CONFEDERATION came dramatically to the Maritimes in 1864; in August the Canadian legislators and newspapermen appeared in Saint John and Halifax to smooth the way, with Thomas D'Arcy McGee in the van; in September the leaders of the Canadian Government steamed into Charlottetown to offer their scheme of union. Confederation was, suddenly and inexplicably, alive and breathing. It was a vital issue, forced abruptly upon the attention of the Maritimes, and it was brought at once into the forefront of the public press.

In Canada Confederation was a remedy for genuine difficulties, and it tended to have an elevating and even a tranquillizing effect on political life; but in the Maritimes Confederation was the remedy for no particular evils, and it was an issue to be decided on its merits. It promised practical benefits of course, but it offered few practical solutions for Maritime problems. Confederation raised new problems: it did not solve old ones.

In Nova Scotia these new problems erupted quite suddenly in public debate in August, 1864, with the first appearance of the Canadian visitors. The debate thus begun filled the pages of the newspapers. In Halifax four of the major newspapers carried an editorial on Confederation in virtually every issue from that time on for over three years. It is the purpose of this paper to discuss this debate with reference to the ideas about federal government that developed out of it. Although economic issues were important, they were not the first to be considered. Nor perhaps is there much profit in exploring the arithmetic that every Halifax newspaper and politician juggled to suit his own argument. What are interesting—in some ways remarkable—are the constitutional and political views that the Halifax newspapers expounded with intelligence and vivacity. These views were developed between October, 1864 and January, 1865. By April of 1865 the arguments were already beginning to wear thin from hard use.

It should be borne in mind that the Halifax newspapers were not altogether representative of the feeling in the province as a whole. Halifax City and Halifax County supported Con-

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*This article is an abridgement of a paper read before the Nova Scotia Historical Society.*
federation more strongly than any other part of the province. Outside Halifax only one newspaper supported Confederation. So that it is the anti-Confederation papers of Halifax that are most apt to represent provincial feeling. Yet even these are not fully representative, for the provincial papers, unlike their Halifax cohorts, showed little disposition to venture upon flights of constitutional argument. When they did, they often followed the lead from Halifax that suited them. In this respect Halifax papers acted as a metropolitan press. The *Morning Chronicle* even had a special weekly provincial edition. And a Roman Catholic paper, like the *Evening Express*, exercised a strong influence on its readers.

In 1864 Halifax had eleven newspapers for its population of some 25,000. There was one daily, the *Morning Chronicle*, and seven tri-weeklies. The other three were weeklies of a religious bent, one Baptist, one Methodist and one Presbyterian. The Roman Catholic paper was a tri-weekly.

In attitudes to federal government, the Halifax newspapers shared certain views with the rest of British North America. The innate dislike of the federal principle, perhaps derived from traditions of responsible government, was heavily reinforced by the American example. The Civil War was ample evidence of the divisive principle that British North Americans believed inherent in federation, and every Civil War battle drove the lesson further home.

But there were also views that were rather more positive than the simple dislike of federation. Not only was federation bad, but legislative union was positively good. Legislative union was generally conceded to be the ideal form of government. If perhaps it was not applicable universally, it was certainly applicable to the union of the provinces in British North America. A constitution for a united British North America ought to approximate this ideal. Legislative union was a surprisingly persuasive ideal and its hold upon Halifax newspaper opinion is astonishing.

It is astonishing because Nova Scotian loyalties to both Nova Scotia and the Empire were very strong. Joseph Howe preferred Empire solidarity to visions of a continental domain.

