventh of all grants made to the Crown. Here we find an instance of the government lending all its patronage to one denomination, and there arose the same feeling of discontent which has so often arisen against similar encouragement of the Roman Catholic church. Opposition to this method was made by other sects, especially the Church of Scotland, and arguments were produced to show that this liberal granting of lands was unfair to the settlers and a drawback to the country's prosperity. The lands set apart for the clergy in Upper Canada during the years from 1787 to 1833 were given only to three denominations, in the following portions: Church of England, 22,345 acres; Church of Scotland, 1,160 acres; and Church of Rome, 400 acres.<sup>1</sup> Similar to this method was that adopted by Governor Simcoe to encourage immigration,

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<sup>1</sup> Seventh Grievance Committee's Report, p. 164.

whereby large estates, sometimes comprising entire townships, were given to persons who never saw them, but derived great wealth from their increased valuation when population increased.

The lands set apart in Lower Canada for the Roman Catholic church were of enormous extent. In addition to those which were acquired by Laval there were valuable lands belonging to the Order of St. Sulpice. The entire commercial city of Montreal was held under a feudal tenure by the priests of St. Sulpice. The "Commissioners of Inquiry," appointed in 1836, reported that the island was 140,000 acres in area, and valued at £3,475,000.<sup>2</sup> The other seigneuries of St. Sulpice were also of great value. After the union of Upper and Lower Canada their property was valued at £520,000, the interest on which was £30,000, or more than seven times the amount received by the Protestants in all Canada. The French-Canadian population, relying on the increased strength that they had obtained by the rebellion of 1838, procured the passage of an ordinance granting that sum of money to the Roman Catholic church.

The British population who had been loyal to England in the rebellion petitioned the Parliament not to allow the bill. Then the whole question again came up of the rights of ecclesiastical orders in a debate on the incorporation of the Seminary of St. Sulpice.

The Bishop of Exeter spoke against it with the usual arguments, and showed that such an enormous sum could not be taken from the treasury of the province without doing great harm. The bill was lost. But by the Union Act the Crown surrendered all revenues at its disposal to the provincial legislature. The right, therefore, to legislate on the Jesuit and other estates was based on this concession, and the Roman Catholic church worked diligently until, after the

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2. Hansard LVII, 198.

introduction of the present government, they succeeded in accomplishing their long sought object.

The Jesuit and other Roman Catholic institutions that had been endowed with seigneuries by the French King were branches of the greater seminaries at Paris, and intended as state institutions for the express purpose of converting the savages and subjects of New France. They held their property from the Crown of France, which had the right to revoke the grant whenever it seemed desirable. Therefore, when England conquered Canada, she had transferred to her all the rights of disposal which France enjoyed, and could dispose of the funds from this land for the education of British subjects.<sup>1</sup> This was done at the Reformation, when the funds for the support of the Roman Catholic church were turned over to the Church of England. And under the treaty with Great Britain the United States, in regard to the State of Michigan, succeeded to all the rights that existed in the King of France prior to its conquest by the British, and among those rights that of dealing with the signorial estates of lands granted out as seigneuries by the French King, after a forfeiture had occurred for non-fulfillment of the condition of the fief.<sup>2</sup> Therefore, for these reasons, which we have but briefly investigated, the Jesuits had forfeited all rights to their estates.

In 1887 the Society of Jesus was incorporated by the Quebec Legislature, and when Premier Honore Mercier, an ardent Catholic, became the leader one year later, he succeeded in passing an act through the Provincial Legislature granting to the order \$400,000 in full settlement of their claims, at the same time giving the Protestant educational fund the sum of \$60,000 as a sop to quiet opposition. The fact that the province is distinctly Roman Catholic was indi-

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1. Grotius in "De Jure Belli et Pacis," c. 8, states the principle that the new sovereign succeeds fully to the rights of the conquered sovereign.

2. Wheaton, 280.

cated by an accompanying stipulation, which, it is safe to say, would not be allowed by any legislature in this Union, since it provides "that any agreement made between the government of the province and the Society of Jesus will be binding only in so far as it shall be ratified by the Pope and the Legislature of the province," and that "the amount of compensation shall remain in the possession of the government of the province as a special deposit, until the Pope has ratified the said settlement and made known his wishes respecting the distribution of such money in the country."

He decided that only \$100,000 should be given directly to the Jesuits and the remaining \$300,000 should be distributed among the ecclesiastical institutions.

On November 6th, 1889, the provincial government paid over that amount to Father Turgeon who represented the Jesuit order.

Thus the public money was taken from the treasury and the pockets of poor taxed and tithe-burdened people further to enrich a wealthy church. The Jesuit Estates Act seems to be beyond the jurisdiction of the Provincial Legislature and opposed to the civil rights of the Protestants.

Protestantism throughout the Dominion is alarmed at the surprising aggression of the Roman Church, and through synods, unions and conferences has loudly proclaimed against the act as "an unconstitutional and dangerous recognition of the authority of the Pope, and invasion of the supremacy of the Queen. Its unconstitutionality is based upon the grounds that the British North America Act gives the Province of Quebec no such power of legislation, and that the supremacy of the Pope is recognized in the Act.

The latter is undoubtedly true, since the Quebec Act of 1774 and that of 31 George III., c. 31, declare that the supremacy of the Crown shall be maintained as established by Queen Elizabeth.

The friends of religious equality looked with hope to the veto of the Act by the Dominion Government, but their petitions availed nothing against a faction which dared not incur the enmity of the subjects of Rome.

Democracy is the majority and the majority is sovereign, and government is according to the voice of the people. Since the people of the Province of Quebec can legislate on their own affairs, and want religious teaching by the government, they will have it, for the Roman Catholics are in the majority.

The control of elections by the clergy has been open in all matters involving religious matters, although in secular matters they pretend to be neutral. The several writers who have watched the Ultramontane movement in Canada seem to agree that the influence of the bishops and priests over their parishes has created a strong Papal power in the Legislature of the Province of Quebec and the Dominion House of Commons. Mr. Charles Lindsey in an article in the "North American Review" of November 1877, states that the policy of the Catholic Church has been declared in a *Programme Catholique*, to which candidates were required to subscribe before they could secure any chance of election. He says :

"The necessity of all who were in a position to exercise legislative power being in perfect accord with the Church, was insisted on. No one regarding whom there was any doubt in this respect could be elected.

The full and complete adhesion to Roman Catholic doctrines, in religion, politics, and social economy, was the first and principal qualification to be required in a candidate by Catholic electors. The laws relating to marriage, education, and the erection of parishes, were described as being in conflict with the claims of the Church; and it was the duty of Catholic legislators to amend them in accordance with the demands of the bishops, with a view of placing them in har-

mony with the doctrines of the Roman Catholic church.

Bishop Bourget has been instrumental in bringing about the present situation of the Church in Quebec toward the government, and has always maintained the rights of the priests to interfere in elections, and declared that no candidate should be elected "who desires the separation of Church and State; who sustains propositions condemned by the Syllabus, who rejects the intervention of the Pope, the bishops and the priests, in the affairs of government."<sup>1</sup>

In these questions of religion in politics there has been very little free discussion or opposition by the people through the press. The papers throughout the province are boycotted and compelled to stop publication, if they continue to print sentiments contrary to the wishes of the Holy See. The editors are generally Catholics and some papers are edited with the avowed intention of aiding the clergy in political matters. The control of the Church is very apparent in the articles published in the "Courrier du Canada," which has received the Papal benediction; "Journal de Quebec," "Courrier de St. Hyacinthe," "Bulletin Mensuel," "L'Événement" and "La Vérité."

Political proscription on account of religion cannot be tolerated in the United States, where the interference of the clergy in political matters is regarded even by Catholics as opposed to freedom of the ballot and a means of corruption. The Pope's temporal power in America exists only in theory. He is regarded by educated Catholics merely as the head of their religious organization. Under the influence of our government Roman Catholics are beginning to appreciate the fact, that the people are sovereign and subject to no superior authority or foreign potentate. Ultramontanism may exist among a people, ignorant, bigoted

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1. Lettre Pastorale des Evêques de La Province Ecclésiastique de Quebec, Septembre 22, 1875.



and controlled by priests, but not among a people thoroughly imbued with the spirit of independence.

There can be no union of the Province of Quebec with the United States as long as its entire political system is subject to the cunning of Jesuitism, and the insidious policy of foreign despotism. If it were represented as a State in Congress, can there be any doubt but that its peculiar foreign sentiments would be a source of contentions and fractional projects. Its institutions as we have seen, are opposed to our government and can never in their present shape be blended with republicanism. Yet, annexation would tend to weaken the power of Jesuitism and its control over government. Is it not more likely, then, that the Roman Catholic church would encourage the Province of Quebec to remain in its present dependency, or hold out against annexation in favor of an independent Catholic Nationality?

#### EDUCATION.

There was under the old régime no general system of education by means of local rates and taxes for the support of parochial schools. The Church, therefore, exercised exclusive control over educational matters, and its pious exertions were directed rather to prepare young men for the priesthood, than to train the children of the colonists to enlightened ideas and the higher callings in secular life.

The children of the *habitans* grew up in complete ignorance of those matters so essential to the growth of a new country, and naturally the second and third generations could not receive proper parental help in elementary studies. The Jesuits taught the catechism and sometimes reading and writing. The wealthy *seigneurs* sent their sons to the few ecclesiastical seminaries. That founded in 1663 by Laval at Quebec was a favorite, and was increased by the formation of the

smaller seminary five years later. A school for boys was established in 1740 at Montreal, by priests of St. Sulpice, which led to the foundation of a college in 1773.

In a work entitled "Préces historique et statistique sur l'instruction publique au Canada," Mr. Chauveau says that the Récollets made some attempt to instruct the poorer population, but their efforts seem to have been directed toward the elementary education of the young savages about Three Rivers. He says that in 1632 Lejune and Lallemand, two Jesuit fathers, founded a school for Indians as well as one for the children of the colonists. There was a "farm school" in the parish of St. Joachim, below Quebec<sup>1</sup> Girls were educated in the convents, the first one of which was that of the Ursuline nuns. In 1747 there were houses of this kind in the principal parishes, and at least twelve in the province of Quebec.

The American colonies, on the other hand, had advanced theories of legislation and the duties of society toward their members. The law made provision for a number of social wants which were very inadequately felt in Canada. The character of American civilization and progress received its birth in New England, through a system of public education. The code of 1650<sup>2</sup> provided for established schools in every township, since it is "one chief object of Satan to keep men from the knowledge of the Scriptures, by persuading from the use of tongues, to the end that learning may not be buried in the graves of our forefathers, in church and commonwealth, the Lord assisting our endeavours." The law compelled the inhabitants to support the schools under heavy penalties, and enforced the sending of children to school by parents. Those who refused to send their children were heavily fined, and if they continued in resistance, the parent was de-

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1. Francis Parkham, "The Old Régime in Canada," p. 168.

2. See also "De Tocqueville's Democracy in America."

prived of his child in order that it might be educated. The father was deprived of his natural rights for the benefit of society or the common well being.

When the English assumed control, the progress of education in Canada was greatly advanced. In 1787, a Committee of the Executive Council, instructed by Lord Dorchester to make a report and suggest a remedy for the lack of instruction in the country, reported that in many of the smaller villages only from twenty-five to thirty people knew how to read and write.

In 1801 Lower Canada received its first College, by the authority of the government, under the name of *Institution Royale*, by an "Acte pour établir les écoles gratuites et pour le progrès de l'Instruction."

