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THE PARLIAMENTARY CAREER OF
NICHOLAS FLOOD DAVIN
1887 - 1900

A THESIS

Submitted to
the Faculty of Graduate Studies
in Partial Fulfilment of the Requirements
for the Degree of
Master of Arts
in the
Department of History,
University of Saskatchewan
by
Charles Beverley Koester

Saskatoon, Saskatchewan
September, 1964

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"What a world of hope may be buried in a single grave."

Lord Lytton

Inscription on Davin's monument in Beechwood Cemetery,

Ottawa
In 1889 Nicholas Flood Davin published a small collection of poetry entitled *An Epic of the Dawn and other Poems* in the preface to which he acknowledged, but did not apologize for the many imperfections in the work, since it was the product of "stray moments in a busy, and, for some twelve years, a turbulent life." This present work, too, has been the product of stray moments in a reasonably busy life, but unlike Davin I feel I must apologize for the undoubted imperfections which, even had there been more stray moments, could probably not have been entirely eliminated.

That the work does not contain even more defects is due in large measure to those many friends to whom I must at times have appeared as a veritable reincarnation of Davin himself, but who nevertheless gave generously and sympathetically of their time in comment, discussion, and criticism. The debt I owe to others is not less sincerely acknowledged if I mention specifically Mr. A.R. Turner, the Provincial Archivist of Saskatchewan, and Mr. J.H. Archer, formerly Saskatchewan Legislative Librarian, whose counsel and assistance were frequently sought and freely given.

I wish also to express my sincere thanks to Professor Lewis H. Thomas, formerly of the Department of History, University of Saskatchewan, Regina Campus, whose interest in the progress of
this study at all stages of research and writing went far beyond the normal demands of his duty as faculty adviser. His esteemed and encouraging friendship has been as valuable to me in this undertaking as his careful and scholarly criticism.

I should also acknowledge my appreciation of the attitude of both the older and younger members of my family who, over the past few years, have come to regard "Mr. Davin" almost as a member of the household, and his name itself a sufficient explanation for a variety of my own shortcomings.

To these and to Mrs. Kay Sedgewick who typed the manuscript, I offer my thanks, and at the same time, of course, exonerate them from any responsibility.

Regina, Saskatchewan

C.B.K.
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ABBREVIATIONS

A.S. Archives of Saskatchewan, in the Archives Office, University of Saskatchewan, Saskatoon, and in the Archives Division, Legislative Library, Regina.


Macdonald Papers The Sir John A. Macdonald Papers.

Minute Book Regina District Liberal - Conservative Association Minute Book, 1886-1896.

N.W.C. Journals Journals of the Council of the North-West Territories of Canada.

P.A.C. Public Archives of Canada, Ottawa.

S.D. Debates of the Senate of the Dominion of Canada.

Sifton Papers The Sir Clifford Sifton Papers.

Thompson Papers The Sir John Thompson Papers.
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PROLOGUE

THE FAIR AND JUST DEMANDS

The earliest demand by the people of the Canadian North-West to be represented in the Parliament of Canada was expressed during the agitation which accompanied the birth of Manitoba in 1869-70. That diminutive province, with its bicameral legislature, its two senators, and its four members in the House of Commons, possessed a political apparatus more than adequate for the needs of the 12,000 people who comprised its population in 1870. In sharp contrast to all this were the rather casual and simple constitutional arrangements for the North-West Territories, which lay to the north, to the west, and to the east of Manitoba. This vast and sparsely settled region was to be governed under the provisions of The Temporary Government Act of 1869 which, in its original conception, was to have formed the basis for the administration of all the North-West, including what was now Manitoba. As the Act was applied, the Lieutenant-Governor of Manitoba assumed the additional responsibilities of Lieutenant-Governor of the North-West Territories, and he and his North-West Council, first appointed in 1872, functioned as both the executive and legislative authority in the North-West until 1876.¹

In 1875 Parliament passed The North-West Territories Act which continued the authority of a Lieutenant-Governor and

Council, but provided in addition that as soon as an area of not more than 1,000 square miles contained an adult voting population of 1,000 persons, an electoral district could be established to return one member to the Council, and as soon as the Council consisted of twenty-one elected members, it would become a legislative assembly. From 1876 until 1888, then, the government of the North-West Territories was conducted by a Lieutenant-Governor assisted by a Council which, after 1881, consisted of both elected and appointed members. In 1888 the Council became the Legislative Assembly of the North-West Territories.

The Liberal government which introduced The North-West Territories Act in 1875 seems to have given no thought to future development in the Territories other than by providing for an expanding system of local but limited self-government. The questions of federal representation or of provincial status for the Territories were not touched upon in the bill, although these matters were raised in debate. Mr. D.A. Smith, the Conservative member for Selkirk is reported in Hansard as having said that:

He had not noticed from the explanations given that there was any intention to give a representation to the North-West at Ottawa. Without some such provision he did not see how the North-West could have a voice in the legislation of this Dominion, and he strongly contended that there should be at least one member to represent its interests here. It would give a great deal of satisfaction in this country, and he thought it would be at least a matter of justice to the North-West.  

2 H.C.D., Mar. 12, 1875, p. 660.
Similarly, David Mills, a Liberal member who was to become the Minister of the Interior in October, 1876, drew attention to the matter of provincial status and federal representation:

There was another matter it seemed to him ought not to be disregarded; and that was the terms and conditions under which these people would ultimately be formed into a Province. It would be better that the people who settled that territory should know beforehand the terms and conditions under which they would become an organized part of the Dominion. He saw no objection, when the population became sufficiently large, to allowing that territory to be represented in the Dominion Parliament before it was organized into a province.3

No action was taken on either suggestion, and in the minds of the western population, the omission was to grow over the years until it reached the proportions of an injustice.

The North-West Territories Act had given the Council power to legislate on matters of local interest such as taxation for local purposes, property and civil rights in the Territories, the administration of justice, public health, and highways. The federal government, on the other hand, on behalf of a Parliament in which the Territories were unrepresented, exercised jurisdiction over such aspects of national policy as immigration, public lands and other natural resources, railways, the tariff, Indian affairs, and the Mounted Police, and in addition possessed the power of disallowing territorial legislation. Moreover, the indefinite triangular relationship of the Governor, his Council,

3 Ibid., p. 661. Mills had raised a similar question in the House much earlier. See H.C.D., April 25, 1870, c. 1178.
and the federal government proved in practice to be both awkward and unsatisfactory. Thus the settlers, who began to arrive in small but significant numbers by the early 1880's, found their political rights somewhat circumscribed. Restricted on the one hand to a form of local self-government limited in both the extent of its powers and of its popular representation, and on the other hand, denied representation in the House of Commons, the western settlers consequently lacked any effective voice in the formation of those policies by which their destinies were controlled.