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(1) The elections returns for 1867 confirm this.
(2) The Pictou Colonial Standard.
(3) There was an ephemeral twelfth; it was independent and called the *Bullfrog*. It appeared for only eight months, between 1864 and 1865. It had only minor influence.
(4) There are some exceptions to this view. It may be said that many French Canadians and many Prince Edward Islanders did not share this prejudice. This whole theme is discussed at length in the writer's Ph.D. thesis for the University of Toronto, *Ideas and politics in British North America, 1864-1866*. (1954).
The Empire was tangible; the lines of communication across the accessible ocean were broad and easy, while those across the forest and rock and hills of British North America, behind Nova Scotia so to speak, were tortuous and remote. The idea of Empire ought to have conditioned Nova Scotians to divided responsibilities in government. Government in London, government in Halifax: authority had been divided between them. A federation of British North America would simply substitute a government at Ottawa for that in London. But this transposition was not made. The reason it was not was because they did not seem to be any analogy. A central government of British North America would not, in Nova Scotian eyes, be analogous to the government of Great Britain in the Empire. Rather there was a belief that any central government in British North America would assume all the major functions of government. What would a provincial government have left to do with Great Britain managing foreign affairs and defence, and the government of British North America dealing with all the other major spheres of government activity? Three governments: a bewildering array indeed! Perhaps that is the reason why federation often seemed so ludicrous to the Halifax press. In any case federation never seemed to suggest itself as a way of reconciling provincial loyalties with loyalty to a new and united British North America.

The Halifax newspapers reveal how reluctant people were to think in terms of divided responsibilities. Nowhere in all of British North America was the ideal of legislative union stated so forcibly. Nova Scotia as a whole probably did not want union of any kind; the Halifax papers were not sure; but, generally speaking, it is true to say that if there was going to be a union, they felt it ought to be a legislative union, a union of legislatures, a union that would obliterate provincial boundaries and transcend provincial prejudices. Charles Tupper was called upon to defend the Quebec Resolutions, not because they formed too centralized a constitution, but because the constitution they formed was not centralized enough. It was a federation. But federation, said the Halifax Citizen, "is not union..." It had sectional legislatures, and sectional legislatures were only nurseries of sectional feeling. Howe spoke of Confederation as a monstrous creation of seven parliaments, like a seven-headed Hydra, snarling at each other yet unable to separate.

(5) Howe made comparisons, but under different circumstances, and he drew different conclusions.
See infra. p. 82.
(7) Loc. cit.
So it is that against Confederation in the Halifax press there appear two arguments, often set forth side by side; first, Nova Scotia does not want union of any kind; second, this Confederation is as weak and ineffective a union as could be imagined and is worse than useless. Time and again recurs this curious double theme, deploiring the prospective end of Nova Scotia's independence, and at the same time damning Confederation as a weak and jumbled compromise with a thoroughly bad principle at its heart.

These views are not entirely consistent, and the inconsistencies in them were pointed out time and again by the newspapers supporting Confederation. But it made not the slightest difference. Joseph Howe recognized the inconsistency but avoided any public attempt to reconcile the difficulty. The two views made two excellent sticks to beat Confederation with. Hit Confederation on one side with "Nova Scotia's independence;" then hit it again on the other side with the epithet "federation." And this is just what the opposition did.

When Tupper came back from Quebec he was forced to defend the Quebec Resolutions against the bogey of federation. The whole Confederate press was forced into showing that the Resolutions really framed a legislative union—in all but name. The Evening Reporter said that the hue and cry against federation was the reason for its editorial "Federal vs. Legislative Union," in which it attempted to show that the alleged evils in federation were duly guarded against in the Quebec Resolutions. Tupper himself defended the Quebec Resolutions in the British Colonist, and from the beginning denied that the word "federal" was really applicable to them.

We have heard of late a great deal of playing upon words in the use of the term "Federation" and other cognate expressions. People are apt to be misled by words which, like these, admit of somewhat varied definition. Consequently we, in discussing this subject, purpose dropping the use of such terms except where it cannot be avoided. When the word "Federation" is used it instantly calls up in some minds the example of the United States as the perfect embodiment of that form of Government; and the tide of anti-republican feeling amongst us at present suggests disagreeable reflections in connection with that term. What the delegates in the

Quebec Conference had to provide for was, first, a strong central Government, a sufficiently firm consolidation of the provinces to insure their acting as an undivided and indivisible unit in all cases where necessary. But British North America comprised a vast territory, and had public institutions of some diversity. Some concessions to local government were inevitable. No general government could handle all the local and private bills that would be put forward; the men sitting in the central parliament would neither have sufficient local knowledge nor feel sufficiently the local interest. But, Tupper said, these [local] Legislatures will not be Legislatures in the sense in which we have been used to understand the term. They will be essentially Municipal bodies; for, under the proposed Confederation, their functions will be limited and clearly defined. Nova Scotia, for instance, will be a large Municipality under the Central Government; but just as clearly a municipality as the City of Halifax now is under our Provincial Government. . . .