The first legislative enactment in Upper Canada providing for schools was that of 1807, providing for a classical and mathematical school in each of the eight districts into which the province was then divided, and a grant of £80 a year for the support of each. In 1816 a law was passed appropriating \$24,000 a year, for the support of common or elementary schools. Four years after, in 1820, settlers in the Earl of Selkirk's colony, now Manitoba, had founded both Roman Catholic as well as Protestant schools.

It has been generally noticeable throughout Canada that Catholic parents do not wish to send their children to schools conducted by Protestants, and the Catholic clergy have never permitted them to do so. It has been found necessary in some provinces to maintain separate schools for both sects.

The first organization of a regular school system in Quebec was the result of a law passed by the legislature in 1829 entitled, "Acte pour l'encouragement de l'éducation élémentaire." Since that time the growth has been steady, and schools have increased rapidly. According to the statistics of Mr. Paul de Cases,<sup>1</sup> of the Bureau of Education of Quebec, the number of

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1. "L'Instruction Publique dans La Province de Québec."

primary schools in 1836 was 1321, with about 30,000 scholars; in 1847 the number was 1613, with 63,281 scholars; and in 1854 the number of schools had increased to 2,795, and of the scholars to 119,737.

When the provinces of Upper Canada (Ontario) and Lower Canada (Quebec) were united in 1841, a law was passed establishing a common school system in which there should be "Roman Catholic separate schools" in Upper Canada. Thus there was a separate system of schools for Protestants and Catholics.

In the British North America Act of 1867, section 93, it was provided that each province may make laws in relation to education on condition that:

"Nothing in any such law shall prejudicially effect any Right or Privilege with respect to Denominational Schools which any class of persons have by Law in the Province at the Union." In the school acts, therefore, in the provinces of Ontario, Quebec, Manitoba, and the Northwest Territories, equal provision is made for Protestant and Catholic schools, in an endeavor to maintain perfect harmony between the English and French populations.

Taking general notice of education in the Dominion we may divide it into three classes: 1. Common or Elementary. 2. Secondary. 3. Higher and University.

The elementary schools are distinguished as Public and Separate. Those in the provinces less influenced by the French, Nova Scotia, New Brunswick, Prince Edward Island, are non-sectarian, but it is demanded that they be Christian and not atheistic. In British Columbia "the highest morality is to be inculcated, but no religious creed or dogma taught."

In the provinces where separate schools are maintained, it is provided that Roman Catholic taxpayers can elect to support them and be exempted from paying the public school rates. These Catholic schools are conducted on an independent basis, but sub-

ject to the conditions of the general regulations of the Educational department in each province.

Although the systems of education are similar in the various provinces, they differ in application. Quebec is divided into scholastic municipalities, under the control of five public school commissioners. Where there are separate schools they are under the supervision of three syndics and receive aid from the government in proportion to the number of children that they instruct. General education throughout the province is under the control of a Superintendent of Public Instruction, assisted by a council of thirty-five, which is divided into committees acting separately. The Catholic committee has 20 members, and the Protestant 15.

The Protestant schools are similar to our own, and the reading of the Bible is the only religious instruction; but in the Catholic schools the catechism is taught, and the young children are early trained to be faithful members of the church under the guidance of nuns and curés.

The number of pupils in the elementary schools in 1889 was: Roman Catholics, 154,429; Protestants, 27,973.<sup>1</sup>

The province of Ontario has an educational system based on municipal organization, and managed by trustees elected by the rate payers. There is also a separate corporation of trustees for separate schools elected by Catholic supporters. These schools are provided for in proportion to their attendance. The general control of education is vested in the Minister of Education. The schools in this province in 1886 were as follows; public schools, 5,437, with 487,496 pupils; separate schools, 224, with 29,199 pupils.

In the province of Manitoba the Board of Education is divided into two sections. The first section is composed of twelve members, presided over by an officer

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1. Annual Report on Education in Quebec, 1889.

called "Superintendent of the Protestant Schools," and appointed by the Governor in Council. The second section is composed of eight members and a superintendent, who manage the separate schools. Each section acts independently, and receives money from the government "according to the relative proportion of Protestant and Catholic children of school age in the province, as obtained by the school census taken annually." The province is mapped out into "school districts," and the mode of supporting education is decided by each district.

There were in 1886, 496 schools or districts connected with the Protestant section, with 15,926 pupils. The statistics of Catholic schools are uncertain, but they may be estimated at about 55, with an attendance of 2100.

The Northwest Territories have an educational system under the control of a Board of Education, composed of five members, two Catholics, two Protestants, and a chairman in the person of the Lieutenant-Governor.

The statistics for 1888, show: Protestant schools, 90; pupils, 2425. Catholic schools, 21; pupils, 719.

The provinces do not issue their reports at the same date, but from statistics available, the attendance in the schools in those provinces having a single common school system, is as follows:<sup>1</sup>

Nova Scotia, 1888; schools, 2166 in summer; 2045 in winter. Pupils, 105,001.

New Brunswick, 1888; schools, 1542. Pupils, 69,063.

British Columbia, 1887; schools, 87. Pupils, 5179.

Prince Edward Island, 1887; schools, 437. Pupils, 22,460.

Secondary education is obtained in high schools or collegiate institutes and is intended to prepare students for professional pursuits or the universities.

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1. Compiled from Annual Reports on Education.

The studies are on a higher grade than those of the elementary schools, and include modern languages, the classics, higher mathematics and the various studies preparatory to higher education. In addition to legislative and municipal grants these schools are for the most part supported by fees from the pupils.

The number of high schools in Ontario in 1886 was 109, with 15,344 pupils. In addition to these are: model, art, normal and mechanics' institutes. Quebec had in 1888, 55 Protestant secondary schools with 6,652 pupils, and 486 Catholic, with 67,579 pupils. The normal schools are: Laval at Quebec; Jacques Cartier and McGill at Montreal. The first two are strictly French and Catholic, and have about 184 pupils; the last is English and Protestant.

Manitoba has a normal school for the training of teachers and a collegiate school at Winnipeg, which had in 1886 an attendance of 114 pupils. The students generally enter Manitoba University, but a few go to colleges in the East.

The higher educational institutions bear comparison with those in the United States, and there is a certain bond of friendship between them. Professors in American colleges accept positions in Canadian universities, and there is a constant passing back and forth of students, many Canadians preferring American colleges.

The colleges and universities of Canada like those of this country are generally under denominational control, and free from sectarian tests. Instruction is given to 5,000 students in colleges situated in the Maritime Provinces. The Province of Ontario stands first in the number of high educational institutions.

The principal seats of learning in the Dominion are: The University of Queen's College, at Kingston; University of Trinity College, and the Toronto University at Toronto; the Western University, Albert University, Ottawa College, and the University

of Victoria College at Cobourg. The last is affiliated with Victoria University at Montreal. The Province of Quebec has also the great Laval University at Quebec; McGill University at Montreal; and Bishop's College at Lennoxville. Nova Scotia has King's College at Windsor; University of Acadia College at Wolfville; and Dalhousie and the Presbyterian College at Halifax. Besides these there are many smaller affiliated colleges, several of them being for the education of women.

Maintoba has a University and affiliated colleges.

The Dominion government has bound itself by treaty to maintain schools among the Indian and half-breed population of the Northwest. Many of these schools are missionary and yet under the control of a church.

The English speaking half-breeds are educated in Episcopal and Presbyterian schools. The French half-breeds are Catholic and under the control of Jesuit teachers. The Canadian government, pursuing its usual liberal policy, encourages and aids Catholic Indian schools as well as those of other denominations. By annexation of the northwest we should have the old difficulty of administering Indian affairs, and have to encounter strong opposition from religious denominations before we could form a uniform non-sectarian system. The Indian school system of this country does not differ in some respects from that of Canada. In addition to the regular governmental schools, we have "contract schools," which are supported by the religious bodies of the country and receive aid from the government. These schools educate the children at a cheaper rate than in the government schools, and have proved very beneficial auxiliaries. The Roman Catholic schools have been doing good work among the Indians, and their interest has been shown by the fact that, during the year 1888, they were awarded \$347,672, out of an appropriation of \$476,190, for



maintaining government pupils; while during the year 1889, they received \$354,491, out of a total of \$506,994.

The recent opposition to General T. J. Morgan, Commissioner of Indian Affairs, and Dr. Dorchester, Superintendent of Indian Schools, was led by Archbishop Ireland and Bishop Riordan, who assert that they discriminated against Roman Catholics by removing teachers because of their religious belief, and that they desire to abolish the "contract school system."

The policy of allowing the Indian schools to become denominational, has already caused general dissatisfaction. It is evident that the system, in order to meet with popular favor, must be non-sectarian.

The difference between the public school systems of the two countries affords a subject of interesting discussion. The provinces, which have the double system, contain nearly all the French Catholics of the Dominion, while the provinces having the single system are composed of elements more similar to our own population. The systems in the Dominion are admirable, but the maintenance of the sectarian schools for Roman Catholics must be a cause of future dispute and a barrier against the amalgamation of the French race with the American.

The great body of the American people will never permit any part of their free and common school system to be under the control of the Roman Catholic church. "Free church, free school," is their cry, since an established religion and sectarian schools obstruct nationality and make the people narrow-minded. It is the chief corner-stone of our political institutions, and from the first establishment of the States, education has been a matter in which every man was bound to contribute.

The theory is a sound one, that the State being the embodiment of the concentrated wisdom of the people, can best be left to determine the best lines of secular

education. When the State permits religious teaching in free schools, it interferes with the rights of Hebrew and other denominations, and has no right to tax other denominations for these schools.

For the purpose of preventing the appropriation of public money to sectarian or religious purposes, a recently formed organization, "The National League for the Protection of American Institutions," has proposed the following amendment to the Federal Constitution, which may soon be presented to Congress :

"No State shall pass any law respecting an establishment of religion, or prohibiting the free exercise thereof, or use its property, money, or credit, or any power of taxation, or authorize either to be used, for the purpose of founding, maintaining or aiding any church, religious denomination or religious society or any institution or undertaking under sectarian or ecclesiastical control."

The condition of schools under Catholic control in Canada is not such as to indicate any improvement upon our system. We do not propose to allow the religious difficulty to arise in schools which are intended to make good American citizens, and not subjects of Rome. Religion is a subject properly left to the parent, who has a right to determine what creed the child should embrace.

The habits of truth and moral living are taught in our schools, and not the doctrine of any one religion.

## CHAPTER III.—GEOGRAPHICAL.

### TOPOGRAPHY.

The continent of North America is simple in its structure. The mountain chains extend in one direction and are nearly parallel with the coasts. Those in the East taking a southwestern, and those in the West, a southeastern direction. The Eastern range or system of mountains, called the Alleghanies or Atlantic Highlands, extend from the northern coast of Labrador, where the mountains are somewhat isolated, to the hills of Georgia near the Gulf of Mexico. The whole of this range, except the mountains in the provinces of New Brunswick and Nova Scotia, is in the United States. The Western range, called the Rocky Mountains, or Pacific Highlands, is the longest in the world, and extends from the northern shore of Alaska by the Arctic Ocean to the Isthmus of Panama, and from a geographical point of view is continued in the South American Andes.

These two ranges of mountains divide the continent into three great geographical unities. The first includes that long and comparatively narrow strip of country between the Alleghany range and the Atlantic Ocean. The second unity embraces that wider strip of land between the Rocky Mountains and the Pacific Ocean. The third unity comprises all the central plain between the two mountain systems, and in its vast expanse extends from the cold regions of the Arctic Ocean to the warm country by the Gulf of Mexico.

The geographical unities on this continent do not seem to have had the same effect as in Europe of

marking the boundaries of nations. History has shown many cases, like that of the Pyrenees between France and Spain, where

“Mountains interposed  
Make enemies of nations, who had else,  
Like kindred drops, been mingled into one.”