In the years immediately following the acquisition of the Territories by the Dominion, the pattern of settlement changed but slowly. It is estimated that in 1871 there were upwards of 1,000 souls, exclusive of Indians, scattered throughout the small mission settlements and trading posts of the North-West. These were augmented by the migration of Metis from the Red River and of venturesome whites (chiefly from Ontario) until by the mid-decade settlements such as Prince Albert and Battleford could claim to be rapidly growing communities, and by 1883 the Edmonton district could boast of a population of over 1,000. It was the 1880's that saw the beginning of more rapid settlement of the North-West, and with the construction of the Canadian Pacific Railway through the southern prairies new settlements appeared at Moosomin, Regina, Moose Jaw, Maple Creek, Medicine Hat, and

5 Ibid., pp. 183-184.
Calgary.

Only one elected member was returned to the North-West Council in 1881, but in 1883 five more electoral districts were added, and this number was steadily increased in 1884, 1885, 1886, and 1887. 6 By 1885 three of the four Provisional Districts into which the Territories had been divided in 1882 contained a population of 28,192 exclusive of Indians compared to the 1881 population of 5,400, and this figure was to be almost doubled by 1891. 7

A significant attribute of civilization which appeared in the North-West almost simultaneously with the settlers themselves was a vigorous, outspoken, and ably edited newspaper press. The Saskatchewan Herald was established at Battleford in 1878; the Edmonton Bulletin appeared in 1880; the Macleod Gazette and the Prince Albert Times were first published in 1882. Others followed amongst which were the Regina Leader (1883), the Qu'Appelle Vidette and the Moosomin Courier (1884), and the Regina Journal (1886). 8

It was the newspapers which first voiced the demands of the settlers for representation in Parliament. In 1880 the Saskatchewan Herald reminded its readers that:

The time is ... approaching when the Territories should be granted representation in the Canadian Parliament.

6 Ibid., p. 192.
7 Thomas, op. cit., p. 104.
8 Ibid., p. 88 and pp. 104-106. See also Earl G. Drake, "The Territorial Press in the Region of Present-Day Saskatchewan," Saskatoon, 1951.
Indeed, we believe it would to-day be a great gain to the Dominion to have a member from the Territories in the House of Commons.9

The following year the editor of the Edmonton Bulletin, noting that the population of his district was, according to the recent census, too small to warrant a representative on the North-West Council, went on to say:

But this population of over 2,000 in the Upper Saskatchewan are surely entitled to some say in the affairs of their own country, and, as we are principally governed from Ottawa, to Ottawa our representative should be sent.

He concluded by asking:

Why should not the settlers of the North West -- the men on whose individual energy and ability the future of the dominion so much depends -- have a voice in dominion affairs as well as the animated parts of the machinery of eastern mills or tobacco factories?10

By 1883 the Westerners’ argument for representation had crystallized and was expressed in these terms by the editor of the Saskatchewan Herald:

From the important part which [the Territories] are playing in the history of the country, and the benefits they are conferring on the other sections of the Dominion, they are justly entitled to representation in the House of Commons. They pay into the national treasury a large sum annually in customs and excise duties; for having no manufactures in operation they have everything to buy. The distance that separates them from the Eastern Provinces, in which the tariff compels them

9 Feb. 23, 1880, "The Administration of the North-West."
10 Jan. 31, 1881, "Representation."
to buy instead of leaving them free to visit nearer markets, also, the heavy freight rates they have to pay, acts as an additional tax of no light nature, the chief benefit of which is reaped by the merchants and manufacturers of the east. The Dominion Government also derives a large revenue from the sale of land and coal and timber limits, most of which, so far, have been disposed of in such a way as to be of no direct practical benefit to the Territories; 11

Also by 1883 the North-West Council, which now included six elected members, was adding its voice to the growing demand for representation at Ottawa, a memorial being passed, the sixteenth article of which read:

Your Memorialists believe that the success of the North-West Territories is of such importance to the whole Dominion that the time has arrived when representation for the Territories should be had in Parliament, at the present time the people of the North-West are without representation of any kind, and have to depend solely on Petitions and Memorials to make their wants known. 12

This memorial was referred to in the House of Commons the following year by Mr. M.C. Cameron, a Liberal member for the Ontario constituency of Huron, who made a shrewd political assessment of its validity as an unquestionably accurate expression of widespread territorial opinion by pointing out that four-fifths of the members of the North-West Council were "friends of the Government," and therefore "they surely cannot want to embarrass the Government, and one cannot help but coming to the conclusion that

11 Mar. 17, 1883, "An Equalized Franchise."
there must be some foundation for their complaints." Memorials, nevertheless, were not regarded as the most effective means of eliciting action from the remote federal government; the editor of the *Prince Albert Times* declared flatly that without representation in Parliament and the cabinet, the Territories would "never obtain [their] substantial rights."

It would thus appear that the demand for federal representation of the Territories was widespread by 1883. Indeed, the editor of the *Saskatchewan Herald*, in the issue of November 24, 1883, wrote:

> We notice with pleasure that every newspaper in the Territories is in favour of having Parliamentary representation extended to the North-West Territories, and that not a few of the leading eastern journals acknowledge the justice of our demands.

Federal representation was not only a subject for memorials from the North-West Council and editorials in local newspapers; the settlers themselves undertook to lay their views personally before the government at Ottawa, and delegations were sent east for that purpose. One such delegation from Regina included amongst its members the editor of the *Regina Leader* who, his paper reported, had stayed over in Ottawa and had put Regina's case to Ministers, members, and senators alike so that "everybody from the grave statesman to the belle of the last ball, holds

14 Sept. 19, 1883, "Our Wants and Our Grievances."
15 "Representation in Parliament."
that we must have representation." However, in spite of endorsement by the belle of the last ball, the grave statesmen decided that representation could not be granted until further study had been given to the matter, and this limited success of the delegation showed conclusively, the Leader asserted,

...that if we wish to obtain what is our due, we must not content ourselves with a mere dumb shew, [sic] but must give evidence that we are fully alive to all that pertains to our interests as an important portion of the Dominion.

By March of 1884 a note of bitterness becomes apparent in the Territories as the Prince Albert Times thundered the ancient battle-cry of the unrepresented:

We presume that the descendants of men who wrested from the hands of grasping monarchs the safe-guards of their rights and liberties contained in 'Magna Carta' -- Bill of Rights -- Grand Remonstrances -- Habeas Corpus -- Act of settlement, etc., must be fully alive to what their constitutional rights consist of -- and when they remember that the stroke of the axe, deprived King Charles I of his head, ended the theory of Divine Right of kings in our fathers' land, and the attempt to tax without parliament -- it is not likely that we will long submit to taxation without representation.

Again in May of the same year the Times put the case in as strong but less emotional terms:

With the exception of ourselves, each province has a means of making itself heard through its local Legislature and

16 Regina Leader, Mar. 20, 1884, "Affairs at Ottawa."

17 Mar. 13, 1884, "Parliamentary Representation of the North-West Territories."

18 Mar. 21, 1884, "Our Grievances."
its representative in the Dominion Parliament. That our rapidly increasing population, to say nothing of our extent of territory, entitles us to the management of our territorial interests and a strong voice in the affairs of the Dominion is a matter beyond argument, it is self-evident, but as there evidently exists a strong determination to withhold justice from us as long as possible, we cannot too soon take measures to bring the necessary pressure to bear upon the government. 

It was not simply representation for its own sake that the settlers were seeking. Throughout the whole of the territorial press there is evidence of a deeply held conviction that the affairs of the Territories were being mismanaged through ignorance, that conditions were changing so rapidly as to make last year's intelligence inadequate as a basis for next year's programme. With a territorial representative in Ottawa

...there would always be a means of pressing on the attention of the country such changes in the laws governing the Territories as their growth in population called for. With a representative man in Parliament to whom reference could be made on matters relating to our affairs, the members would be enabled to vote intelligently.