In short the system would, Tupper said, guard against the "absurdity" of having local governments with "sovereign" pretensions.

Having attempted to show that the Quebec Resolutions formed what was in all important essentials a legislative union, Tupper went on to say why legislative union itself had not been adopted. It might be, he said, that legislative union was the best thing in the world. Unfortunately there was one slight objection—unimportant though this objection was to "many of our more sanguine journalists"—it was impossible. Lower Canada would have none of it. Nor was there a practicable way that the objections of Lower Canada could be removed.

In Halifax at this stage, i.e. December, 1864, four out of the seven tri-weeklies, and the daily, supported Confederation. The Evening Reporter and the Evening Express, both Conservative, were supporting Tupper and his British Colonist. In addition, the Liberal daily, the Morning Chronicle, owned by William Annand and under the editorship of Jonathan McCully, supported Confederation. However in January, 1865, McCully and his old colleague Annand parted company on the question.
of Confederation. Annand continued the Chronicle, as an anti-
Confederate paper now, and the most formidable one in Nova
Scotia. McCully bought out the flagging tri-weekly Morning
Journal and made it into the Unionist.

However, until the split occurred, the Morning Chronicle
gave Confederation its support, and along the lines suggested
by the British Colonist. The Quebec Resolutions, so the Morn-
ing Chronicle said, would establish a truly national state.
There will be no Upper nor Lower Canada—no
Nova Scotia, New Brunswick, P. E. Island or New-
foundland, apart from the whole Federation.12
No one province would be injured by policies common to all;
for, as the Chronicle put it, "the prosperity of one portion will
be that of the whole..."13 As for local government, it was
simply a convenience. Surely no sensible man could believe
that the central government could manage
all the roads, bridges, Post Offices, County and
Township disputes, with the supervision of all the
Revenues and public works from Newfoundland
to Red River, not to refer to Columbia or Van-
couver....14

When McCully was freed from the restrictions of the un-
enthusiastic Annand, he waxed even more fervent in the Union-
ist. Some people, he said, think Nova Scotia might be swamped
in Confederation. Of course it will be swamped. In this
Union
we hope and believe that Nova Scotia, like each and every
one of the other Colonies comprised in it, will be
effectually swamped; that we shall then hear nothing
of local parties; that our public men will not be
known as Canadians and New Brunswickers and
Nova Scotians, but only as British Americans.15
Not all the Confederate press were as sanguine. The
Evening Reporter said regretfully in October that the French
Canadians, despite "a large group who want legislative union"(!)
would probably insist on federal union.16 In the end, however,
after some heartburning on this subject, the Reporter became
reconciled to federal union. It came to believe that local
spirit and local institutions ought to be fostered as a check on a
powerful central government. In this view the Reporter was

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(12) Morning Chronicle Fri. Nov. 11, 1864.
(13) Loc. cit.
(14) Morning Chronicle Sat. Nov. 12, 1864.
quite alone among the Confederate newspapers. And even
the \textit{Reporter} was not prepared to consider anything so wild
and dangerous as actual provincial sovereignty. It pointed
to the American Civil War as the example of what would happen
if local powers—important though these were—were ever ex-
tended beyond the strict limitations imposed on them in the
Quebec Resolutions.\footnote{Evening Reporter Thurs. Dec. 8, 1864. See also Sat. Dec. 17, 1864.}

All the Confederate journals would in the end have agreed
with the \textit{Evening Express} when it said, “We seek Union because
we are, in reality, one people, and ought to be one nationality
\ldots\textquotedblright\footnote{A comparable view is that of the Hamilton Spectator, but the Spectator never carried its views
as nostrum the way the Citizen did.} The idea of one national government over all British
North America stirred them; every newspaper supporting
Confederation took it up, in some cases with great force. On
the other hand, concessions to local powers were accepted as
unfortunate but probably unavoidable. Nothing more closely
like legislative union could have been got; besides, there were
some advantages in leaving the central Parliament untram-
melled with petty questions of roads, bridges and other local
works.