Although the first colonies confined themselves for the most part to the territory in the first unity, the nation which they established has found little difficulty, through modern facilities of communication, in extending its government across these natural barriers, to the Pacific Ocean. The United States has had a peculiar growth in an era of invention, and railroads and scientifically constructed bridges make easy intercourse among towns and counties, even in the newest regions. Its area is estimated at 3,556,500 square miles,<sup>1</sup> and is bounded on the east by part of the Dominion of Canada and the Atlantic Ocean; on the south, by the Gulf of Mexico and the Republic of Mexico; on the west, by the Pacific Ocean; and on the north, by the Dominion of Canada.

The Dominion of Canada comprises all of British North America with the exception of Newfoundland, and is according to the census measurements 3,470,257 square miles in area.

When we examine the boundary line which separates the two countries, we find that it is partly artificial and partly natural. The natural boundary line is that formed by the chain of great lakes, in connection with the St. Lawrence river, and the continuation of the Alleghany range in the water sheds of the Maine boundary. The artificial line is that agreed upon after four treaties with Great Britain, and extends for the most part along the 49th parallel of north latitude eastward to the Lake of the Woods, after which

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1. This includes the area of Alaska (estimated at 530,000 square miles), which lies north-west of the British possessions, and is separated from them by a boundary line for the most part artificial.

it pursues a south-east direction through a succession of small lakes to Lake Superior. But there is a slight ridge or table land extending along this artificial boundary, and its presence is noticed by the fact that the rivers south of it flow towards the Mississippi, while those north of it descend into Hudson's Bay, the Mackenzie river and the Arctic Ocean.

There is, therefore, a great natural barrier dividing the United States from that portion of the Dominion which is more thickly populated and differs in ethnical character. On the other hand the part of the Dominion lying on the more artificial boundary is yet in its infancy, and nearly the same in ethnical character.

#### CLIMATE AND PRODUCTS.

Taking into consideration the climate of North America, it may be noticed that it does not have as much influence on the people, and manner and means of living, in the two countries as one would suppose, owing to the continent's prolongation southward and its backbone of mountains. Although the average heat and cold in the two countries may not be without its influence upon the food and clothing of the inhabitants, and tends to create different wants and pursuits, yet the difference in climate is too small generally to cause any striking diversity in character.

For the purpose of comparison of temperatures and agricultural resources, scientists have divided the continent into six territorial unities:

1. That comprising the countries of Mexico and Central America extending to the 30th parallel of north latitude.
2. That between the Atlantic Ocean and the Alleghany Mountains from latitude 25° to 50° north, and from longitude 60° to 90° west.
3. That between the Rocky Mountains and the Pacific Ocean from latitude 30° to 50° north.

4. That formed by a continuation of the third territorial unity toward the north, from latitude  $50^{\circ}$  to  $70^{\circ}$  north, and from longitude  $115^{\circ}$  to  $165^{\circ}$  west.

5. The basins of the Mississippi and Missouri rivers from latitude  $29^{\circ}$  to  $48^{\circ}$  north, and from longitude  $75^{\circ}$  to  $115^{\circ}$  west.

6. All north of the fifth unity from latitude  $49^{\circ}$  to  $80^{\circ}$  north, and from longitude  $60^{\circ}$  to  $140^{\circ}$  west.

Therefore, the provinces of Ontario, with the exception of its western extension, New Brunswick, Nova Scotia, Prince Edward Island and Quebec, with the exception of its northern part, lie in the same territorial unity with that group of our states extending south to the Gulf of Mexico, along the Atlantic seaboard. The climate of this territorial unity is influenced by the Gulf Stream, which passes along the Atlantic coast, taking a northerly direction across the Atlantic Ocean by Iceland toward the British Isles and the northwest of Europe generally.

The climate of the maritime provinces of Canada resembles that of the British Isles. The proximity of the sea tends to raise the temperature of the air and make it uniform, but farther inland the differences between the temperatures in summer and winter become greater. Therefore, in the provinces of Quebec and Ontario the summers are hot and short, and the winters very long and severe, but owing to the dryness of the atmosphere, the cold and heat are not so perceptible as one would expect. Of the eastern provinces Quebec is the coldest, and has the greatest extremes in temperature. During the season from the early part of December until March when the ground is covered with snow, many of the inhabitants remain in the vicinity of their homes, on account of the danger and inconvenience of travel. When the thermometer runs as low as  $26^{\circ}$  F. the St. Lawrence river is frozen over and the inhabitants on both sides the river celebrate the event, and establish direct communication over the icy plain.

Taking brief notice of agriculture and the natural resources of these provinces, we find that the soil of Ontario is very fertile, that of Quebec is of average fertility, and as we approach the ocean the country becomes barren.

Ontario is the most southern of the provinces, and its carefully prepared statistics show that its advantageous situation near the Great Lakes makes the crops heavy and of good quality. It is the great grain-growing province of the Dominion, the crops in 1888 yielding 20,284,346 bushels of wheat. This is a more favorable return, in proportion to the number of inhabitants and average yield per acre, than that of either of the adjacent states, Minnesota, Michigan and New York. The same richness in agricultural resources is shown in the production of other crops. The average yield of bushels per acre from 1882 to 1888 has been as follows; fall wheat, 19.8; spring wheat, 15.7; barley, 26.1; oats, 35.7; peas, 20.7; beans, 21.1; rye, 16.4; corn, 67.5. The fruit crops have become celebrated, and apples and grapes are sent to the markets of American cities in large quantities.

Ontario is 181,800 square miles in area, and there are, according to the last census, 304,630 persons engaged in agriculture. The province is well adapted to the raising of cattle and sheep because of the invigorating character of the winters and plentiful supply of feed, but less attention is paid to pasture land than to grain production.

There is still a great portion of the country covered by forests, which contain a greater variety of trees than any of the other provinces. In the districts, near Lake Erie especially, there may be found black walnut, sassafras, chestnut, dogwood, locust and other trees indigenous to our western states.

Among the mineral wealth of Ontario can be found nearly all the metals predominating in the useful arts, but only small quantities have yet been yielded, with

the exception of salt in the Lake Huron districts and iron in the vicinity of Kingston. Productive wells of petroleum are being worked with greater success each year, especially in the neighbourhood of Bothwell and Petrolia. Of the 20,804,384 gallons of crude petroleum produced in Canada in 1887, about 15,000,000 gallons were from the wells of Ontario.<sup>1</sup>

Passing now toward the east, we find that agriculture in Quebec is most productive in that hilly country extending from the Alleghany range to the St. Lawrence river, and along the latter's northern bank. This province is the great market garden of Canada, since the French inhabitants do not undertake farming on a large scale, but produce a great variety of grain and fruit.

The province is developing into a stock-raising and dairying country. The exports of butter and cheese are largely on the increase. The maple trees afford an abundance of syrup and sugar, and in the more northern districts the beech, white pine and elm are found.

The principal minerals of Quebec are phosphates, silver, iron, gold, asbestos and copper. About ninety-six per cent. of the phosphate exported from Canada is produced in Quebec. In 1889 the output of asbestos amounted to nearly 5000 tons. It is found in the Laurentian geographical formation extending from Labrador westward beyond the Great Lakes, and in the region between the St. Lawrence river and our national boundary. Prof. J. T. Donald informs us of this asbestos product in the "Popular Science Monthly," of February, 1890, and says: "Although good workings occur elsewhere, the great majority of the mines are along the line of the Quebec Central Railway, which runs from the City of Quebec to Sherbrooke, the capitol of the so-called Eastern Townships of Canada, and cluster around two points a short dis-

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1. Statistical Abstract and Record, Canada. Ottawa, 1889.



tance apart and about midway between the two cities." He states that the United Asbestos Company, Limited, of London, England, that controlled the Italian mines, has turned its attention to the Canadian field and is operating on a large scale.

As we approach the seaboard we notice that as the agricultural possibilities decrease, other natural productions become more prominent. Thus in those provinces on the Gulf of St. Lawrence, Nova Scotia, New Brunswick and Prince Edward Island, agriculture does not receive as much attention as lumbering, mining and fishing.

The southern coasts are rocky and not available for the production of crops, but farther inland the lands once covered by forests are capable of cultivation sufficient to supply the wants of the inhabitants of these provinces. The most fertile lands are those formed by shutting out the sea from the flat lands by dykes. This is frequently done on the Bay of Fundy. From this region are exported to the United States considerable quantities of apples and potatoes.

These provinces are included in the great pine belt passing over the country between Newfoundland and the Lake of the Woods, and extending north from the Great Lakes to Hudson's Bay. The principal trees are the white and red pine, and the timber exported from New Brunswick and Nova Scotia has proved a source of great wealth.

Nova Scotia contains important coal deposits, the production in 1887 being 1,871,338 tons, or over one-half of the entire production of Canada for that year. The principal mines are in Cape Breton, an island of good soil and excellent grazing lands, with numerous harbors, and prosperous in fisheries and ship-building. Its advantageous situation near the great fishing banks, make it of vast importance as a coaling station. Sydney harbor is the principal coal field. The others extend across the northern part of the province, and are

worked in the Pictou and Cumberland districts.<sup>1</sup> These carboniferous fields run under the sea and Prince Edward Island to Newfoundland.

The fisheries of this region are of such surpassing importance that it is said that without them England never could have attained her naval supremacy. For every seaport town, every little village on the coast has become a nursery of seamen. It is, therefore, more likely that the English government will endeavor to retain this "arm of strength," so essential to her honor, independence and security. Talleyrand wisely observed to Bonaparte, that he could only distress England by ruining her colonies. And it is evident that English statesmen watch carefully the temper of Canada in all political movements. They are always anxious for speedy and amicable settlements of fishery disputes with the United States since the subject of annexation invariably follows that of the fisheries if the colonists are not content with their settlement. If they cannot obtain from England sufficient protection against the encroachments of American crafts they talk of throwing off that allegiance for which the mother country makes no return. The fishery question is again a subject of international consideration, since the best fishing grounds are those off the coasts of these provinces especially near the fishing banks. "Western Bank" is off the Nova Scotia coast. The "Great Bank," off the southern coast of Newfoundland, is one of the most remarkable formations of nature. In length it is about six hundred miles, in breadth about two hundred. It is supposed to have been originally an island and that it has been formed by accumulations of sand carried along by the Gulf Stream and arrested by the currents of the north.

These ice currents bring with them a vast collection of minute organisms, which form the food of the

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1. "The Distinctive Features of the Various Nova Scotia Coal Fields"—Edwin Gilpin, Jr., A.M., Inspector of Mines, Nova Scotia.

myriads of fish that annually frequent these waters. This is the solution of the swarming of cod, herring, caplin and other useful fish off the shoals, and the consequent desire of Americans to fish in this neighborhood causes the conflict with Canadian fishermen, since, with few exceptions, in Nova Scotia and New Brunswick, they do not employ the scientific methods of the New Englanders.

