

CONFEDERATION.

LETTER FROM JUDGE JOHNSTON.

HALIFAX, Feb. 27, 1865.

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

I have the honor to be, Your obedient servant, P. S. HAMILTON, Acting Secy. To His Honor the Judge in Equity.

HALIFAX, March 2, 1865.

MY DEAR SIR,—I have to acknowledge the receipt of a note from you, in which, as acting Secretary of the Union League, you inform me that they think it might be of benefit under the present circumstances of the country, to publish a speech delivered by me in 1854 on the subject of a Union of the Colonies; but they do not feel at liberty to do so without your consent, as your sentiments may have undergone change since that period—in which case the republication might not be agreeable to me.

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

Previously to that year, Canadian gentlemen had subjected the Confederation to the microscope of the press, and the public mind had been subjected to the influence of a long cherished belief that union was indispensable, if the British North American Colonies were to surpass a country where British people could attain a position and occupy a field of action essential to the expansion and elevation of political communities. I introduced the resolutions which the speech prefaced, with the purpose of keeping the important considerations before the public, and engaging attention to it in our sister colonies not less than in this province.

In 1857 the subject was brought under the notice of the Colonial Secretary, in London, by Mr. Archibald and myself, under the authority of the Provincial Government, and for several years past it has, in varied forms, been presented to public notice in the Legislature and the press, and on the platform in most of the Provinces. During public meetings, without distinction, and in the presence of the highest gratification, that after the long period since Lord Durham pronounced the Union of these Colonies, that policy should meet the approval of the Imperial Government; and that a Minister of the British Cabinet should, in addition, now use, in allusion to the present scheme of Confederation, and those who advocate it, such language as this—

"They have conceived a noble ambition; they have designed for us, I venture to say, a nation, but not a nation divided by the allegiance they owe to the British Throne, nor separated from the institutions which have made them a people; nor estranged from the associations and attachments that bind them to the Mother Country. In a spirit of the most fervent loyalty to the British Crown, and in devotion to British interests, they have desired to form all the North American Provinces on the eastern coast into one great Confederation."

In judging of the probability of a Union of all the provinces being consummated the obstacles which stand in the way, and the inducements that might be expected, on the part of Canada, to unite with communities much feebler than herself. Hence the Union of the maritime provinces was an object that appeared (though probably without reason) more easily attainable. It was a measure which would be likely to perform in 1854, induced my preference for this form of Union, have lost none of their force; although I may not then have given quite as much consideration to the obstacles to its accomplishment as I have since the question has come practically more near. Then, however, the prospect of applying some mode for meeting the wants of a distant parliament was felt; and it will be remembered that I introduced about the same time for this purpose, a Bill for the municipal incorporation of the counties, carefully elaborated from the best sources of information. Its fortunes were dubious. The Legislature gave it but a dubious existence, making its operation dependent on acceptance by the counties. The counties courteously declined the boon of self-government it proffered; half a century alone accepted the gift, and after a long time rejected it.

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

At present, however, the alternative is not before us. It is known that Legislative Union is impossible, and the comparison between the two systems is without object. The only offer to the Legislatures of the Provinces is—

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

On the other hand— The perpetuation of the present isolated condition of the Province; and rich as she is in material benefits, and prosperous within the limits which small communities can attain, yet, in fact, she is weak in strength, unable to furnish to her own resources, education, or to retain at home her enterprising youth, she has little prospect of the future beyond a dwarfed existence and ultimate absorption into the neighbouring republic.

One of these must be chosen, the other rejected. There is no other alternative. My sentiments, formed and publicly advocated through a quarter of a century, leave no room for doubt or hesitation. To an old man, individually, any decision is a matter of indifference; but as a member of the community, and as a member of my best judgment, on a question of vital interest to all of us and those who

come after, I dare not deny a national existence with its privileges and duties to my descendants and my countrymen.

I therefore accept Confederation as a great benefit, whatever my tendencies in favor of Legislative Union, and though they were greater and more decided, and though they were more strongly in favor of Confederation, I would not be less ready to accept of it. There is another point requiring explanation in connection with the republication of my speech.