The opposition, it will be remembered, had two main argu-
ments against Confederation. First, that Nova Scotia did
not want union at all; second, if there was to be union, federa-
tion would be the worst possible kind. The anti-Confederate
press in Halifax had at this time two leading lights: the Liberal-
independent \textit{Citizen} and the Conservative \textit{Acadian Recorder}.
These were joined in January, 1865 by the powerful beacon
of the Liberal \textit{Morning Chronicle}.

The Halifax \textit{Citizen} was the foremost supporter of legis-
lative union in the Maritime provinces—probably the fore-
most of all British North America.\footnote{Evening Express, Fri. Dec. 9, 1864.}
Its position was clear
even before the Charlottetown Conference, and its opposition
to Confederation was almost wholly on the ground that Con-
federation was, or purported to be, a federal union. Nova
Scotians, it said,

have learned to distrust that combination of union
and disunion—that expensive double machinery of
government that attempts to neutralize sectional
feelings and interests through a general govern-
ment, while perpetuating these feelings by means
of local legislatures\ldots\footnote{Citizen, Tues. Sept. 13, 1864.}
This theme was sustained with some ability, probably by William Garvie, who was part owner and later was involved in getting up the anti-Confederate petitions of 1866. The main purpose of the Citizen in opposing the Quebec Scheme was, so it said, to wait for something better. Federation, it believed, must in its very nature intensify sectionalism, when the whole purpose of union was to abolish sectionalism. Although the Quebec Conference had realized this difficulty, in fact had even attempted to meet it, it had not really dealt with sectionalism effectively enough. The very existence of sectional legislatures was dangerous, for they would be the nuclei around which would crystallize sectional prejudice.

It makes no matter that it [the Conference] has given these local legislatures very little to do. The Legislatures have to meet, and having met, they will find something to do, if they have to make employment—to elaborate grievances or increase taxes. A sectional legislature under a general congress is only a nursery of sectional feeling, a fruitful factory for local jealousies, grievances and deadlocks to progress.

The British Colonist, the Citizen continued, says legislative union is impossible because of Lower Canada. But need this be so? "Is everything to give place to Lower Canadian sectionalism?" Nova Scotia was in no urgent haste for union; there was no need for her to rush headlong into alliance with Lower Canada, a section which was blind to the very first principle of Union. Nova Scotia could afford to wait until Lower Canada outgrew her prejudices. Nor was the part of Upper Canada in this business altogether blameless. The truth of the matter was, said the Citizen, that Confederation simply wiped off the old scores between the Canadas. Upper Canada got her long-awaited "rep. by pop.", Lower Canada the "un-British" system of local autonomy, Nova Scotia and the rest of the Maritimes have been left to pay the piper, economically and politically.

The Acadian Recorder preached from a similar text, though it had many more regrets for the lost—and hopeless—project of Maritimes union. Like the Citizen, the Acadian Recorder said a legislative union could be realized given time, and pressure from Lower Canada for federal union was all the more reason for delay. Had the Quebec Conference brought forth

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(22) Citizen Sat. Dec. 31, 1864; see also Tues. Nov. 22, 1864.
legislative union all would have been well; the *Acadian Recorder* believed that "Acadia is ready and anxious to accept it...."\(^{(24)}\); but the Conference, despite its avowed desire to follow the British model, had in fact diverged from it considerably.

The *Acadian Recorder* thought the division of powers a particularly glaring example of this divergence. Who could ever have believed, it reflected sadly, that North American statesmen trained in British institutions and traditions would "attempt to write the duties and functions of government in a list," as if they were merchants taking stock.\(^{(25)}\) Surely the powers of any responsible government were in essence illimitable.\(^{(26)}\) No mere inventory of powers, said the *Recorder* scornfully, can ever be complete. What was needed in British North America's new central government was "an unwritten constitution... where the central power would be absolute to decide every question as it arose...."\(^{(27)}\)

The *Recorder* was prepared to allow local legislatures, but they ought to be "stripped of power," and should consist only of a small single chamber. If the local legislatures were given anything more than this, the game of constitution-making was not worth the candle.\(^{(28)}\) Certainly there was no reason for Nova Scotia to throw over her "excellent unwritten constitution" for the squabbles that would attend a written one.\(^{(29)}\) And in this connection the *Acadian Recorder* argued—shrewdly enough as it turned out—that the power of disallowance in the hands of the central government would continually embroil it in quarrels with the local governments. Such quarrels would be bound to increase sectional jealousies.