Settlers in the Canadian North-West were naturally aware of the political rights enjoyed by the citizens of a territory in the United States. There it had been established that when the population in a territory reached a certain figure, the territory became a state. Each State in the Union had, of course, full rights in Congress, but in addition, American territories each

19 May 23, 1884, "Provincial Rights."

20 Saskatchewan Herald, Nov. 14, 1884, "Parliamentary Representation."
had the right to send a delegate to the House of Representatives where he could speak, but not vote. While the application of this principle to the Canadian North-West Territories was discussed from time to time in the territorial press, it did not become a popular alternative to full representation: "... we need not follow our neighbors in this particular"; said the Herald, "if we are granted representatives, they must have all the powers and privileges of ordinary members."22

In its first year of publication the Moosomin Courier took up the cry for representation, and called upon its readers to

...wake up and be alive to our own interests. We are young, strong and growing older, and if we sit down and let things take their course, we shall forever be under the yoke of foreign power, foreign taxation, foreign monopoly and foreign everything that is unjust, overbearing and monopolizing. Once more, we say, leave the 'Wet Nurse' and 'swaddling clothes,' stand up and walk, this is our country and our home, and we are the people.23

There was no equivocation in Moosomin with respect to federal representation of the North-West Territories.

In Qu'Appelle, on the other hand, while representation was spoken of as "the all absorbing topic throughout the Territories at the present time,"24 the editor of the Vidette suggested with

21 See for example Regina Leader, Sept. 20, 1883, "Representation for the North-West Territories."

22 Saskatchewan Herald, Nov. 14, 1884, "Parliamentary Representation."

23 Nov. 20, 1884, "Representation in Parliament."

24 Qu'Appelle Vidette, Nov. 27, 1884, "Self-Government and Representation."
more than a little constitutional acumen, that territorial representation in the Dominion House was beyond the powers of Parliament, and since it was unlikely that the Imperial Parliament would pass the necessary legislation, he suggested that:

If the settlers of every district in this portion of the Territories would bestir themselves to secure representation in the North-West Council we should be erected into a province in a very short time. Thus we would secure local self-government and Dominion representation at the same time. 25

It is thus apparent that federal representation and provincial status were not clear, distinct, and separate matters in the minds of the settlers who nevertheless saw clearly that the interests of the Territories would be best served only when they had achieved an adequate voice in government at both the federal and local levels.

Nor were demands for parliamentary representation confined to the white settlers of the North-West Territories. In 1884 the French and English half-breeds, united under the leadership of Louis Riel who had arrived in the District of Saskatchewan that summer, joined the whites of the Settlers' Union under W.H. Jackson and Andrew Spence to petition the federal government for the redress of grievances shared by white and Métis alike. Included in the petition forwarded to Ottawa on December 16, 1884, was the demand for "representation in the Dominion Parliament and Cabinet...." 26 While neither the movement which sponsored the

25 Ibid.
petition nor the leaders who drafted it enjoyed anything like the unanimous support of the North-West population, the petition, according to Stanley, "embodied the grievances of all parties in the North-West Territories." 27

In 1885 the North-West Council was again urging the federal government to concern itself with the problems of parliamentary representation in another memorial which read in part:

This Council respectfully submits that it is in the interests of Canada, as a whole, as well as the North-West Territories, that the people of the Territories should be represented in the Senate and House of Commons of Canada, and in the subdivision of the country, for representative purposes, that reference should be had as well to Territorial area as to population. 28

But Messrs. W.D. Perley, H.C. Wilson, and James H. Ross who had been appointed delegates from the Council to the federal government, were able to report only that:

This subject was strongly pressed upon the Members of the Government, and we were promised that representation would be given to the Territories in both the House of Commons and the Senate. 29

Without setting forth the terms or target-date for representation, however, such a promise was at best merely an unsatisfactory statement of the obvious.

Although the tone of the territorial press may have suggested that official Ottawa was deaf, dumb, and blind to the issue of

27 Ibid., p. 306.
29 Ibid., Appendix B, 1886, p. 89.
representation for the Territories, there were some who apparently had been convinced of the justice of the case. One such was Senator J.B. Plumb from Niagara who, as a result of the lobbying of the editor of the Regina Leader, rose in his place in the Senate on February 25, 1884,

to call attention to the advisability of granting Parliamentary representation to the inhabitants of the Territorial Districts of the North-West, and to inquire whether the Government have taken or intend to take the same under consideration.  

He made reference to the history of representation in eastern Canada, to the American system of territorial representation, and the rapidly growing population of the Territories, and he explained that he raised the matter not because the government had been "in the slightest degree neglectful of the interests of those who had gone there," but because he understood that there was a decided feeling amongst the settlers

...that they should have (even though it be in a very small degree) some representation at Ottawa who could make known their wants in a more definite, more efficient, and perhaps more vigorous way than can possibly be attained by the formal action of the Governor-in-Council.  

The Liberal side of the Senate, having taken issue with the honourable senator's more partisan statements, showed general agreement with the thesis that the administration of the remote and extensive Territories would be improved if a government had

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30 Thomas, op. cit., p. 120.
31 S.D., Feb. 25, 1884, p. 143.
32 Ibid., pp. 148-149.
the benefit of advice based on the local knowledge of representatives from those Territories. 33 Government policy on the matter, however, was outlined in the speech of Senator Macpherson who, while agreeing that representative institutions were of considerable importance, and while claiming that the government was vitally interested in the welfare of the settlers, argued that the population was sparse and the people there had not yet "any very great common interests." It would be the duty of the Government," he added, "to increase the representative provisions as the population increases," but this could only be done after an inquiry which, at the moment, time did not permit, but which would be given "careful consideration during the recess." 34

Meanwhile, in the House of Commons, Mr. M.C. Cameron, the member for Huron, raised the matter of federal representation for the North-West Territories by introducing a bill with that objective. He ranged widely over the question in the first reading debate, recalling that in 1882 when the Territories were divided into Provisional Districts the First Minister had said that it would soon be necessary to erect those districts into provinces with full rights of local self-government and representation in the House of Commons. 35 He went on to instruct the House

33 Ibid., pp. 153-155.
34 Ibid., p. 158.
35 Macdonald had not in fact gone this far. He had said that it was not the intention to give the Provisional Districts any form of organized government of their own, but since this measure "might result in those divisions becoming hereafter Provinces," it was thought proper to submit the matter of the creation of the Provisional Districts to Parliament. See H.C.D., May 16, 1882, p. 1567.
on the American system of creating territories and states, and he gave considerable emphasis to the importance of the Territories to the Dominion, pointing out that the government itself was proud to boast of the enormous sums received in customs duties from Manitoba and the North-West Territories as well as the rising tide of immigration. Indeed, Mr. Cameron believed that "the importance of the Territories has become so great that representation in the Dominion Parliament appears to me to be an absolute necessity." 36

Cameron came closest to expressing the sentiment of the settlers, however, when he said:

The men who have settled there are the pioneers of the country, and are opening up to the extent of their ability, the vast and unbounded resources that exist there. I know that these indefinite promises, these vague assurances, will not satisfy them; they will only be satisfied by the Government dealing fairly and honestly with the matter, and giving them the representation in this Parliament that they ought to have. We tax them and impose laws upon them, and we expect them to pay those taxes, to submit to those laws, and to render a hearty allegiance to the country under whose flag they live; and yet we do not give them any voice in the passage of the laws which govern them. Sir, I propose, in the Bill I am about to introduce, to release the people of those Territories from what I consider a condition of tutelage. They are living there in a position of crown colonists. They have nothing that can properly be called a government, and nothing that can properly be called representation. I propose to remedy that condition of affairs by giving them a representation in the Parliament of Canada. 37

37 Ibid.
The only other speaker in this debate was the Prime Minister who assured the House that the government would grant Mr. Cameron the usual courtesy of allowing him to introduce his bill, but Macdonald's *ad hominem* arguments added nothing to an understanding of either the problems of the Territories or the policy of the government.