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

That after three quarters of a century, when thirteen States had increased to thirty, and three or four millions of people had grown to thirty millions, a powerful section of the Union, that had been separated from the State Legislature should separate, was quite within the operation of human passions and interests; and if it was necessary to meet this desire with cannon balls then the civil war might be an argument against all confederations. But a peaceful separation might have been effected by a progressive State, which had occupied the place held by one before; and in a few years the foreign state, renewed by natural increase and foreign accessions, have been prepared to give off—when the necessity arose, as it almost inevitably will arise—fresh offshoots, and become a mother of nations. The system of confederations would then have provided itself adapted for progression such as the world had never seen, and adapted equally, when reason and justice demanded it, for contraction. It must not therefore be charged with consequences which forbearance and a regard for justice and equal rights would have averted; and we may hope that if in due season a confederate Union should be formed, better regulated dispositions and the warning lessons of this terrible civil war stamped on the page of history may lead to the happier result of peaceful adjustment, and the formation of new states.

The States have, I think, improved on the American plan, and have placed in the legislative powers between the general and local Governments.

In being my purpose to do little more than make such explanations as the republication of my speech requires to prevent my being misunderstood, the details of the plan are not intended for the purpose of this letter, may, however, be raised for your consideration, and I have no objection to their being so.

The Act 10th Vic., cap. 11, entitled "An Act to provide for the regulation of Scamers on board any ship or vessel owned by or belonging to Prince Edward Island, which shall sail or be within the precincts of said Island," (continued by the 22nd Vic. cap. 9.) will expire at the end of the present Session.

The Act 21st Vic., cap. 1, entitled "An Act for the appointment of Clerks of Justices of the Peace, and to regulate proceedings had before them," (continued by the 22nd Vic. cap. 9.) will expire at the end of the present Session.

The Act 21st Vic., cap. 15, entitled "An Act to continue for certain purposes the Sedition Act, and to make other provisions in lieu thereof," (continued by the 22nd Vic. cap. 9.) will expire at the end of the present Session.

The Act 22nd Vic., cap. 8, entitled "An Act for regulating the size and quality of fish barrels and tins, and the weight of fish made up thereon, and to regulate the inspection of pickled fish for sale within this Island, and to repeal a certain Act therein mentioned," will expire at the end of the present Session.

The Act 24th Vic., cap. 13, entitled "An Act to authorize the appointment of Hog Reeves in certain districts in this Island, and to prevent the going at large of Swine within the same," will expire at the end of the present Session.

The Act 19th Vic., cap. 1, entitled "An Act for raising a Revenue," (continued with certain exceptions by 27th Vic. cap. 1.) will expire on the 1st day of May next.

The Act 21st Vic., cap. 1, entitled "An Act for raising a Revenue," will expire on the 1st day of May next.

On motion, it was ordered that the above report be laid on the table.

Adjournd till Monday next at eleven o'clock.

MONDAY, March 6. Hon. Mr. Henderson, on behalf of the Hon. Mr. Goff, asked leave of absence for the latter gentleman till Wednesday next. Leave granted.

Hon. Mr. McLaren, a member of the Government, by command of His Excellency the Lieutenant-Governor, read a copy of the Report of Public Despatches and other Documents, on various subjects, the most important of which were those relating to the proposed Confederation of the British North American Colonies, and to the state of the Militia in the several Provinces. His Excellency would like to see whether he was right or wrong as well as other of their honors. If he had passed strictures upon the Militia, he would like to see whether he was right or wrong as well as other of their honors. If he had passed strictures upon the Militia, he would like to see whether he was right or wrong as well as other of their honors.

Adjournd till to-morrow at eleven o'clock.

TUESDAY, March 7. Hon. Mr. Ramsay presented a petition of certain inhabitants of Prince George, praying for a Charter or Act of Incorporation to establish a Public Bank at Summerside. Read and laid on the table.

PUBLICATION OF DEBATES. Hon. Mr. Lord called the attention of the House to the publication of their debates for general circulation. Very truly yours, J. W. JOHNSTON, Chief Commissioner of Mines, &c.