About one half of the total yield of the fisheries in the Dominion has been obtained by the enterprising fishermen of Nova Scotia. The values of the fisheries in Canada by provinces, in 1888, were: Nova Scotia, \$7,817,032; New Brunswick, \$2,941,863; Quebec, \$1,860,012; Prince Edward Island, \$876,862; Ontario, \$1,839,869. On the Pacific coast the fisheries of British Columbia were valued at \$1,902,195. Manitoba and the Northwest Territories derived from their inland waters \$180,677. From the earliest times succeeding the Revolution, the rights of American and Canadian fishermen have been a subject of controversy and treaty arrangement. Probably the most liberal and satisfactory was the Reciprocity Treaty of 1854, which, since it was one step toward commercial union, deserves special attention. Great Britain in addition to the privilege of taking fish on certain coasts mentioned in the Convention of 1818, gave the inhabitants of the United States the liberty "to take fish of every kind, except shell-fish, on the coasts, shores and bays of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and the adjacent islands, without being restricted to any distance from the shore, with permission to land on the shores of those colonies and the islands thereof, and upon Magdalen Island for the purpose of drying their nets and curing fish." On the other hand British fishermen were allowed "to take fish of every kind, except shell-fish, on the Eastern sea coasts and shores of the United States north of the thirty sixth parallel of latitude and on the shores of the several

islands without being limited to any distance from the shore," with the same privileges of drying and curing on the shores as were extended to American fishermen. The St. Lawrence river and Canadian canals used as communications between the Great Lakes and the Atlantic, were opened to the navigation of Americans, while Lake Michigan was opened in like manner to British subjects—a right, however, being reserved of suspending the operation of these concessions upon due notice given. Canadian fish and fish oil were imported into the United States] free of duty, and there was free trade in many articles of exchange between the two countries.

This system of free trade increased the markets of the United States and opened its ports to the export trade of British North America. But the Canadians seemed to think that they were granting too great concessions to the United States, and the United States at the same time concluded that the fisheries were not as advantageous as protection. The treaty, therefore, came to an end in 1866. Then the old troubles and questions arose, and Canada saw how greatly her commerce and prosperity depended upon the United States. Canadian fishermen joined the fleets of New England, so as to enter their catch in American markets free of duty. The English government desired a speedy adjustment of the fishery question, and there followed a treaty which gave the same provisions as the previous one, except that they might be terminated by either government upon two years notice after ten years. Fish products were admitted into each country respectively, free of duty. The navigation of the St. Lawrence was given for an equivalent in Alaska; arrangements were made for commercial intercourse with Canada; and the adjustment was made of the North-western boundary.

The fishery clauses in this treaty came to an end in July, 1885, by a resolution of Congress in 1883, and

Canada once more found her fisheries cut off from the advantages of free trade. The consequence was that all through the season of 1886 disputes arose in regard to the interpretation of the Convention of 1818, which again came in force. English and American negotiators formed a treaty on February 15, 1888, which was transmitted to the Senate by President Cleveland, with a *modus vivendi* until the matter be settled. The treaty was rejected, and the *modus vivendi* which remained in effect expired on February 15, 1890.

By this arrangement the American fishing vessels had been allowed to enter Canadian harbors for the purchase of supplies, transshipment of catch, and shipping of crews, by paying annual license fees of \$1.50 per ton. From these fees Canada received \$9,985,80 during the fiscal year ending June 30, 1889.<sup>1</sup> The sentiment of the fishermen of both countries is in favor of greater freedom to buy and sell in each others ports. Indeed, Senator Scott of the Dominion Parliament in commenting on the liberality which should be shown to the United States, said: "We want to deal with you, we want to trade with you, without the intervention of British plenipotentiaries." This object can be accomplished by a treaty of liberal reciprocity, commercial union or annexation.

In the fourth unity lie the province of British Columbia and our territory of Alaska.

The province of British Columbia is a natural continuation of our own Northern Pacific States in geographical character, and but a few degrees lower in temperature, it promises the same agricultural possibilities. In this province, as well as in the northwest, the ocean currents of the Pacific Gulf Stream or *Kuro Siwa* have a great influence in distributing heat, and make the climate equal to that fully twenty degrees farther south.

The soil is productive and capable of growing fruits

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<sup>1</sup> See Public Accounts—Canada, 1889., p. 44.

in abundance, and in as great variety as in England. Owing to the mountainous character of the country the land is used for grazing, and cattle grow fat in verdant pastures. Earl Dufferin has reported that "under wise local legislation the province of British Columbia has prospered greatly, despite the neglect which it long suffered at the hands of the home government, which could neither appreciate the value nor understand the needs of that far distant dependency."<sup>1</sup>

The fisheries are valuable, and to encourage those engaged in them, the laws of British Columbia are very liberal in allowing the use of vacant public lands.

Gold is found in Texada Island, near Bute Inlet in large quantities. The total value of this precious metal exported from the province since confederation, to June 1888, was, \$15,834,821. In Vancouver's Island there are rich deposits of coal.

The sixth territorial unity is of enormous extent and includes the province of Manitoba and the Northwest Territories. This is the great Canadian forest that offers unlimited natural resources to the future population. Trees grow even as far north as the Arctic Ocean, and do much to ameliorate the climate and act as wind-breaks against the cold currents from the frozen seas. The warm Chinook winds from the Pacific Ocean, distribute themselves over our north-western states and sensibly temper the climate of that entire region. Furthermore, the numerous lakes and Hudson's Bay raise the temperature of the air. And the fact that this territorial unity is not in as high an elevation as our states immediately south of it, has much to do with the similarity in their climates, since the height of a place has a much greater influence on the temperature than its latitude. As the forests of the Dominion are converted into farm lands, the temperature of our states in the fifth geographical

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1 Our New Alaska—Charles Hallock.

unity must approach nearer the temperature of the country farther north, and the extremes in winter and summer become greater.

Since this unity is covered with primeval forests, watered by small streams as well as great rivers, its resources are yet undeveloped, but it promises to become the finest wheat growing country in the world. Since the completion of the Canadian Pacific Railway and consequent easy transportation of large crops to the east, the eyes of a population on both sides of the frontier have been turned toward this vast expanse of arable territory, with virgin soil as fertile as our most promising lands in the west, extending from our northern states almost to the Arctic Ocean, and from the territory in the immediate vicinity of Hudson's Bay to the Rocky Mountains. A committee of the Canadian Senate charged with examining the resources and capabilities of this region north of the Saskatchewan watershed, reported :

"That within the scope of the committee's inquiry there is a possible area of 656,000 square miles suitable for barley, and 316,000 square miles suitable for wheat. That there is a pastoral area of 860,000 square miles, 26,000 miles of which are open prairie, with occasional groves, the remainder being more or less wooded; 274,000 square miles, including the prairie, may be considered as arable land. That throughout this arable and pastoral area, latitude bears no direct relation to summer isotherms, the spring flowers and the buds of deciduous trees appearing as early north of Great Slave Lake as at Winnipeg, St. Paul and Minneapolis, Kingston and Ottawa, and earlier along the Peace, Liard, and some minor western affluents of the Great Mackenzie River, where the climate resembles that of Western Ontario."

In 1887 the province of Manitoba produced a crop of 14,000,000 bushels of wheat at the average rate of 32.4 bushels per acre.

Stock raising has naturally engaged attention in a country with pastures and crops so favorable to the production of food essential to animal life. The ranches in the Northwest sent 4500 head of cattle to Great Britain in 1888, and the experiment of sending beef direct from the ranches in refrigerator cars has been successfully tried. In Alberta, N. W. T., horse-breeding is a special industry. This district, and that of Assiniboia raised in 1888 about 108,361 cattle, 23,868 horses, and 31,435 sheep on 108 ranches.

The mineral resources of this unity are yet undeveloped, but there are indications of valuable and extensive coal beds on the Saskatchewan, Souris and Athabasca rivers, estimated at 65,000 square miles in area.

Leaving this fertile country, and passing by the settlements of hardy factors and traders of the Hudson Bay Company, we arrive at a land of little fertility, which, by a singular euphemism has been called Labrador, cultivable land, and as the French called it, "Le Bras d'Or," although this precious metal is not found there. The climate, like that of the Maritime Provinces, is subject to great vicissitudes. In summer the thermometer reaches 85° and in winter it is often below zero.

Along the coast massive precipices of granite beat back the surf of the ocean.

The inhabitants are four-fifths Esquimaux, and engage in the seal and other fisheries for which this region is noted.

The Island of Newfoundland, lying southeast of Labrador, belongs to Great Britain, but has not joined the Dominion of Canada. Off its southern shore are the islands of St. Pierre and Miquelon, which have been retained by France to protect her valuable interests in the fisheries. They are sometimes ranked as third in importance among the French colonies: nevertheless, the fact that France has possessions on this continent is frequently overlooked.



When France gave up Newfoundland in 1713, she retained the exclusive privilege of fishing on the southern shore, which was confirmed in the treaty of 1763, when the islands of St. Pierre and Miquelon were restored to her. They were lost to France by the first war of the Revolution, and restored again by the peace of Amiens, but the next war returned them to Great Britain. Finally, in the treaties which followed the fall of Napoleon, Great Britain not only restored these important islands but confirmed certain privileges of fishing on the western shore of Newfoundland and adjacent islands and in the Gulf of St. Lawrence, which had been granted in the peace of 1783.

The islands of St. Pierre and Miquelon are not only capable of being made impregnable, but their situation commands the entrance to the Gulf of St. Lawrence. England, therefore, by treaty arrangement, permits the maintenance of a garrison of but 50 soldiers.<sup>1</sup>

In 1885 the population was 5765, allowing for 1405 persons not permanently settled. In addition to these we may add a population composed of those who are engaged in fisheries, *la population flottante*, which is estimated at 8000 persons.<sup>2</sup> The established church is the Roman Catholic. The Protestants have one church and minister.

On account of the sterility of the country, agriculture only yields sufficient products to meet the few wants of the inhabitants. The great fishing industries caused the exportation, in 1884, of products amounting to 14,639,226 francs.

The colony is represented at Paris by a superior Council of Colonies. The administration of affairs in the colony is in charge of a Commandant, who enforces the decisions and instructions of the General Council, composed of twelve members, and the Colonial Com-

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1. Rambaud's "La France Coloniale."—Statement of Lieutenant Nicolas of the Infantry of Marine.

2. *Ibid.*, p. 600, 603.

mission. He is assisted by chiefs of the Interior and Judiciary, and a Privy Council.

The colony is divided into two communes, each having a Municipal Council. That of St. Pierre is composed of a Mayor, 3 Adjutants and 16 Municipal Councillors. That of Miquelon of a Mayor, 2 Adjutants and 12 Municipal Councillors.

## CHAPTER IV.

### LEGAL AND INDUSTRIAL.

#### LAWS.

The law of Canada, under the French régime was a mixture of the Roman law and the feudal customs of the Franks, especially known as the Customary Law of Paris, which embodies the principles of the feudal system. According to this system lands or *seigneuries* were held immediately from the King as fiefs, on condition of the *seigneurs* rendering homage on accession to their estates. On the death of the *seigneur* the eldest son took the chateau and half the land. But where there were only two sons the elder took the chateau and two-thirds of the land. He received a greater portion of all the fisheries and timber on the estate, and fines on all transfers of property.

The feudal system was abolished in 1854, but its effects was lasting and are very perceptible in the province of Quebec. The Canadians were so much attached to this species of patriarchal tenure that they did not avail themselves of the socage tenure laws introduced by England after the conquest. England then introduced her own criminal law, but for civil cases the French Canadian law was used. Habeas Corpus was introduced in 1785 by "An ordinance for securing the liberty of the subject and for the prevention of imprisonment out of the Province."

The laws relative to property and civil rights and the procedure of the courts are not uniform in the several provinces.

The sources of the law are: 1. Imperial Acts; 2.

Dominion Acts; 3. Provincial Acts; 4. Orders in Council; 5. Orders of the Dominion Parliament and Provincial Legislatures; 6. Old Laws and Usages; 7. Instructions to the Governor-General.<sup>1</sup>

The judges, with the exception of police magistrates and justices of the peace, and probate judges in Nova Scotia and New Brunswick, are appointed by the Governor-General. But the British North America Act provides that, in appointing judges of the courts of Quebec, Ontario, Nova Scotia and New Brunswick, selection must be made from the Bars of those provinces. The highest court in the Dominion is the Supreme Court, which has an appellate jurisdiction in all matters, but from its decisions, in civil cases, there is a right of appeal to the Judicial Committee of the British Privy Council. This is a bond of security which the Canadians retain, as British subjects, because it leaves the final adjudication of legal matters in the hands of the mother country with her old and well-established laws. In the provinces the courts are on very nearly the same plan as in England, with superior courts vested with appellate jurisdiction, and lower courts in each province.