...from the remarks of the hon. gentleman [said the Prime Minister] it is quite clear he intends to be the next Minister of the Interior. He says that he is strongly in favour of the Minister of the Interior living up there. Now my hon. friend has made large investments in the North-West, and, I am glad to learn, proper investments, and it is therefore quite clear that my hon. friend is going to live there. We must therefore consider this measure of his as an insidious attempt to take possession of the ground, and to cut out any of the hon. gentlemen opposite from the chance of being the next Minister of the Interior. 38

Cameron's bill went no farther than first reading.

The session of 1885 saw Mr. Cameron again introducing legislation in the House of Commons with respect to representation for the North-West. Again he reminded the House that the settlers were men of intelligence, energy, activity and zeal who had been accustomed to self-government and to representation "in the fullest sense of the term." 39 Again he reminded the House of the political rights of settlers in the American territories, and he went on to compare the situation as it had existed with Prince Edward Island, Manitoba and British Columbia:


land had entered Confederation in 1873 with a population of approximately 100,000 and six seats in the House of Commons; Manitoba had come into Confederation with a population of 15,000 and had received four seats in the House of Commons; British Columbia had been admitted to Confederation in 1871 when her population was 15,000 and had been allowed six seats in the Commons. Claiming a population of some 60,000 in Assiniboia alone, Cameron went on to ask

if there is any reason why the First Minister and the Minister of the Interior, or the Government, should have for years excluded these men from what I believe to be their fair, their just right, to representation in this Parliament, knowing, as the hon. gentlemen must know, that the population of those territories today far exceeds the population of those two Provinces I have last mentioned. 41

Mr. Cameron spoke of the activities of the settlers who were attempting to make known their wishes with respect to representation: he cited the territorial press, the memorials of the North-West Council, the public meetings being held in the Provisional Districts, and he argued that this was no mere political movement. It appeared to him

...from the press published in the territories from one end to the other, that in every nook and corner, wherever settlers are located, there is a universal demand in favour of the representation of the territories. 42

40 Ibid., p. 493.
41 Ibid., p. 492.
42 Ibid., p. 493.
And almost as if to clinch his argument, Cameron went on to quote N.F. Davin, editor of the Regina Leader arguing that nobody can give a better or more reliable or more correct opinion of the wants and necessities of the people of the North-West, and especially the District of Assiniboia, than Mr. Nicholas Flood Davin...43

Cameron expressed the justice of the settlers' case in this rather colourful passage:

We, by an act of parliament, open the pockets of the people of the North-West Territories, and we keep their mouths closed for the want of an act of parliament. I am introducing an act of parliament which will open the mouths of the settlers; hon. gentlemen have passed acts of parliament opening their pockets.44

Events themselves, however, were to speak for the wisdom and justice of the case which Mr. Cameron had brought before the House, and it is of some interest to note that Cameron was making this case in Parliament barely two weeks before the outbreak of the Saskatchewan Rebellion, and in doing so was warning the House that:

unless these fair and reasonable demands of the people of the North-West Territories are assented to, [the Ministry] can hardly expect that peace and contentment, progress and prosperity will continue in that country.45

The debate on Cameron's bill was adjourned and not resumed that session, but the House heard from him again on the matter

43 Ibid.
44 Ibid., p. 494.
45 Ibid.
of representation for the Territories on July 15th when he admitted having come to the conclusion (reached much earlier by the editor of the *Qu’Appelle Vidette*) that Parliament had no power to grant representation to a territory before it had become a province, and he moved an amendment to the Supply motion requesting that an address be moved to Her Majesty praying for "such legislation as may remove the doubts as to the power of the Parliament of Canada to provide for such representation." 46

Sir Hector Langevin replied to Mr. Cameron's arguments pointing out that the motion was premature and that the House would be well-advised to await the results of the census before taking precipitate action on legislation that may or may not be required for the North-West.

No one more than the members of the Government desires that the Territories shall be governed with all due consideration and that the people have all the powers, liberties and privileges that subjects of Her Majesty in Canada enjoy, [said Sir Hector]. But, on the other hand, we must look to matters as they are. The Territories are not organized into Provinces yet. 47

The census was the all-important matter whether the House was considering provincial status or federal representation, but it is significant that during the passage of the Census Bill through the House, no Minister of the Crown had stated that anything of the nature of representation or provincial status was dependent

47 Ibid.
upon it. The need for a quinquennial rather than a decennial census in a new territory had been agreed upon, but any connection between the taking of a census in the Territories and the granting of federal representation to the settlers was no more than a tacit assumption of interested parties.48

The assumption, nevertheless, had been made: Mr. Mills had pointed out to the House that to the people seeking representation, "the census taken every ten years is not found to be sufficient";49 Sir Richard Cartwright sought protective devices in the system of enumeration because "the people who supposed that they may receive additional subsidy or additional representation by virtue of this census, may be a little disposed to exaggerate their number";50 and the North-West Council, on the strength of a reference to the census in the Speech from the Throne included this paragraph in the Address in Reply:

We confidently look forward to the next Session of the Federal Parliament granting our requests and calling to their Councils representatives of these Territories. As Canadians we shall cherish the day when we shall receive the same rights and privileges as the rest of our beloved Dominion, and be permitted to take part in moulding its destinies.51

A government proposal to grant federal representation to the Territories was at length introduced into the House of Commons

49 Ibid., p. 173.
51 N.W.C. Journals, Dec. 7, 1885, p. 44.
by Sir John Macdonald on April 22, 1886, but the long-awaited representation was not to be achieved by legislation in the Canadian Parliament alone, for along with a bill to give four members to the North-West Territories, the government took the first steps to have enabling legislation passed by the Imperial Parliament. In so doing, Macdonald drew the attention of the House to the fact that in 1871 the Canadian Parliament had similarly requested Imperial legislation to confer upon the administration the power to declare "a Territory to be a Province, and, when so declared, to give the new Province representation in the Dominion Parliament." In this case, however, Macdonald admitted that "it is a certainty that we have not the power" to grant representation to a territory not declared to be a province, and further amendments to The British North America Act were therefore necessary.

The bill provided two members for the District of Assiniboia, and one each to the Districts of Alberta and Saskatchewan where the population was considerably smaller. The district of Athabasca, having no population to speak of, was not included in the bill.

The population would scarcely allow of so many members, [Macdonald said on moving second reading], but, although the settlers are few in number, the country is large and has many different interests requiring different legislative measures, and, following the example set by giving representation

53 Ibid.
ELECTORAL DISTRICTS, 1887
(Sixth, Seventh, Eighth, and Ninth Parliaments)
4 Members

From Directory of Members of Parliament and Federal Elections
for the North-West Territories and Saskatchewan, 1887 - 1953,
Regina and Saskatoon, The Saskatchewan Archives Board, 1956.
to the Province of Manitoba, many years ago, when it had a very slight population, we propose to give those districts the representation I have mentioned. 54

The government proposal did not receive the hearty endorsement of the House as might have been anticipated for such a long-awaited measure as this. Mr. Cameron took the opportunity to review his struggle for parliamentary representation for the Territories, but he was critical of many of the provisions of the bill which in his view was not a measure to grant federal representation to the Territories, but "a Bill to enable the Government of Canada to appoint four members to the Parliament of Canada to support the Government." 55 On third reading the opposition attempted amendments respecting the qualifications of voters, the deletion of the requirement of a deposit by candidates, and the introduction of the ballot, 56 but these were all negatived and the bill went on to become the basis of the first federal franchise in the North-West Territories.