Hon. Mr. BEER stated that arrangements had already been made, he believed, in the absence of his honor (Mr. Lord), for their publication. Tenders had been asked for, and only two of the printers had responded to the call. Mr. Reilly and Mr. Cooper had been the lowest, was accepted; but the House had come to an understanding to give Mr. Cooper a small subsidy, the amount of which would be determined by the Session, in relation to the undertaking to publish them in his papers. Mr. Reilly, besides publishing the debates in pamphlet form, as usual, would publish them in the Herald, so that they would appear in his papers at least.

Hon. Mr. ANDERSON would like to see under the other papers if they would publish the debates.

Hon. Mr. DINGWELL agreed with their honors who had spoken, that the debates and proceedings of the Legislature should be published for general circulation, and that at the same time it was the duty of their honors to guard against any unnecessary expense. The Debates of this House, as well as those of the Legislature, should be so interesting to the country as to induce the printer to publish the several newspapers published in town to publish them without much remuneration from the Legislature. He was under the impression that there were several printers who would be well paid for it, and he did not know if they could do otherwise this session than to allow them some remuneration. He did not think, however, that the Legislature should be under the impression that they should have sufficient confidence in the honor and honesty of the House to leave the matter in their hands to give them a fair equivalent for the work to be done. He would like to see the debates sent to every part of the country, and they could be placed in an awkward position, for they could not give the public the information they desired unless they were able to pay the people's money for that purpose. It was his duty, however, to choose that course which would give most satisfaction to the public.

Hon. Mr. BEER understood that there was a proposal to publish the debates in pamphlet form, and he thought it would be better to have them published in two of the papers, but he had not said whether they had a very extensive circulation, or whether they were to be published in the papers of the printer.

Hon. Mr. RAMSAY said he did not feel satisfied with the way in which the debates and proceedings of the House were published; neither was he inclined to see the printers, as he thought they should let their subscribers know what was doing in the Legislature without being paid for it out of the public funds. People in the country were anxious to know what was going on, and when they went to the Office for their papers, and found that they did not contain any legislative news, they were disappointed. He thought the people should not support newspapers which did not contain the news of their Legislature, and he, for one, had told one of the newspaper proprietors that he would withdraw his support from his paper unless he published the debates of the Legislature. He would like to see the notices of patent medicines and other matters which the people did not care anything about, but the exclusion of that in which they felt a deep interest. He did not think it was using their support.

Hon. Mr. McDONALD said he would like to see the debates published in the Islander and Examiner, as those papers had a large and general circulation, and he would like to see the notices of patent medicines and other matters which the people did not care anything about, but the exclusion of that in which they felt a deep interest. He did not think it was using their support.

Hon. Mr. BEER, as one of the Trustees of the Lunatic Asylum, presented the Annual Report of that Institution for the past year, which was read and laid on the table.

Hon. Mr. ANDERSON, by leave, presented a petition of Julia Hunt, Mrs. Eleanor's, praying for remuneration as a school teacher—laid on the table.

Hon. Mr. BEER, by leave, presented the Government, presented the Blue Book for the year 1864, the semi-annual returns of the Bank of Prince Edward Island, past year.

Hon. Mr. BEER, from the Committee appointed to inquire into the state of the Assembly, reported that they had received two tenders, viz: One from Mr. Henry Cooper, offering to perform the printing of the debates in pamphlet form, for the sum of \$25 per volume, and to publish the same in the Monitor newspaper for the sum of \$5 per volume. And one from Mr. Edward Reilly, offering to perform the printing of the debates in pamphlet form, for the sum of \$25 per volume, and to publish the same in the Monitor newspaper for the sum of \$5 per volume.

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had occupied 80 columns in the Monitor last year, and at the rate which the parties had agreed for publishing them, it would not be likely that they would be longer this year.

Hon. Mr. LORD would go so far as to let it be understood that they would publish the debates in full, and in reasonable time; but he would not hold out any inducement by expectations of any larger sum. If they were half paid for their papers, they would obtain, and consequently the increased number of subscribers would amply compensate them for publishing the debates. If this arrangement were made, he thought it would be a more particular paper, and he would like to see the notices of patent medicines and other matters which the people did not care anything about, but the exclusion of that in which they felt a deep interest. He did not think it was using their support.

Hon. Mr. RAMSAY thought that if they gave anything to the proprietor of one paper, they should give to all. He did not see how they could make a distinction.