In criminal cases, by the act 51 Vic. c. 43, there is no appeal to the Privy Council. The tendency is to make the law uniform throughout the Dominion. The various codes, however, do not differ greatly from those in the United States, and since this is the great test in the formation of extradition treaties, there is a desire on the part of diplomatists to extend the list of crimes covered by the Ashburton Treaty of 1842. The tenth article of that treaty embraces only the crimes of murder, assault with intent to commit murder, piracy, arson, robbery, forgery, and the utterance of forged paper. By a convention between the United States and Great Britain, signed at Washington July 12th, 1889, and transmitted to the Senate by President Har-

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1. Vide J. E. C. Munroe, "The Constitution of Canada."

rison on December 17th, 1889, it was agreed in Article 1 as follows :

The provisions of the said tenth article are hereby made applicable to the following additional crimes :

1. Manslaughter.
2. Counterfeiting or altering money ; uttering or bringing into circulation counterfeit or altered money.
3. Embezzlement, larceny, obtaining money, goods or valuable securities by false pretenses ; receiving any money, valuable security or other property, knowing the same to have been embezzled, stolen or fraudulently obtained.
4. Fraud by a bailee, banker, agent, factor, trustee, or director or officer of any company, made criminal by the laws of both countries.
5. Perjury, or subornation of perjury.
6. Rape, abduction, child-stealing, kidnapping.
7. Burglary, house-breaking or shop-breaking.
8. Piracy, by the Laws of Nations.
9. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the master ; wrongfully sinking or destroying a vessel at sea, or attempting to do so ; assaults on board a ship on the high seas, with intent to do grievous bodily harm.
10. Crimes and offenses against the laws of both countries for the suppression of slavery and slave-trading.

Extradition is also to take place for participation in any of the crimes mentioned in this convention, or in the aforesaid tenth article ; provided such participation be punishable by the laws of both countries.

#### FINANCIAL AND ADMINISTRATIVE INSTITUTIONS.

In all matters of commerce the tendency has been to make the relations between the two countries as simple

as possible. The currency of Canada, by the Act 34 Vic., chap. 4, was placed on the same decimal system as that of the United States. The monetary system is based on the Act 34 Vic. chap. 5, and is characterized by the same methods which are in use in England and the United States, but it is on a gold basis and not the bi-metallic system. The banks maintain a system of exchanges but have not yet adopted our clearing-house system. The number of incorporated banks in 1888 was 42, nearly all having their centres or principal offices in the Dominion. Quebec has 14; Ontario, 13; Nova Scotia, 9; New Brunswick 3, and Manitoba and British Columbia, one each. Their liabilities in 1888 were \$166,344,852; assets, \$244,975,223. Even in the development of the banking system the French influence can be seen. In Quebec there are many banks conducted under French names and methods, and their operations are more confined to a limited space and not spread over the Dominion by numerous branches, as are the thrifty and prosperous banks of Nova Scotia and New Brunswick. There are, in addition to these, 50 government savings banks, under the management of the Finance Department.

The establishment of Post Office Savings Banks in Canada was intended to encourage the making of small deposits by the poor or working classes in institutions where perfect security is assured. The Post Office Act of 1867 provides for their formation and declares that a deposit must not be less than \$1.00 or greater than \$1000. In Ontario the system is on a good working basis, and the offices number 317. In Quebec the deposits have been smaller than was expected, a fact attributable to the old dislike of the French Canadian population to adopt new methods. The number of offices in this province is 75; in Nova Scotia, 22; in New Brunswick, 14; in Manitoba, 2, and in British Columbia, 3. The rate of interest in all government banks is four per cent.

Before confederation the several provinces had their own postal systems, but by the Act 31 Vic., chap. 10, a uniform system was established for the Dominion.

International correspondence between Canada and the United States, in addition to the provisions of the Universal Postal Union, is regulated by agreements of 1875 and 1888. Each country retains the money collected without making returns on account of postage to either country. The system of Canada as well as the United States has had a steady growth both in the number of post offices and in the business transacted. The following statistics show the increase since confederation :

	1868.	1888.
Number of post-offices, . . . . .	3,638	7,671
Letters posted, . . . . .	18,100,000	80,200,000
Postal Cards, . . . . .	<u>          </u>	16,586,000
Number of letters per head, . . . . .	5.37	16.13

In reference to the debt of Canada, her financial condition may be divided into three periods :

1. From 1867, when the confederation was begun and the debt was \$75,728,641, to 1874, when the union of provinces was completed and the debt was \$108,324,965. This increase in the Federal debt was caused by the Dominion government assuming the debts of the provinces, amounting to \$109,430,148; but the period is marked by increasing revenue and surpluses.<sup>1</sup>

2. From 1874 to 1878, during which period decreasing revenue was noticed, because of the depression in trade both in the United States and Canada, and the inequality in tariffs.

3. From 1878 to 1889, a period marked by reduction in the tariff and consequent accumulation of surpluses and increasing revenue. During this time the government incurred the vast expenditure of \$24,000,-

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1. Budget Speech—Minister of Finance, March 5, 1889.

000 for the construction of the Canadian Pacific Railway,<sup>1</sup> and the debt increased to \$234,531,358.

The debt of the United States, according to the American Almanac for 1889, is \$1,705,992,320.58, or \$20.42 per head of the population. That of Canada is \$47.16 per head of its population. But these figures cannot be used in comparison to show greater national prosperity on the part of the United States, because the Dominion of Canada has adopted a policy of centralizing all the large public expenses, thus relieving the provinces of the burden of supporting the administration of justice, militia, penitentiaries, immigration and quarantine, and the salaries of Governors. The Dominion also pays the interest on the assumed debts of the provinces and gives them subsidies for the maintenance of the official service. This financial system is directly the reverse of that prevailing in this country, where each state is self-supporting and conducts its finances without friction with the federal relations and on an independent basis. The financial independence of the provinces, now that the confederation is on a firm foundation, would tend to promote among the people a feeling of self-reliance and capacity, by establishing a revenue by such means as each province sees fit.

The method of taxation is different from that generally employed in the United States. The provinces, if we except the minor taxes, such as those on legal documents in Quebec, and mines in Nova Scotia, have no revenue systems. The power of taxation for both services is in the federal government, and the revenue is obtained by a tariff on imports and exports and excise and the earnings of post-offices and public works.

In the United States the people pay taxes not only to their own states, on personal and real property, but also indirectly to the federal government. Thus, taxation in Canada is for the most part indirect, and can-

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1. Hansard, 314, p. 313.



not be compared with that in this country. Taxation in Canada for the year 1888, was \$5.66 per head, while in the United States it was \$5.51 per head in the federal government, and \$1.08 per head in the states.<sup>1</sup> Thus, the people of this country pay 93 cents per head greater taxation than the subjects in Canada.

The annexation of Canada might lead to the adoption of direct taxation, toward which the United States has been tending. Since indirect taxation is an incident of centralization and is not encouraged by some political economists because it raises the price of merchandise, and poor people, receiving less wages, do not know how much they are paying for their purchases.

#### COMMUNICATION AND COMMERCE.

The facilities of communication on the continent and between the two countries have so greatly increased that it is now possible to travel with ease and comfort to the most widely separated parts.

There has been a gradual growth in railroad construction, since the building of the first railway in Canada in 1836 in Quebec, which was sixteen miles in length, to the confederation in 1867, when there were 2258 miles in operation. Then the Dominion government agreed to take upon itself the construction of several lines connecting the provinces, and railroad construction made rapid progress, until, with the completion of the Canadian Pacific Railway in 1888, from Lake Nipissing to Port Moody on the Pacific coast, the length of railways in Canada amounted to 12,701 miles. In the United States in 1888 there were 152,726 miles completed.<sup>2</sup>

In comparison with the railroads in the two countries there are water routes by canals and great natural highways. The most important in the world is that

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1. Budget Speech—Minister of Finance, Canada, 1889.

2. American Almanac, 1889.

known as the St. Lawrence route, from Duluth to the Straits of Belle Isle, which, formed by the Great Lakes and St. Lawrence river, is 2384 miles long and common to both countries as far as Buffalo. Beginning here, the Erie canal extends 352 miles, until it is connected with the Hudson river at Troy, thus affording an American water route to the Atlantic seaboard for western grains and manufactures, in competition with the parallel lines of railroads across New York and Pennsylvania. The route to Montreal from Lake Erie is through the Welland canal, Lake Ontario and the Galops, Rapide Plat, Ferran's Point, Cornwall, Beauharnois and Lachine canals, comprising the St. Lawrence system.

The St. Marie river not being navigable, connection between Lakes Huron and Superior is by a canal on the American side, one mile in length and eighty feet wide. But owing to the greatness of travel on this canal the Canadian government is constructing another three-quarters of a mile in length and one hundred and fifty feet wide, which is expected to be ready for use in May 1892. This is the great water route for carrying the products of the west and north-west to the ocean vessels at Montreal, and is in direct competition with the Canadian Pacific, Grand Trunk and St. Lawrence system of railways. The successful passage of an ocean steamer from Liverpool to Chicago, in 1888, has raised the possibilities for the maintenance of a direct route between the Great Lakes and Europe. This would make it possible to convey freight for one-third the rate charged on railways, and consequently nearly all the grain of the west would pass off in this direction. In order to make the scheme practicable, it would be necessary to enlarge the Canadian canals, at a probable estimate of \$70,000,000, which would be one-third more than the cost of the Nicaragua canal.<sup>1</sup>

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1. See Letter of Henry K. Wicksteed, N. Y. *Times*, Jan. 31, 1890.

There has been a steady decrease in traffic on canals in contrast with the increase on railroads. This seems to indicate that canals are preferred for short distances, but where quickness is desired great shipments are sent by rail. The number of Canadian vessels employed on the canals and Great Lakes exceeds that of the United States. The cause of this is attributed to the restrictions and prohibitions of the United States navigation laws, which by a false theory of protection are depressing shipping interests. Vessels not exclusively owned in the United States cannot carry freight between two American ports. Canadian vessels can ply between Chicago and Montreal, but not between Chicago and Buffalo. Therefore, the surplus crops of the west are carried off on Canadian vessels by the St. Lawrence route. The tonnage of Canadian vessels in 1888 amounted to 1,089,642, which is a much greater showing, in proportion to the respective populations and trade relations, than the 4,191,916 tonnage of vessels in the United States.

The fertile lands of our western states have been developed by the introduction of agricultural machinery and railroads. According to the last census the area suitable for farming is 1,500,000 square miles, or 960,000,000 acres. If we deduct from this the land already taken for farming, amounting to 536,081,835 acres, we have left but a small amount of unoccupied land in proportion to the increase of population. The number of inhabitants to the square mile in the United States is 13.92; in Canada, 1.35. Thus the surplus population of the United States must, in a few years, turn toward the Canadian northwest.

The northwest has been brought in direct communication with the Maritime Provinces by the Canadian Pacific Railroad, which has been likened to the long sought "Northwest Passage." Before its completion it was necessary for these provinces to do all their trading with Asia through the United States, but now

the trade from the importation of such articles as tea and silk, and the exportation of machinery, cotton and general merchandise, was, in 1888, 13,048 tons. The farmers of our northwestern states find it cheaper, in some instances, to send their crops by this route to the vessels at Montreal.