Full parliamentary representation for the Territories was not obtained, however, until the following year when the government acted with an unusual promptitude to provide for two senators for the North-West Territories. It had been the original intention of the government to leave the matter of senate representation until the Territories had become provinces, Macdonald explained,

55 Ibid., p. 1207.
...but there is a very considerable opinion existing among the people of the North-West that they should be on an equality with the other Provinces, that they should have representation in the Upper Chamber as well as this. 57

Macdonald could hardly have been unmindful of the political advantages of having two extra senate seats in his gift, and the Reform opposition, conscious of a generous representation in the House of Commons, 58 was skeptical of the need the Territories might have for "a certain number of illusory representatives in the second Chamber." 59

Thus, after prolonged and persistent agitation, the North-West Territories were at last granted representation in the House of Commons and Senate. While the sparse population of that enormous area may have justified only two members in 1887, Ward points out that the concession of granting four "was by no means carried out with the same calculated generosity shown to Manitoba and British Columbia," and in a footnote he adds:

The government seemed strangely reluctant to grant representation to the North-West Territories and had been evading the question in Parliament since 1883. 60

This strange reluctance may have been at least partly due to a desire on the part of the government, and perhaps the party

58 Ibid., p. 198. Mills claimed that the four western members represented a population of 23,000, "the number to be found in an ordinary constituency...."
59 Ibid.
managers as well, to avoid additional expense where only a small number of seats were at stake. More pertinently, however, the whole sequence of events in Parliament, from the unanswered proposals of Mills and Smith in 1875, to the last-minute request for enabling legislation in 1886, and the afterthought of senate representation in 1887, suggest that the government, whether Liberal or Conservative, had never evolved a policy with respect to parliamentary representation for the North-West Territories. Federal representation of a territory thus became an aspect of emerging Canadian federalism more as a result of the persistent demands of the settlers themselves than as part of a predetermined pattern of territorial development.

Furthermore, since the "calculated generosity shown to Manitoba and British Columbia" followed close on the heels of crises in the relationships between the federal government and those two areas, one might logically suspect, without falling victim of the post hoc ergo propter hoc fallacy, that the crisis on the Saskatchewan in 1885 had at least some influence in drawing to the attention of the government the need for some action concerning representation for the Territories.

Be that as it may, it is clear that the Westerners regarded the long-delayed franchise as a right, not a privilege, and that they expected, perhaps a little idealistically, that having gained representation in the Parliament of Canada, their peculiar interests would be recognized and intelligently considered in the formation of future national policies.
CHAPTER I

A WORLD OF HOPE

The North-West settlers who went to the polls for the first time in a federal election on March 15, 1887, doubtless expected that through their exercise of the franchise they would exert some influence towards the remedy of those grievances which had been of growing concern to them since their arrival in the North-West. By 1887 the list of specific grievances was long, but in essence expressed the settlers' dissatisfaction with the land regulations, transportation facilities, freight rates, and the tariff.¹

As early as 1879 the Saskatchewan Herald had complained that while the federal government extracted money from the North-West in the form of customs and excise duties, it failed to return to the Territories a proportion comparable to that received by the provinces.² The Regina Leader voiced the same complaint in 1883,³ while the Herald in that year accused the government of yielding to the influence of eastern M.P.'s and implement dealers in raising the duty on American agricultural implements to protect the Ontario industry whose product was unsuited to western conditions and could not, moreover, be produced in quantities sufficient to meet the demand.⁴ In 1883, too, a North-West Council memorial ¹

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1 Thomas, op. cit., p. 140.
2 Dec. 1, 1879, "Local Improvements."
3 Mar. 22, 1883, "How the North-West Pays."
4 Saskatchewan Herald, May 12, 1883, "The Tariff."
had urged:

that the duties on agricultural implements and lumber should be reduced [because] we feel that the heavy duties imposed on lumber and implements used in agricultural pursuits, together with the heavy rates of freight which must be paid, is calculated to so increase the cost of building and of farming that the effect must be injurious to settlement.  

Again, in 1885, the North-West Council proposed to the federal government that since

the benefits derived from the National Policy to the older provinces of the Dominion do not apply to the North-West Territories ... a rebate should be given equal to the duty now imposed on agricultural implements and lumber.  

In the House of Commons in 1884, Mr. M.C. Cameron had argued that the difficulties of settlement were intensified "by unreasonable and oppresible [sic ] taxation on the prime necessaries of life and the necessaries of settlement in a new country," and he charged that the tariff, "so far as the North-West [was] concerned, [was] a non-reciprocal spoliation."  

Federal regulations governing settlement and land policy, and particularly the reservation of large blocks of land for the Canadian Pacific Railway and the numerous colonization companies, rated high on the list of grievances of the North-West settlers. "There is not room for any of these landed monopolies," the

5 N.W.C. Journals, Sept. 19, 1883, p. 41.
6 Ibid., Dec. 15, 1885, p. 70.
8 Ibid., p. 1146.
9 Saskatchewan Herald, Feb. 9, 1880, "A Land-Lock."
Herald had objected in 1880, and again two years later had this to say:

We have no objection to the subscribers to these schemes paying more for their land than what it would cost if bought from the Government or the Railway Company ... but we do object to having land shut up in blocks of millions of acres that "promoters" may enrich themselves at the expense of the country. 10

The North-West Council dealt with the same problem in an early memorial to the federal government. The system of granting to colonization companies "immense tracts of the choicest lands in the Territories" was, in the opinion of the Council, "inimical to the best interest of the Country," and while praying that no further grants of this nature be made, the memorial urged that the companies presently holding such grants "be compelled to fulfil the conditions imposed upon them in letter and in spirit." Further, the Council registered its protest of the practice of making such grants of land in areas that were already thickly settled, for the speculator then reaped the advantages which resulted from "the energy and forethought of the pioneers of the Country." 11

Concern for the individual pioneer settler and suspicion of monopoly whether in the hands of government, railway, or colonization company appears as a marked characteristic of public opinion in the North-West of this period. The rights of settlers who had squatted on land which later became part of a land reserve

10 Ibid., Apr. 29, 1882, "Colonization or What?"
were defended in memorials of 1883 and 1885, and at the same time the early recognition and settlement of the half-breed claims was urged upon the government. 12

Speculation in land was anathema to the bona fide settler, and even the provision for a second homestead entry incorporated in The Dominion Lands Act of 1883 to prevent the exodus of Canadian homesteaders to the western States, 13 was vigorously denounced in the territorial press because it encouraged land speculation. 14 On the other hand, however, when the experiment was abandoned in 1886, both the North-West Council and the newspapers of the Territories claimed that an injustice had been done to certain settlers because the timing of the Act denied them a privilege which they might otherwise have expected to enjoy. 15

Tax exemptions were another cause of annoyance to the settlers. The Herald had raised the matter in 1881 when it complained that the tax exemptions granted to the Canadian Pacific Railway in the Territories would force governments to draw all their revenue from the settlers. 16 Later, the Leader showed how, in the

12 Ibid., Sept. 19, 1883, p. 40, and Dec. 15, 1885, p. 66. See also for example Regina Leader, July 5, 1883, "Settlers on the Reserve," and Saskatchewan Herald, Jan. 9, 1885, "Mass Meetings."