Hon. Mr. DINGWELL said he agreed with the last speaker, that they could not make a distinction, and if their honors thought proper to give a small sum to each of the papers, he would object to it. It appeared that the country could not get the debates unless their publication were paid for out of the public funds.

Hon. Mr. ANDERSON observed that there were six papers published in Charlottetown, and even if they were to pay five or six cents for the privilege of giving them, he would like to see the papers all put upon the same footing.

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posed to the principle contained in the resolution which I moved, viz, that the members of the Legislative Council should be appointed by the Local Legislatures.

Hon. Mr. GRAY.—But I positively say that this was not the case. How could I say that the people of Prince Edward Island were opposed to such a principle when they were asked to take upon the subject?

Hon. Mr. COLES.—By the majority of their delegates who were present.

Hon. Mr. GRAY.—The hon. member knows that each Province had one voice at the Conference; and as leader of the Government, it was my duty to vote for this Colony. When four of our delegates were opposed to any resolution, I was required to say that the people of Prince Edward Island were against it, and the contrary, if the majority were in favor of the proposition. This was the way in which the question was put; and a majority being opposed to the hon. member's resolution, I had to say Prince Edward Island was against it.

Hon. Mr. GRAY.—It is admitted, then, that there was a difference of opinion on this point. On the financial vote Prince Edward Island was unanimous; but this is not the question now before the Committee. With reference to the remark of the hon. member for Murray Harbor that no Government could be formed on anti-Union principles—

Hon. Mr. DUNCAN.—What I stated was to the effect that no Government could be formed on such a basis as to present parties without dismissing some of their supporters. The Government is not a Union Government;—was, that one of the tenders had been accepted, and it was agreed to give a small sum to the other person who had tendered if he would give up his paper, as he had mentioned by some of their honors that they did not deem it necessary to give anything to the proprietors of papers who did not consider it worth while to appear to be of that character that would induce the proprietors of papers to publish them without being paid for out of the public funds. He did not know whether it was their fault, or what the reason was, but he hoped the debates of the House would be kept up in such a spirit as to give a desire to the proprietors of papers to publish them, and if they would not do so, he supposed that their fault would be attributable to themselves. He hoped, however, that the spirit respecting their discussions would be such as to induce the proprietors of papers to publish them, and if they would not do so, he supposed that their fault would be attributable to themselves.

Hon. Mr. COLES.—The hon. member apparently does not wish to ensure the Government for what it has done in appointing a Unionist; but I think the case has been very well stated by the hon. member from New Glasgow, that it is dangerous to have so many of the supporters of the Government to be appointed to the House, they may appoint those who are strongly disposed to favor the proposed Confederation, and therefore commit the country to the scheme. There are several acts of the Government during the past year which I object to; but the appointment under consideration is one of which I do not object. When the question of Union comes up again perhaps my hon. friend on the right (Mr. Whelan) will place the Government in an awkward position by moving a resolution in favor of the scheme.

Hon. Mr. WHELAN.—My hon. friend on the left (Hon. Mr. Coles) seems very anxious to draw me out on the subject of his resolution. I, however, consider as altogether irrelevant, because the question of Confederation must come up again when the papers on the subject are laid before the House. I will, however, enter into the merits of the scheme at present, though I am not at all disposed to evade any responsibility which attaches to me in the matter. I have no desire to act one part in Canada and another in Prince Edward Island. The amendment proposed by my hon. friend on the left, was brought forward, I imagine, to show his opposition to the Union scheme at the earliest possible period; and perhaps to show that he is still in opposition to the scheme. I have no objection to his doing so, but, at the same time, he would not forget his responsibility to his constituents; and would endeavor to show that he is in favor of the public money, whether in a contingent form, or by specific grants. Neither would he like to put the screws upon any of the printers; and when the price of paper was high, and printing was so expensive, he would like to see the matter unreasonable. But if they undertook to publish the debates, they should do so fairly and with full justice to individual members, whether their sentiments were agreeable to the printers or not. He would like to see the matter reasonable. But if they undertook to publish the debates, they should do so fairly and with full justice to individual members, whether their sentiments were agreeable to the printers or not.

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