England is proud of her great territorial expansion, and now that the Canadian Pacific Railway has brought British Columbia within fourteen days of the British coast, she sees a method of further advancing and protecting her commercial interests. It is another route to India—and entirely through British territory. If for any reason the route, which she now generally takes through the Suez canal should be closed, as would be likely in case of war arising out of the "eastern question," or if the route around the Cape were cut off by enemies' ships, she has a third route through Canada which can be taken in thirty-two days, or a few days less than by the other two. England has been quick to see this new advantage and has willingly cooperated with the Dominion government in the construction of a great line of mail steamers which will run from the city of Vancouver, on the Pacific, to Hong Kong, China and Japan.<sup>1</sup> The vessels will be of modern construction and capable of good service as cruisers during war panics.

The waters between Canada and England will soon be traveled by a new line of steamers which will accomplish the voyage in six days.

The total imports of Canada during the year 1889 amounted to \$109,673,000, of which \$50,537,000 were on goods from the United States, and \$42,317,000 from those of Great Britain. Thus its trade relations with us are greater than with the mother country, and nearly one-half of its world imports. Canadian exports to the United States were \$34,522,000.<sup>2</sup>

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1. Hansard, "Parliamentary Debates," 338, p. 820.

2. Trade and Navigation Report, Ottawa, 1890.

Our trade relations with Canada can also be emphasized from the fact that exports to the Republics of South America during the same year amounted to \$30,744,497, and to Central America \$11,249,936. The sum of these figures is less than that indicating our Canadian sales.

This is used as an argument in favor of commercial union. For, if we desire, as was indicated by the Pan-American Congress, to enter into reciprocal relations with the nations to the south of us, how much more should we desire to extend our trade with Canada, where the balance is in our favor.

Unless our Federal government changes its policy of protection, we shall see the trade of Canada becoming formidable to us, and more independent as it rapidly builds up communication with South America, the West Indies, and by means of the Canadian Pacific Railway, the nations of Japan and China. The establishment of commercial union with Canada would be but a step forward toward the sound policy of free trade, and could be tried, as an experiment, as to the advisability of its further extension. For the negotiation of a treaty of this kind with Canada would probably result in establishing free trade, since other nations would demand that they receive the same privileges. Trade is steadily increasing between the two countries, regardless of tariff. Commerce is causing Americans to think that, if commercial union is secured, the five million Canadians will soon desire further to enjoy the politics and commerce of our population of sixty-five millions, by annexation. Commercial union would be a practical equivalent of annexation, for the great North American continent would be under the same commercial law, and by its great system of railroads and other communications, its internal resources and influence would stand out as exclusive against the rest of the world.

## CHAPTER V.—POLITICAL.

### CONSTITUTION.

The Canadian colonies have always been deprived of representation in the Imperial government, and, until the recent Dominion Constitution, prescribed by act of the British Parliament in 1867, they had few privileges of self-government.

The colonial government given to Canada after the fall of the French power was not even as liberal as that under which the New England colonies had struggled. The home government understood the peculiar nature of its subjects and established a strong and almost tyrannical colonial administration, while the Canadians were content to be ruled by a Governor and Council, since they knew no government better than that of Louis XV., and did not desire self-government and legislation according to the constitutional system of a governor and two branches or houses.

The several Colonial Secretaries who were appointed do not seem to have worked for the best interests of the colonies, since their terms of office were dependent upon the success of their party. Each secretary understood the peculiar policy pursued by his party toward Canadian affairs and made it his custom not to acquire a suitable knowledge of the needs of his people, but to study how he might retain his place and salary. Thus, while the leading features of the Canadian policy were changing often with party movements, the details of carrying out that policy were in the hands of irresponsible agents who sat in their high seats in England.

The government established by the Constitutional Act of 1791<sup>1</sup> did not avert the abuses and misgovernment which resulted from differences in party politics. The province was divided into Upper and Lower Canada with a separate legislature in each, composed of a Council and Assembly. The executive power was vested in a Lieutenant-Governor of Upper Canada and a Governor of Lower Canada, who had also a certain control over the Upper province. There was an Executive Council, composed of officers of the Crown, presiding over both provinces. These provinces were then, as now, essentially different in ethnical character and political knowledge.

The colonies were satisfied for years afterward with the rule of England; but when the increased population became fused with English and American settlers, it began to feel its strength, and appreciating the rights conferred by the Constitution of 1791 to desire their substantial exercise and further extension. Dissatisfaction naturally commenced in Lower Canada, the most powerful and progressive of the six colonies, and spread to the others. The question of becoming independent often agitated the minds of the Canadians, and after the triumphs of the revolutionary principle in Europe during the ten years preceding 1840, the excitement of the people was strongly in favor of a government similar to that "composing the industrious, moral and prosperous confederations of the United States."

The Assembly of Lower Canada, in 1834, passed a set of resolutions, asking for a Legislative Council chosen by the people, instead of by the Crown, and the power of revising the constitution. They declared that by this measure the British Parliament "would preserve a friendly intercourse between Great Britain and this province, *as her colony, as long as the tie between us shall continue, and as her ally whenever*

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1. Geo. III., ch. 31.

*the course of events may change our relative position."*

The sentiment of the people as represented in the lower house became so strong for reform of existing government or entire independence, that they

"Resolved, that the neighbouring states have a form of government very fit to prevent abuses of power, and very effective in repressing them; that the reverse of this order of things has always prevailed in Canada under the present form of government; that there exists in the neighbouring states a stronger and more general attachment to the national institutions than in any other country, and that there exists also in those states a guarantee for the progressive advance of their political institutions toward perfection, in the revision of the same at short and determinate intervals, by conventions of the people, in order that they may without shock or violence be adapted to the actual state of things."<sup>1</sup> Not content with these bold, and, as the British thought, treasonable expressions, they added that "the institutions of Great Britain are altogether different from our own," and "that the unanimous consent with which all American States have adopted and extended the elective system, shows that it is adapted to the wishes, manners, and social state of the inhabitants of *this continent*."

These numerous petitions, complaints and demands for redress of grievances were caused by the desire of the French Canadians to keep alive their nationality, the influence of American agitators, and the conflict of the two races arising out of those land grants which we have already investigated,<sup>2</sup> as well as those made to the British-American Land Company, which increased the influence of the mother country.<sup>3</sup> It is not necessary to trace the history of this agitation onward through its various stages. The people demanded:<sup>4</sup>

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1. Resolutions, 21st February, 1834.
  2. Vide ante, pages 14, 15, 16, 38 and 39.
  3. Address of October, 1836.
  4. February 25, 1836.



1. An Elective Council.
2. The repeal of the Tenures Act, and the act creating the British-American Land Company.
3. Complete Parliamentary control over the whole of the lands belonging to the colony.
4. Complete control over revenue and expenditures.

The clamor for an elective legislative body was made by the French element, which was opposed to the English, and desired authority over the immediate representatives of the Crown. The Assembly withheld the supplies, and there followed acts of disorder, causing the rebellion of 1837-8 for national independence, which was soon put down by those who were loyal to England and desired her supremacy.

The leader of the revolt was Louis Joseph Papineau, an ambitious French Canadian of mild manners, but possessing a discontented mind filled with theories for the advancement of the people of his nationality. He thought that by causing the Canadians to revolt he might gain the independence of Canada, with himself as Dictator, after the manner of the revolutionary leaders of France.<sup>1</sup>

The constitution of Lower Canada was suspended,<sup>2</sup> and Lord Durham, who was appointed to administer the provisional government, made a report on the conditions and needs of the province in which he recommended the restrictions of the French language and the union of the British North American possessions, because "it would enable the province to cooperate for all common purposes, and above all, it would form a great and powerful people, possessing the means of securing good and responsible government for itself, and which, under the protection of the British Empire, might in some measure, counterbalance the preponderous and increasing influence of the United States on

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1. Vide *United Service Journal*, 1838.

2. 31 Geo. III., c. 31.

the American continent.”<sup>1</sup> The result was a bill brought forward by Lord John Russel, during the session of 1839, providing for a new constitution.

The debates that followed were interesting and important, and local and responsible government received full consideration. Lord John Russel did not want separation, but said that the interference of the Imperial Parliament in affairs of colonial government ought to be confined to extreme cases. Therefore, by the constitution of 1840,<sup>2</sup> the two provinces of Upper and Lower Canada, which had been separate since 1791, were united, and a government established whereby England removed the management of local affairs from the combinations and agitations in home politics, and permitted Canada to approach nearer the ideal self-government system of Teutonic states. Representation was divided equally between the two provinces, although Lower Canada was more populous.

Lord Sydenham, who came out as Governor, succeeded, during his short term of office, in counteracting the French-Canadian influence by procuring an Anglo-Canadian majority in both Houses of the Parliament of the united province. This caused a feeling of security for a time in the country, since legislation was toward securing titles to real property and the abolition of the feudal system. One of the most successful arguments to excite rebellion had been that the inhabitants would free themselves from seigniorial dues.<sup>3</sup>

The political movements of the times succeeding, were the endeavors of the “Liberals” and “Conservatives” to get the upper hand, and of the Governors to please both elements of the population.

The Liberals had in their party the French-Canadian faction, headed by Mr. Papineau, who had been conspicuous in the late rebellion. They frequently agi-

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1. Constitutional History, p. 53. J. G. Bourinot.  
2. Act of 3 and 4 Victoria, c. 35.  
3. Hansard, LVII., p. 19.

tated the subject of annexation or independence, and were encouraged by American speculators and those who had strong democratic ideas. It was through their manœuvring that the Rebellion Losses Indemnity Bill was passed through both Houses and received, from Lord Elgin, his sanction and recommendation to the home government. Annexation associations were formed in a few places, but the movement was confined to no particular party. It was noticeable that persons of the most opposite political views on domestic questions forgot their differences and united in their advocacy of this great scheme.<sup>1</sup> The annexation manifestoes were approved by many who thought that England's policy at that time was in favor of getting rid of her colonies. The position taken by many of the leading London papers, for example, the *Times*, was such as to convey this impression. It is likely that some decisive action would have been taken but for the internal disturbances in the United States which preceded the Civil War.

Opposed to the Annexationists was a strong party consisting of the Roman Catholic clergy, with their French-Canadian followers, and the Conservatives. The latter, after the passage of the Rebellion Losses Indemnity Bill, had banded themselves into a "British American League," which was loyal to England and instrumental in restoring peace and order. The Conservative party began to lose power, and there was a movement in all parties toward reform.

That part of Canada known as the maritime provinces does not need as much attention in a constitutional history, inasmuch as it has not been subject to the French influence. It was originally Acadie, but in the year 1749 England colonized it and gave it the name Nova Scotia, including the provinces of New Brunswick and Prince Edward Island. The latter was constituted a distinct province in 1770, and the former in 1784.

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1. See "Canada since the Union of 1841," p. 180. J. C. Dent.

These provinces were colonized by English, Scotch and U. E. Loyalists, and, therefore, remained in sympathy with British institutions. Their government was more responsible than that of French Canada and freer from great internal dissensions.

It was quite natural, therefore, that Nova Scotia should take the first step toward forming a confederation of the provinces on the plan of responsible government so often proposed in political crises. This province, with that of New Brunswick, urged the union, and there resulted a conference of delegates from all the provinces at Quebec, October 10th, 1865, in which was formed the foundation of the present constitution and government.

The Fenian movement against Canada in June, 1866, did not arise from a desire for annexation, but was planned by the leader, O'Neil, and his American followers, through sympathy for Irish independence. Their intention was to injure England and help Ireland gain its freedom. The government of Canada soon restored peace; the United States then, as in the subsequent raid of 1869 by the same leader, giving assistance.