14 See for example Regina Leader, Aug. 6, 1885, "The New Minister of the Interior."

15 N.W.C. Journals, Nov. 16, 1886, p. 71. See also for example Regina Leader, July 13, 1886, "The Land Act," et seq.

16 Saskatchewan Herald, Jan. 10, 1881, "Most Unfair Exemption."
Regina townsite alone, the exemptions enjoyed by the government, the Canada North-West Land Company, and the Canadian Pacific Railway cost the taxpayers ten and one-half mills in 1885, and the North-West Council complained in 1885, and again in 1886, that the value of land exempt from taxation was increased as a result of taxable improvements made by neighbouring landowners.

Nor were the settlers insensitive to the peculiar position of the Canadian Pacific Railway. Without denying that the railway was the *sine qua non* of their civilized existence in the vast and remote North-West, they recognized that, through such tax exemptions and land grants and the monopolistic control of freight rates, the railway company could, if unchecked, so dominate the economic life of the Territories as to make the settlers subjects of a commercial despotism rather than free citizens of a British Dominion. Indeed, Morton comments that the building of the road may have been justifiable on national grounds, and the rich contracts involved may have been imperative on political grounds, but all this "created a practical monopoly within the area towards the international boundary," and he adds:

> The company, all fear of opposition removed, naturally fixed rates upon its western traffic calculated to cover the running expenses of its long unproductive line north of Lake Superior which was completed in 1885. The rates constituted,

17 *Regina Leader*, Aug. 27, 1885, "Exemptions in the North-West."

18 *N.W.C. Journals*, Dec. 15, 1885, p. 72, and Nov. 16, 1886, p. 72.

however, a heavy tax on the trade of the west, and the newspapers of Manitoba all through the decade [1881-1891] are filled with protests against them, protests often accompanied by the demand for a railway to Hudson Bay, the natural outlet of the country.  

The Manitoba press was not alone in its protests: the North-West Council, concerned about the high cost of freight to and from the Territories, urged upon the federal government the need for a railway to Hudson's Bay and remonstrated:

that notwithstanding the repeated assertions to the contrary the freight rates imposed by the Canadian Pacific Railway are yet found to be a severe tax on the products of the North-West. This Council therefore respectfully suggests that the influence of the Government should be used to induce the Canadian Pacific Railway Company to reduce their rates, so as to compare favorably with the rates in other Provinces of the Dominion, who have the advantage of railway competition, also that exceptionally favorable rates should be given on lumber coming into the Territories from British Columbia.  

The same memorial, again reflecting a view expressed earlier in the territorial press, urged upon the federal government the encouragement of railway branch lines running north and south in the Territories. It was argued that such lines would enable remote settlements to reap the advantages enjoyed by the completion of the C.P.R. and would also open new lands for settlement. It is significant that in view of the settlers' attitude to land

20  Ibid.
21  N.W.C. Journals, Dec. 15, 1885, pp. 70-71. See also for example Saskatchewan Herald, Jan. 9, 1885, "Mass Meetings."
22  N.W.C. Journals, Dec. 15, 1885, p. 66.
23  Saskatchewan Herald, Jan. 9, 1885, "Mass Meetings."
grants, the memorial suggested "that such encouragement, if at all practicable, should be by cash subsidy or guarantee by the Government of the bonds of the companies constructing such lines, thus preserving the public lands for purposes of settlement."24

The railway problem, however, a problem of land grants, tax exemptions, a single line, and monopolistic freight rates, seemed to some to be amenable to only one solution:

There is a feeling spreading among our people in the North-West, [the Leader asserted in 1886] that the sooner the Government gets control of the railways the better. A railway commission has been established in England and its powers have been recently enlarged. There is we believe, in the near future in the United States a great railway catastrophe -- the nemesis of share gambling and watered stock; nor are we in Canada without signs which indicate that people will insist on controlling their railways as they control their postal service.25

In the meantime, to the voice of the North-West Council and the territorial press there was added that of a less patient and more volatile minority who, while pleading a special case, nevertheless made common cause with the majority of the North-West settlers. From the District of Lorne in December of 1884 came the demands of Riel, Jackson, and Spence who spoke on behalf of the Indians, the French and English half-breeds, and the Settlers' Union in petitioning for more liberal treatment of the Indians, settlement of the half-breed claims, responsible government, con-

24 N.W.C. Journals, Dec. 15, 1885, p. 70.
25 Regina Leader, Feb. 9, 1886, "Railways."
control of the natural resources, certain modifications in the homestead laws, the ballot, a railway to Hudson's Bay, the reduction of the tariff for the white settlers, and, as we have seen, parliamentary representation. 26

There were in addition a number of other matters which from time to time found their way into the territorial press and the minutes of the North-West Council. The *Prince Albert Times* was critical of the arbitrary powers of the North-West Mounted Police 27 whose members at that time played a dual role as both police officers and magistrates; "the unsatisfactory state of grain grading in the North-West Territories," was referred to by the *Regina Leader*, and communication from farmers was invited on the subject; 28 the purchase of supplies for the Indians and the Mounted Police from suppliers outside the Territories was a practice which exercised the North-West Council in 1885; 29 and at the same time the Council intimated its dissatisfaction with the practice of appointing outsiders to positions of "trust and emolument" within the Territories. 30

These then were the grievances of the North-West settlers to the mid-decade of the 1880's; they were neither isolated nor petty; nor were they put forward in a spirit of narrow territorial

27 Mar. 21, 1884, "Our Grievances."
28 Feb. 10, 1885, "The Grading of Wheat."
self-interest, for "What is in the interest of the North-West," the Leader had declared boldly, "is in the interest of all Canada, and the sooner Canada knows this the better." These were the questions, then, upon which political candidates were expected to take a stand in that first federal election held in the North-West Territories, and moreover, they were questions which tended to ignore the traditional party distinctions of the older provinces.

While political consciousness appears to have been a well-developed characteristic of North-West society in the 1880's, partyism, on the other hand, was subject to a certain equivocation. It may have been a latent suspicion of both the eastern parties, for Thomas suggests that "there were a few even at this early date who dreamed of a party devoted to North-West farmers' interests"; it may have been due to a general unanimity of opinion on the basic needs of the North-West; or it may have been due to a realization that in view of this unanimity and of the preponderant influence of federal policies on the Territories, partyism, at least in local politics, was a luxury the North-West could not, at that stage of their development, afford. Or more simply, the tendency to shun partyism may have been a straight face-saving device, for the Bulletin, in a comment intended to apply to the Conservative government, but which would be equally applicable to the Liberal opposition, declared in 1886 that:

31 Regina Leader, Aug. 27, 1885, "Exemptions in the North-West."
32 Thomas, op. cit., p. 106.
A party defeat in the North-West now would indeed be disaster on disaster, while a quietly held election without party lines being drawn would at least have no injurious effect in any case.