Thus the *Citizen* and the *Acadian Recorder* had similar ideas and criticisms, though they elaborated them a little differently. They both agreed that federal government was, in its very nature, dangerous to internal peace. The *Citizen* wanted legislative union, with Nova Scotia split up into municipalities: the *Acadian Recorder* was prepared to concede a small subordinate assembly. The *Citizen* thought local autonomy "un-British." The *Acadian Recorder* saw only folly in giving local governments any really independent power. Both newspapers had their particular penchants; the *Citizen* was critical of the French insistence on federal union, while the *Acadian Recorder*

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\(^{(25)}\) *Acadian Recorder*, Fri. Nov. 18, 1864.

\(^{(26)}\) Subject only, the *Recorder* admitted, in the case of the North American colonies, to ultimate review under certain conditions by the Crown of Great Britain.


\(^{(28)}\) *Acadian Recorder*, Fri. Jan. 6, 1865.

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sighed for the lost hope of a united Acadia. Both were convinced it was better to wait than to accept the Quebec scheme.

The *Morning Chronicle* presents a somewhat different picture. This is because its opposition began in January, 1865, when the arguments over Confederation had shifted. The preponderant concern of the opposition before mid-December, 1864 had been the question of legislative vs. federal union. After that time there was a noticeable shift of emphasis. The opposition took up, in Tupper's words, "that peculiar line of argument which is perplexing to all and interesting to none," finance. "Every man of them crammed on arithmetic." But Tupper knew perfectly well how potent the question of finance and taxation was. His letters to Macdonald show plainly that he feared arguments that used the heavy Canadian debt, the Canadian tariff, the whole lurid history of Canadian finance, to say nothing of the "expensive double governments" of federation, to show that Confederation would bleed Nova Scotia white. Tupper therefore resorted to the remarkable expedient of trying to redirect the argument back to what he must have thought were the safer levels of purely constitutional questions. He told the opposition that they had been sidetracked by finance. They should, he said, lay more stress . . . on the beauties of legislative Union and the evils of Federation. Something was done in this way, but it was too feebly put forth, and too quickly given up. . . . They have often appeared in newspapers and speeches, but only in an incidental way; or if they have sometimes been presented with vigor, the blow has not been followed up. The opposition turned their backs on such resources as these, and took up Finance. This statement was simply a red herring. The appeals of the opposition press to legislative union were hardly incidental, any more than the replies of Tupper and his cohorts. But now the issues had shifted. Tupper was trying to divert the pack, now in full cry on the track of finance and taxation. It was in this context that the *Morning Chronicle* published the Botheration Letters.

(31) Tupper to Macdonald, April 9, 1865: "I knew that it would be excessively easy to excite our people on the question of taxation. . . ." PAC, Tupper papers.  
(33) The question of taxation had been brought to the forefront by a series of public meetings in December, known as the Temperance Hall meetings, in which the delegates publicly debated the question of Confederation. They began on Dec. 12th and continued intermittently until Dec. 31st. The best account of them is in R. H. Campbell, *Confederation in Nova Scotia to 1870*, M.A. Thesis, Dalhousie University, 1939, pp. 107-119.
These first appeared on January 11th, 1865. In them Joseph Howe summed up the anti-confederate arguments, political as well as financial, enlivened them with his vitality, studded them with examples from his lengthy political experience, and appealed boldly and frankly to Nova Scotian patriotism.

Howe saw Confederation as an attempt to repeat in British North America the constitutional disasters that had marked the development of the first and second Empires. Great Britain he said, had found it difficult enough to work an Imperial Parliament in harmony with local legislatures; any British North American Parliament would encounter the same results in dealing with the provincial legislatures if the Quebec plan was to be the Constitution. "Why shall we try over again an experiment which the experience of the Mother Country condemns?"