The British North American Act<sup>1</sup> federally united the provinces of Canada, Nova Scotia and New Brunswick, and made provisions for the admission of other parts of British North America. The province of Canada was divided into the provinces of Ontario and Quebec, having their territories co-extensive with the old provinces of Upper and Lower Canada. Provincial constitutions were given to these provinces according to the constitutions existing before the Union Act of 1840. Nova Scotia and New Brunswick retained the same boundaries and provincial constitutions.

Before entering on the discussion of the constitution it would be well to speak of the provinces lately admitted into the Dominion of Canada.

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1. 30 and 31 Vic., c. 3.

Manitoba was part of the territory granted to the Hudson Bay Company by Charles II. In 1811 the Earl of Selkirk, who owned stock in the company, purchased a large tract of country covering what is now Manitoba, and established a colony of Scotch, which was unsuccessful. The company bought it back in 1835 and established a government with a Governor and Council.

Legislation over Rupert's Land and the Northwest Territories was vested in the Dominion in 1868, when a provisional government was established, but owing to the consequent conflicting rights of the company and the government, a rebellion arose among the French half-breeds led by Louis Riel, which resulted in the immediate establishment and entrance into the Dominion, in 1870, of the province of Manitoba. Its government is vested in a Lieutenant-Governor and Executive Council, and a Legislative Assembly.

The Saskatchewan rebellion, in 1882, also led by Louis Riel, caused the formation of the provisional districts of Assinboia, Saskatchewan, Alberta and Athabasca, of the Northwest Territories, with a Lieutenant-Governor and Council.<sup>1</sup>

British Columbia was also a part of the Hudson Bay Company's territory, but at the time of the "gold fever" of 1858, it received distinct territorial government. Vancouver's Island was united with it in 1860. In 1871 it entered the Dominion with a constitution consisting of a Lieutenant-Governor, an Executive Council and a Legislative Assembly.

Prince Edward Island entered in 1873, and has a legislature consisting of a Lieutenant-Governor, a Legislative Council and an Assembly.

The Canadian constitution is based upon the English, although in many respects it borrowed from the American.

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1. For an account of these rebellions, see an article by Thomas D. Rumbaut, in the "Political Science Quarterly," March, 1887.

The Imperial Parliament does not allow local jurisdiction over those matters which regard imperial interests and honor, but maintains a large amount of control over the Dominion government, especially by reserving to England the rights of appointing the Governor-general, of making treaties and of disallowing acts not affecting trade and commerce. The Dominion can alter its constitution only through the Imperial Parliament and not, as in the United States, through the ratification by three-fourths of the states, of amendments proposed by a convention called by Congress or proposed by two-thirds of both Houses of that body.

The local self-government system is in many respects directly the reverse of that in the United States. The provinces possess only the power of legislating on those matters allowed by the Dominion constitution. The government at Washington, on the other hand, is limited in its functions under the constitution by the rights of the several states. Here we find the distinction between "states" and "provinces." Imperial control in all matters can be traced to the fountain-head in the will of the sovereign prerogative.

For the purpose of examining the constitution and comparing it with that of the United States let us glance briefly at the legislative powers, subject to the Imperial Parliament as embodied in the Governor-General, Senate and House of Commons in the central government, and the legislatures in the provinces.

The Governor-General, who represents the dignity of sovereignty is appointed by the Crown, and can be removed at pleasure. He appoints the member of the Senate from the provinces, and the Lieutenant-Governors.

The members of the Senate hold office for life, and are of the aristocratic class. They therefore vote down all measures that may tend to diminish the power of the Crown or undermine their secure and lofty positions. The lack of real interest for local affairs in the

provinces from which they are appointed gives them little support in the popular feeling, since their motives are not always for the best interest of the people. Canadian Senators do not fear the loss of votes at a re-election, and therefore do not have that incentive which spurs on the American Senator to advance the power of his state according to the idea of his constituents.

The members of the House of Commons are chosen by the people and represent the true democratic ideas of government.

Since 1885 the franchise in Canada has been uniform and based on ownership, occupation or income. The right to vote is given to all who possess the following qualifications :

1. The ownership or occupation for at least one year of premises of the value of \$300, in cities; \$200 in towns, and \$150 in other places.

2. An income of \$300 a year or an annuity of \$100, provided there has existed a residence of one year.

3. The father's ownership or occupation, as required gives the franchise to the sons.

4. Possession of fishing outfits to the value of \$300.<sup>1</sup>

This law regarding electors seems to be an improvement on the too liberal granting of the franchise practiced in many of our states.

The government of Canada is in three branches, decidedly unlike the three powers in the United States, where there is a balance of power, each branch being able to veto the acts of the other two, and each receiving its authority from the people.

Each state, in exercising those attributes not relegated to the central government under the federal constitution, is a commonwealth enjoying domestic sovereignty. By an admirable method adopted by the framers of the constitution the representation at Wash-

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1. Vide "The Constitution of Canada" p. 7. Prof. I. E. C. Munroe, 1890.

ington of states unequal in areas and populations is provided.

The Senate is composed of two members from each state, who compose the Federal or Upper House, while in the Lower or National House the members are in proportion to the population of each state.

In Canada, the Upper House and the Governor-General, though the latter is usually careful with his veto, work for the interests of the Crown, and the voice of the people can only be heard in the Lower House and the Privy Council of the Governor-General, according to the plan of responsible government. There is no equality among the provinces; each is only a part of the whole Dominion. They are represented in the Senate as follows: Ontario, 24 members; Quebec, 24; Nova Scotia, 10; New Brunswick, 10; Manitoba, 3; British Columbia, 3; Prince Edward Island, 4; and the Northwest Territories, 2.

The House of Commons consists of 215 members, representing the provinces as follows:

Ontario, 92 members, representing a population of 20,904 to each.  
Quebec, 65 members, representing a population of 20,908 to each.  
Nova Scotia, 21 members representing a population of 20,979 to each.

New Brunswick, 16 members, representing a population of 20,077 to each.

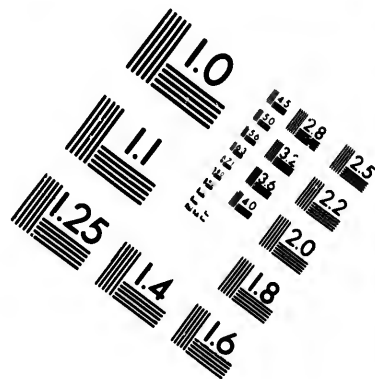
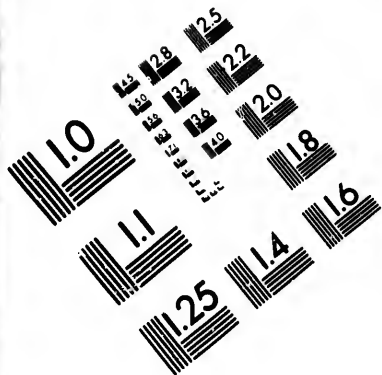
Manitoba, 5 members, representing a population of 21,728 to each  
British Columbia, 6 members, representing a population of 8,243 to each.

Prince Edward Island, 6 members, representing a population of 18,148 to each.

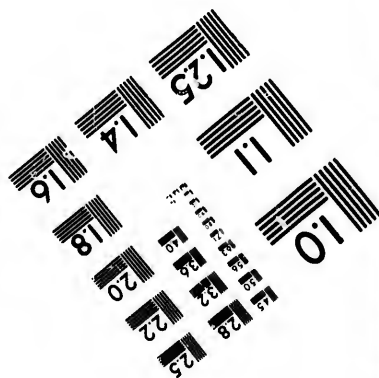
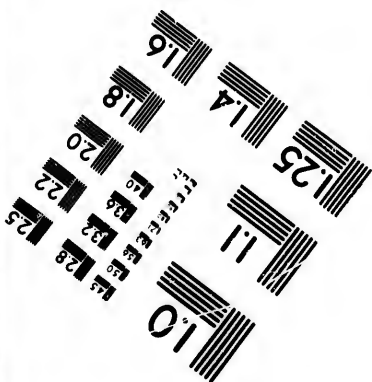
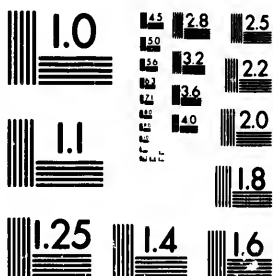
The Territories, 4 members, representing a population of 12,090 to each.

The number of 65 members for the province of Quebec was fixed, as it was thought that the population was of a permanent character, upon which the representation from the other provinces could be based. For each of the other provinces the members are in such





**IMAGE EVALUATION  
TEST TARGET (MT-3)**



28 25  
24 22  
20

10

proportion to the population, as ascertained every ten years, as the number 65 bears to the number of the population of Quebec.<sup>1</sup>

Thus it may be noticed that in the two provinces especially subject to the French and Catholic influence, the representation in the Dominion Parliament is greater than in the other provinces and sufficient to have a preponderating weight in all matters that come before it.

The Queen has concurrent power over all matters within the legislative jurisdiction of the Dominion government, since she is not divested of her prerogative powers, and the Dominion government, in turn, over matters in the Provincial government. But within certain limits each legislature is supreme.

The people of Canada are thus subject to the mother country through three legislative bodies. The lowest body is that of the province, headed by a Lieutenant-Governor, whose acts can be vetoed by the higher bodies.

England, therefore, has great power over Canada, for although she allows the government to regulate all matters between the provinces, as well as those pertaining to its own internal affairs, she will treat with the provinces only through the Dominion Parliament, which in turn must direct its communications to the Crown through the Colonial Office.

If the present status of Canada should change, it is generally agreed upon that it will take one of these three destinies :

1. Imperial Federation.
2. Independence and a new American Republic.
3. Annexation to the United States.

#### IMPERIAL FEDERATION.

The tendency of colonies has been to overcome their sense of inferiority by resenting the legal exercise of

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1. British North America Act, sec. 51.

imperial powers. After attaining a mature growth, like the child become a man, they desire to leave the protection of the mother country and assume sovereign powers.

To counteract this tendency, and secure a closer political union between England and her colonies, statesmen have long advocated a plan of Imperial Federation.

By this system they propose to establish on a firm basis the relation which a dependency bears to the centre of power in the empire, and so define and regulate reciprocal obligations that distant and powerful colonies can be maintained as parts of one great empire. Thus, as the force of gravitation can hold the far off planets in subjection to the sun as the centre of one system, this Imperial Federation would unite states independent in their internal affairs into one great nation.

A new body would be formed for imperial matters, and the colonies would enjoy independent legislative powers in all matters of self-government.

The colonies would be on the same footing and free to act within the scope of their prescribed powers, but all subject to the decision of a common supreme tribunal. They would be immediately interested in all international affairs and have a power of voting on all such questions. War, therefore, could not be declared by England without the consent of her colonies, thus avoiding the often repeated complaint of colonies that they are compelled to assist in wars in which they have no interest. England could not impose taxes without their consent.

Imperial rights would be exercised to maintain the unity of the empire, and promote the common interests of all its widespread possessions. There would be an universal military organization, and an universal commercial union establishing free trade between distant parts of the empire.

This theory of Imperial Federation is not one peculiar to modern colonial reformers, but is the outcome of ideas long cherished by those who believe in self-government. If we trace back through the events of colonial history of the United States, and examine carefully the charters granting lands in America, we shall see that the colonies enjoyed local autonomy subject to the sovereignty of the Crown.

In the event of Imperial Federation the present colonies would tend to become sovereignties, and representatives in the federal congress would be partly ambassadorial. The representation from distant states with democratic ideas would tend to abolish the English hereditary nobility. Thus it is a question whether England would lose or gain power by this scheme.