Whatever the reason, a student of the territorial press, after an analysis of the introductory editorials of certain North-West newspapers of this period, has concluded that:

There was a tendency to make the ability of individuals rather than party politics a criterion and in regard to North West Council elections, the papers were unanimous that the "ablest man, irrespective [sic] of party predilections should be elected."34

More specifically, for example, the editor of the Saskatchewon Herald advised his readers in 1880 that:

In the selection of candidates, old-time party cries should be ignored. The question of Conservatism or Reform has no real significance in the Territories as far as the functions of the North-West Council are concerned.35

By 1884, however, in commenting on the recent visits of cabinet ministers and opposition leaders to the Territories, the same editor appeared to advocate an extension of the non-partisan principle when he wrote: "Partyism, as it exists in the older Provinces, has no place in the North-West. The great need of our country is to be understood."36 In 1886 the Regina Leader, while not discrediting party loyalty, suggested that for residents of

33 Edmonton Bulletin, Sept. 25, 1886.
34 Drake, op. cit., p. 58.
35 Aug. 16, 1880, "The North-West Council."
36 Ibid., Oct. 4, 1884.
the Territories there was a loyalty superior to party. After reiterating its intention to speak always in the interests of the North-West, and after admitting the inevitability of political preferences arising from habits of thought, old associations, or observation, the Leader nevertheless pleaded for "large and liberal measures" from any government, and suggested that residents of the Territories should try and keep out of the North-West everything like party rancour. True to the North-West, whatever political badge we may bear, we are all bound to be, and though attached to diverse parties, let us have hearts above faction attached to the common weal.37

In a somewhat similar, but more analytical vein, the Edmonton Bulletin stated the case against partyism in these terms:

That there must be two parties in a good government of every country is as certain as that there must be light and darkness, sunshine and rain; the one party to give its principal attention to conserving what is good, the other to reforming what is bad; the one to act as a check upon the other for the good of both. But it does not follow that the organization of these parties into political machines is necessary, as is the custom at the present day, or that having been so organized they should be worked regardless of every consideration but the retention of office. It does not follow that ... the people should be divided into hostile political camps each ruled by a tyranny as exacting in matters political as that of the czar of Russia.... Although Canada is perhaps the most generally enlightened country on the face of the earth ... nine votes out of every ten are cast for party rather than for principle.... In the North-West,

37 Regina Leader, Feb. 2, 1886, "The Farmers of the North-West."
and especially in this far western province, party ties sit lighter on the people than in the east, perhaps because having had so little opportunity to exercise the franchise they have had leisure to think of its uses and abuses. They have seen that voting was not an end but a means -- a means by which good government could be secured.38

The North-West Council itself was sensitive to the challenge of partisanship in its affairs and its relationship with the federal government. To a motion moved by Frank Oliver and seconded by J.H. Ross critical of the policies of a federal Conservative government, an amendment was moved which demonstrated this desire to avoid the appearance of partisanship:

... we believe the feeling of the Country to be strongly against the introduction of party politics into the Council as well as against any action of the Council being taken in such a way that either Political Party in the Dominion Parliament could use it for political purposes.39

Nevertheless, there was a clear divergence of theory and practice on this question of partisanship: Thomas observes that while the North-West Council was in theory non-partisan, the members had identified themselves along party lines, the majority as Conservatives, and there was, in effect, a party struggle going on within the Council. "On the other hand," he adds, "many of the Conservative members were, within the limitations of party allegiance, genuinely concerned about territorial rights and grievances ..."40

38 Feb. 12, 1887, "Conservative Candidate."
40 Thomas, *op. cit.*., p. 118.
This same divergence of theory and practice is apparent in an examination of the newspaper press of the Territories. Drake has observed that with two major and a few minor exceptions, the whole territorial press "claimed to support the Conservative Government policy." Simultaneously, however, these same newspapers "vigorously proclaimed that they would criticize [Conservative policy] if necessary and that they would 'give no slavish support to any government.' Until the establishment of the Regina Journal in 1886, the expression of Liberal opinion, on the other hand, was restricted to the columns of the Edmonton Bulletin, and consequently "the desire of the Liberal element to have a medium of expression, was the cause of the sporadic outbursts of short-lived papers in Prince Albert like the Parrot."

That there was in fact a close association between the press and the Conservative party is evident from the circumstances surrounding the establishment by Nicholas Flood Davin of the Regina Leader in 1883, although the Leader was not necessarily typical of all the North-West papers. Davin, a confidant of the Conservative Prime Minister, after being "busily engaged on behalf of the Conservative cause in Ontario," visited the North-

41 Drake, op. cit., p. 58.
42 Ibid.
43 Ibid., p. 25.
44 Ibid., p. 17.
West in 1882, and on his return reported to Macdonald that certain citizens of Regina had offered him $5,000 to start a paper there. In Davin's ensuing correspondence with Macdonald on this matter in which he requested further financial assistance from Conservative sources, his arguments make clear the connection between press and party as he saw it: "It is important to the Party," he wrote, "that each town and city along the way should be well held from the first." A few weeks later he commented:

I am certain the Government does not realize what a wild young colt the whole North West is and how soon it will take to plunging unless well bitted and snaffled and curbed. Nor would its plunging be a joke by any means.

The next month, having encountered certain difficulties in arranging for the required financial backing, Davin complained to Macdonald: "Now I don't think I ought to be the only politician to plank down the coin in starting a paper to support the Government." Support for the venture was eventually forthcoming, however, in the form of cash and town lots from such men as W.B. Scarth, George Stephen, and perhaps John Shields who were all well-known Conservative supporters, and the Regina Leader went into publi-

46 See Hector Charlesworth, More Candid Chronicles, Toronto 1928, p. 26. He claims that Davin had been sent west by Macdonald with the express purpose of establishing a newspaper.
48 Davin to Macdonald, Nov. 7, 1882, photostat in A.S.
49 Davin to Macdonald, Dec. 11, 1882, photostat in A.S.
50 Davin to Macdonald, Jan. 29, 1883, photostat in A.S.
cation on March 1, 1883. Thus Ward concludes that this series of correspondence "suggests in broad outline the close connections between the party, the railway, the land, and the party leadership that existed in Davin's day." 51

With this background, however, Davin was still able to write in his introductory editorial, after announcing that the Leader would support the government of Sir John A. Macdonald:

But by the supporter of a party the present writer has never understood a tool. He has always felt the supporter of a party to be a character which an honorable man could act consistently with mental independence and moral rectitude, and therefore not inconsistent with pointing out what might seem the mistakes of political friends. Indeed, if a man takes an interest in politics he has to choose between being a solitary observer, an honorable party man, or a janissary.

Having said that much, Davin went on to add with an eye either to fair play or maximum circulation:

We have written this much about politics because we do not believe in sailing under doubtful colors. But having done so we may add that so long as no counter voice is heard here we believe it would be cowardly to preserve a tone other than one which in no way could offend men of all political creeds. 52

The extent to which Davin through his newspaper played the role of "a solitary observer, an honorable party man, or a janissary" was a matter of debate throughout his editorial and political career, but Drake has concluded that while "the Leader

51 Ward, "Davin and the Founding of the Leader," p. 16.
52 Regina Leader, Mar. 1, 1883, "Introductory."
at first appeared in the role of a champion of the settlers, fighting to remove a number of grievances caused by Federal Government policies, "

As its circulation built up and as other papers began attacking the Tory administration, the Leader became less the tribune of the people and more the defender of Conservatism. Though it always reserved the right to criticize, the strength of the critical impulse seemed to vary directly with the distance to the next election."

A "counter voice" was not heard in Regina until October 8, 1886, when C.J. Atkinson, former proprietor of the Portage la Prairie Liberal and the Virden Advance, founded the Regina Journal with the avowed intent of giving "voice to the Liberal sentiment in this part of the North-West," and the Journal, according to Drake,

never forgot that its primary purpose was, not to dispense telegraphic reports and report local events, but to propagate the Grit gospel in a predominantly heathen land.