The only reason for such a wretched experiment as federation was the French Canadians. Here, with an unerring eye, Howe sketched the French position:

Ever since the Union of the two Provinces, the French Canadians, by sticking together, have controlled the Legislation and the Government of Canada. They will do the same thing in a larger union, and, as the English will split and divide, as they always do, the French members will, in nine cases out of ten, be masters of the situation. But should a chance combination thwart them then they will back their Local Legislature against the United Parliament. ... Union was certainly not strength in these circumstances. There was no strength when "new wine was added to the old bottle." Nor was Sampson stronger after Delilah "got him confederated and cut off his hair." Howe's letters deeply stirred Nova Scotian feeling. When the discussion of Confederation began in Nova Scotia, the delegates to the Conferences and others supporting Confederation controlled the majority of the newspapers; they were familiar with the plans of union and the arguments by which they could be sustained: yet by the end of five months party alignments had been overturned, "the Botheration Scheme was ventilated

(34) Howe published these letters anonymously, for he was still H. M. Fishery Commissioner, but his style was well known, and apparently it was recognized. Evening Express, Jan. 2, 1865: "We are not exactly certain who blows the literary bellows of the Chronicle now, but judging from the easy style introduced, we have a shrewd suspicion who he is."
in every part of the Province, and so far as Nova Scotia is concerned, may now be considered as dead as Julius Caesar."  

As these words appeared, in the *Nova Scotian* of Monday, March 6th, the Tilley government in New Brunswick was meeting a resounding defeat at the polls. By that time Confederation was to all appearances just as dead as Howe said it was.

The Halifax newspapers, like many others in British North America, approached Confederation with a viewpoint conditioned by their political inheritance. Responsible government seems to have engendered a genuine reluctance to admit the dual sovereignty implicit in federalism. And the British Empire only suggested to Joseph Howe reasons why federalism should not be adopted. One government or another had to be supreme. Apparently both could not be. In these circumstances legislative union had a powerful appeal. Most Halifax papers believed that legislative union was the only kind of union worthy of the name or the trouble of forming. It was the only kind of union that would elevate provincial loyalties to a new and higher order. Howe admitted in 1865 that the idea was an attractive one; the *Citizen* and the *Acadian Recorder* were convinced of its merits. It is clear that the ideal of one country united under one system of laws and institutions *a mari usque ad mare* had great emotional force. As the *Sun* remarked in 1866:

> The vision of a vast country stretching across the continent from sea to sea, with but one government and one law had in it something sublime which captivated at first sight.

The irreverent Prince Edward Islanders sometimes called this "the glory argument," but for all that it was a persuasive ideal. Despite the opposition to Confederation, the ideal of legislative union persisted. In 1867, M. I. Wilkins, who was strongly opposed to Confederation, spoke with fervour nevertheless of an incorporation of the Colonies... to be one flesh and bone, having one head and one heart. Where there would no longer be a Canadian, Nova Scotian or New Brunswicker, but they would all be combined under a common name.

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(38) *Nova Scotian*, Mon. March 6, 1865.  
(39) The *Nova Scotian* was the weekly provincial edition of the *Chronicle*. It has been used when the *Chronicle* has not been available.  
(40) "To myself individually [legislative union] would have the attraction of simplicity, durability and strength." Howe to Cardwell, September, 1865. Draft in the *House Papers*, PAC. Howe did not however say he would have supported it had it been offered.  
(41) *Halifax Sun*, Wed. April 11, 1866.  
(42) This phrase appears first in the debates of 1865. *Prince Edward Island, Legislative Assembly, the Parliamentary Reporter: debates and proceedings*, 1865, p. 61.  
Would Nova Scotia as a whole actually have accepted a legislative union of British North America? Probably not, though it seems possible that Halifax would have. Nearly all Nova Scotians could, however, agree at least with the Yarmouth Tribune's verse:

Our native land! of lands the flower!—
Blest far beyond our meed
Safe 'neath the shield of Britain's power,
No Federation needs.44