The advocates of this system belong to both parties in England, and for the purpose of discussing its practicability, are bound together in a society called the Federation League. Sir John Macdonald, the Premier of Canada, is a member, and has for his associates a wealthy class who think that by this method the annexation or independence of Canada would be retarded.

The Marquis of Lorne, in a work entitled "Imperial Federation," says :

"Does not disintegration loom in the future, and is not the independence of Australia, and the annexation of Canada, a result sure to follow the local freedom practiced throughout the Anglo-Saxon Empire?"

#### INDEPENDENCE.

The recent growth of nations has been toward democracy. In former times the people never conceived the idea of a social condition different from that in which they were born, but as intelligence spread and knowledge became general, the principles of action in

economics, education and religion advanced toward democracy.

The people have gradually learned that they are sovereign and constitute the state. Political independence, therefore, has raised itself from the relics of religious superstition and feudalism. Since the separation of the American colonies from the mother country in which Canada refused to join, struggling nations have turned to the example of the North American Republic for political reform.

England may expect the separation of all her colonies. Her course in regard to them has been a beneficial one, but not made for ever. The people of the colonies can move an overwhelming preponderance of power against existing institutions. They are thousands of miles from the mother country and almost independent in their self-government. Thus the only tie that binds is the military and diplomatic protection of England. Does Canada need this protection?

The confederation has proved of great benefit to the country in creating an almost national existence, and was brought about by Canadian statesmen. It was a step toward Imperial Federation, since in all matters concerning their interests England consults Canada, and has appointed on such commissions, as that of the fisheries men who were especially interested in the promotion of Canadian affairs. Then, the idea of federation has been, in a small degree, carried out by Canada having a resident in London, known as High Commissioner, who acts in accordance with his instructions from the Dominion government. The first commissioner was Sir Alexander Galt, who was followed by Sir Charles Tupper.

England has often assured Canada that she will protect its interests in the negotiations of all treaties, and has evinced a desire to retain only the treaty-making power. This, then, is intended as a link of connection whereby England, through honor and affection may

continue her protection, at the same time allowing the Dominion Parliament almost sovereign powers.

Canada has passed through the stages of development usual in all nations from the despotism under the old régime to the constitutional period, when the struggle between the monarch and the people took place, which led to the present self-government. It is but a short step forward to complete independence. Whether this will occur in the near future is a question which must be determined by the majority of the Canadian people, but political sentiment is divided between the Conservatives, Liberals and French Nationalists.

The Conservatives are the old Canadians who still cling to the British flag, because under its protection they feel secure. They are the wealthier class of the population and compose the society immediately outside of the royal and aristocratic retinue attached to the Governor-General.

He is the representative of royalty and in his person brings forcibly to the minds of the Conservatives their allegiance to the English Crown, which he represents.

The Conservatives, headed by the old and beloved Premier, Sir John Macdonald, hold the most important offices, and therefore do not want the present condition of affairs disturbed. The Orangemen must also be classed in this party, although many of them since the allowance of the Jesuits' Estates Bill have gone over to the Liberals.

The Liberals comprise the "Young Canada" element of the population, and instead of being British colonists, would prefer to say: "We are Canadians" or possibly, "We are Americans."

There is no aristocracy in Canada that is regarded by the people as constituting their natural superiors and rulers, and the Liberals are asking the question: "Why not elect our own Governor and Senators?"

Expressions are now frequently used which would have been regarded as high treason before the Union Act. The desire for independence or a national change has been admitted, even by those newspapers which work in the interest of the government. The London *Free Press*, the Windsor *Review*, the St. Catharine *Star*, the Toronto *Mail* and numerous other papers see indications of independence.

Since the organization of a national party, whose motto was "Canada First," the spirit of national independence has rapidly increased. The young Liberal Clubs in all parts of the Dominion are increasing their memberships even from the ranks of the Conservatives. The issue of independence has been frequently brought forward, and elections have taken place of candidates who were in favor of independence.

There has been exhibited in Windsor, Ontario, a proposed Canadian flag of dark blue with a red square in the corner, in which is displayed a white beaver representing the Northwest territories, while in the blue field are seven stars representing the provinces.

The French Nationalists constitute a third and independent party, and side with that party in all political questions who will enable them to retain their ethnic and confessional autonomy. Those misunderstandings and differences which the inhabitants of Quebec have had so long with the Anglo-Canadians have not been dispelled by confederation. The growth of empire in the Northwest, and the ethnic influence which always existed in their favor among the Half-breeds has raised new hopes. They have long maintained a French Catholic province on an English Protestant continent, and hope ere long to see it promoted into a nation. The leading papers in Quebec have frequently expressed this desire of the French Canadians, and in a recent article *La Verite* says:

"Let us say it boldly—the ideal of the French Canadian people is not the ideal of the other races



which to-day inhabit the land our fathers subdued for Christian civilization. Our ideal is the formation here, in this corner of the earth watered by the blood of our heroes, of a nation which shall perform on this continent, the part France has played so long in Europe. Our aspiration is to found a nation which, socially, shall profess the Catholic faith and speak the French language. That is not and cannot be the aspiration of the other races. To say, then, that all the groups which constitute confederation are animated by one and the same aspiration is to utter a sounding phrase without political or historical meaning. For us the present form of government is not and cannot be the last word of our national existence. It is merely a road toward the goal we have in view. Let us never lose sight of our national destiny; rather let us constantly prepare ourselves to fulfill it worthily at the hour decreed by Providence, which circumstances shall reveal to us."

On the other hand, the Anglo-Canadians see that if they would establish a great nation they must abolish French institutions, the levying of tithes, and the maintenance of parochial schools by public money.

These ethnic and religious differences retard the growth of independence and act as a drawback to annexation, for annexation is not likely to take place until after independence.

Since Brazil has changed its government, and its *de facto* existence has been acknowledged, British America is the only country on the hemisphere not a republic.

England's right to govern Canada is based wholly on the presumption that it is not able to govern itself. Is it not proper, then, that she should cease to play the part of a parent, by withdrawing that protection for which Ireland as well as Great Britain must pay? Her indirect liabilities through keeping the Canadian connection are enormous, since their commercial policies

are at right angles, and England is prevented from entering into whatever relations she pleases with the United States.

When Canada is free and exists under a policy of peace and free commerce it will be a matter of history as to her ultimate destiny. But we can only conjecture that, after the French influence has been overcome by an increased population, the greater nation will absorb the smaller on the North American continent.

## ANNEXATION.

Although Canada is practically sovereign—a “semi-sovereignty”—it has not the power to discharge external functions, and is not a state in an international position. Therefore, in exercising power given by the constitution, whereby “new states may be admitted by the Congress into the Union,” it is necessary for us to consider our international relations with England.

The methods by which annexation may be brought about are :

1. Conquest by the United States.
2. Independence of Canada and cession of its territory by its people.
3. Cession of Canada by its people with the consent of Parliament and the Crown.
4. Treaty arrangement between Great Britain and the United States, and the consent of the Canadian people.

Behind the constitution there is a right to acquire territory by conquest, which is “an incident of sovereignty.”<sup>2</sup> This is a power that has always existed, but in the present development of international law and human rights, it is only exercised in the subjection of uncivilized people and semi-states.

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1. Article 4, Sec. 3.

2. § Story on Constitution, 159.

The interference of the United States in Canadian affairs would probably bring about a war with England, but other nations would not be likely to interfere in a movement in which they are not concerned, whereby the United States would prepare the way for that certain future advance in population and national prosperity.

e/ If it had been our policy to conquer, Canada would have belonged to the United States long ago, since statesmen have often referred to the advisability of annexation. Mr. Clay, in a speech on the occupation of West Florida, said: "I am not, sir, in favor of cherishing the passion of conquest, but I must be permitted to conclude by declaring my hope to see, ere long, the New United States (if you will allow me the expression), embracing not only the old thirteen states but the entire country east of the Mississippi, including East Florida, and some of the territories to the north of us also."

It is the peculiar duty of a Republic to recognize the rights of other peoples, and so endeavor to maintain them.

The second method is very simple, for as an independent state, Canada could rightfully cede her whole territory and unite her government with us without the interference of any foreign power.

In treating the third method by which annexation might be accomplished, we must consider that Canada has not the power of making treaties with foreign states, which is an incident to sovereignty. But it might appoint a committee to treat with the United States, with the positive or tacit consent of the mother country, the conclusions of which might be accepted by the sovereign through a treaty. This method would depend upon the willingness of England to permit Canada to go forth from her protection, and differs from the fourth method in the source from which the proposals for annexation seem to emanate. It is found-

ed on the theory that the people constitute the state and that from them must proceed any desire for a change.

The negotiation of treaties between sovereigns, is a usual method of annexation, as was demonstrated in the annexation of Schleswig-Holstein to Prussia, of the Neopolitan Provinces to Italy, and of Savoy and Nice to France. In all these cases the plebiscite of the people was obtained before the cessions were complete.<sup>1</sup>

If England had the power to barter or give Canada without the will of the people, she might cede the territory to China or Russia; and thus a great social disturbance would occur through difference in unities. Whereas the United States is the only country to which Canada could properly be annexed.

Now, as to the organization of the new government and relations. It would not be necessary to obtain the consent of each state in the Union for the admission of Canada, as long as there were a majority in Congress in favor of the union. This was demonstrated in the annexation of Texas. On the other hand, the Dominion could not cede the territory without the consent of the people of each province, for this would be a violation of the principle which we have just seen. For the same reason, England has been unable to join Newfoundland to the Dominion.

Therefore, any province might declare its independence and unite its government with us; but it would be a violation of *de jure* rights under the Dominion, as the provinces have not sovereignty or the power to secede. This has been clearly demonstrated by the uneasiness of Nova Scotia since confederation. This province was the first to propose the new government, but it soon desired to withdraw from a union with its undesirable neighbors—a procedure which it found impossible.<sup>2</sup> Lately this desire for a change has clearly

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1. "International Law," Woolsey, App. II.

2. Hansard, 308, p. 1723.

/ or

shown itself, nor would it be surprising if a proposition for annexation should come from this English province.

The inhabitants of the ceded territory would be admitted according to the principle of our federal constitution, into all the rights of citizens of the United States. The rights and obligations which belonged to each province before the union would be binding upon them or the government at Washington. Thus the debt of Canada would be assumed by the federal government, apportioned among the provinces as it was before the Dominion Act, or divided according to relative population. The annexed territory would retain all its private rights of property in the soil,<sup>1</sup> and the public buildings would belong to the province in which they are situated.

Having discussed the methods of annexation the next question is its practicability. On casting a retrospective eye on the progress of Canada we cannot but be struck with the difficulties it has had to encounter before attaining its present position on the threshold of a new existence. It is governed by institutions and laws similar to our own, and inhabited by a people, many of whom have a like origin, education and religion with ourselves. But we have seen differences between the populations which can only be gradually eliminated by social fusion. The question of religion in state and common schools would be a source of discussion and controversy, since we are apt to maintain our belief in non-sectarianism as a policy superior to that of Canada.

We must not look to the provinces of Quebec, Ontario and those on the Atlantic, whose future can only be prophesied by the historic past, for a beneficial union with us, but to the wonderfully fertile and sparsely populated country extending to the Pacific. The west and northwest are receiving a tide of immigration which must, through similarity in ethnical

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1. 1 Wheaton, 279.

character, develop social institutions suitable for an intimate alliance with us.

The territory of the Dominion is contiguous, and annexation, if not necessary, would at least permit the extension of our commerce with perfect freedom and security. Its numerous harbors, large rivers and communications connect its people with our own, and, by the representative system and the avoidance of sectional prejudices and factions, the United States throughout of vast extent, might with perfect harmony and security expand into an entire North American Republic.

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