The Liberal party too had apparently recognized the usefulness of a party organ, for it is not without significance that the Journal commenced publication almost simultaneously with the opening of the first federal election campaign in the North-West Territories.

53 Drake, op. cit. p. 21.
54 Ibid., p. 22.
55 Ibid., p. 25.
56 Regina Journal, Oct. 8, 1886, quoted in Drake, op. cit., p.25.
Thus there seems to be little doubt that while partisanship may have been perhaps a latent characteristic of the North-West press, it was nevertheless a characteristic which was periodically demonstrated with a marked vigour, and as competing newspapers were established, and as the time approached when the Territories were about to achieve parliamentary representation, the early attitude of non-partisanship was somewhat dimmed, although by no means forgotten. The partnership of press and party in the Territories, as indeed in the whole Dominion, was a fact of Nineteenth-Century political life which tended ultimately to overwhelm whatever hope there may have been of the possibility that the North-West could express its political ambitions except through the existing party organizations and the newspapers allied with them.

By 1886 formal party organization appeared desirable, at least to the Conservatives of the Regina district, for in January of that year it was recorded that:


After electing a chairman and secretary, the meeting went on to record the opinion "that it is desirable the Conservatives of the Regina District organize themselves into an Association," and to that end the secretary was instructed "to send circulars to the various Conservatives of this District requesting them to

58 Minute Book, Jan. 16, 1886, microfilm in A.S.
attend a meeting to organize themselves into a Conservative Association." The organization meeting was held in the Town Hall at Regina on January 30, 1886. Davin having declined a nomination for president, J.H. Bole was elected to that office, and the meeting went on to adopt a constitution. The Regina District Liberal-Conservative Association was in being. Others followed suit: Saskatchewan Conservatives, for example, were forming associations in all parts of the riding in December, 1886, so that even "the most remote settlements will have a voice in the nomination of a candidate, and the election of the gentleman nominated will be assured."  

Shortly after the passage of The North-West Territories' Representation Act the Regina Conservatives met to discuss the question of candidates for the coming election. Their minute book records two motions which suggest the principles upon which a candidate should be chosen:

Moved by Mr. W.G. Hamilton Seconded by Mr. Eric Knight and carried that looking at the number of Members which the whole Territories will send to the Dominion Parliament it behoves the people of the Territories to seek out the most effective men and this Association will do all in its power to secure the return of a man for the Western Riding of Assiniboia who can in the House of Commons sustain in detail its interests and with its interests those of the North West.

Moved by Mr. D.F. Jelly Seconded by Mr. T.M. Grover and carried that when the time

59 Ibid.
60 Ibid., Jan. 30, 1886.
61 Prince Albert Times, Dec. 24, 1886, "Organizing."
Party alignment may have been basic to this expression of opinion, but the insistence that the prospective candidate must be identified with the constituency by residence and must be able to "sustain in detail" the interests of the North-West reflects once again the interesting dichotomy between party and territorial loyalty apparent in both the North-West Council and press throughout the 1880's.

There is similar evidence of organizational activities amongst the Liberals of the North-West of which in Assiniboia West the establishment of the Journal is an example. More specifically, the Journal reported in December, 1886, that Liberal organizations in Assiniboia East were already "a strong political factor in the riding," and the example was being followed, if somewhat more slowly, in the other constituencies. Again, the Edmonton Bulletin's post-mortem on the Liberal defeat indicates the extent to which western Liberals had received encouragement and assistance from their eastern brethren:

True the reform party of the east made an effort to introduce their organization

62 Minute Book, June 9, 1886. The insistence that the candidate be a local resident is in interesting contrast to the view expressed by Davin in Ontario in 1878. At that time he advised that constituencies should select local men only if they had the required abilities. See Toronto Mail, Mar. 21, and Mar. 25, 1878, "The Coming Campaign."

into the territorial fight and were sufficiently successful to ensure a bad defeat. After the defeat of the party on February 22nd the organization was only a dead weight in the North-West contest. It was strong enough to bring a man before the electors, but not sufficiently strong to give him valuable assistance toward his election. 64

Thus, in spite of an early inclination to reject partyism as a feature of North-West politics, and a continuing suspicion that a rigid adherence to party was perhaps not in the best interests of the Territories, partyism triumphed. By December of 1886 the Edmonton Bulletin had despaired of a non-partisan contest. The editor deplored the efforts being put forth in all the constituencies to secure straight party-men -- men who will allow their constituents to be sacrificed for the sake of the government to support which they are elected.

He maintained that:

The position of the North-West in Confederation is peculiar and insofar as it is peculiar it requires special consideration, which only its own representatives free from party ties can or will give.

And he reminded his readers that:

a conservative government or a conservative monopoly will take just as much hard cash out of a conservative voter's pocket as out of that of the most rabid grit, and a grit government or monopoly would perform the same kindly office for the grit as for the conservative voter. 65

The influence of the press, the patronage of the federal govern-

64 Mar. 26, 1887, "North-West Elections."

65 Dec. 25, 1886, "Elections."
ment, the propensity of Council members for political manoeuvering, as well as old habits of thought, traditional party loyalties, and the immanent power of the party machine all tended to prepare the ground "for a contest along traditional party lines when the first election of members for the House of Commons took place in 1887." But it could be added, that the ground was also well-prepared for the later emergence of political movements pledged to eschew the traditional concepts of party politics.

The circumstances surrounding the nomination of candidates in Assiniboia West were tinged with this same duality of opinion with respect to a partisan contest. When the editor of the Leader visited certain towns along the line during a holiday trip to Banff in the fall of 1886, the Medicine Hat Times interpreted these visits as political balloons sent up to test Davin's popularity as a candidate, and the Leader replied that Davin had not yet stated his intention, but was perhaps "willing to leave himself in the hands of the people." Apparently some people responded, for by the end of October a requisition was being circulated requesting Davin to stand as a candidate in Assiniboia West, and to this the Leader replied that those interested in fielding candidates should communicate with other parts of the constituency;

For whoever goes to Parliament for Western Assiniboia will not represent Regina district

66 Thomas, op. cit., p. 106.
67 Regina Leader, Oct. 5, 1886, "The Leader's Position."
only, but the whole constituency, and one part as fully and faithfully as another, or else he would be no fit man. 68

The Leader's arch rival reacted somewhat differently to the Davin requisition: according to the Regina Journal a requisition was the only method by which Davin could be assured the nomination, for "His popularity is so far below par, his name would have had no chance whatever before a Conservative convention." 69 The Journal went on to support the proposal for a meeting of an influential combination of Liberals and Conservatives which was being mooted to nominate a man who will act independently of party and solely in the interest of his constituents, and not a hireling on pension known never to fail to look after self at any cost to the Government, party or country, financially, socially and otherwise. 70

There was no love lost between the Journal and Davin, whose candidature the Grit paper described as "an insult ... to the sterling manhood of West Assiniboia." 71

Notwithstanding the eruption, Davin was in fact not nominated until November 8, 1886, and even then it was a conditional nomination by a meeting of the Regina District Conservatives alone, their minutes reporting a motion moved by Daniel Mowat, seconded by W.G. Cullum, and carried:

68 Ibid., Oct. 26, 1886, "Candidates for the North-West."
69 Oct. 29, 1886, "Dominion Elections."
70 Ibid.
71 Ibid., Nov. 5, 1886, "Prospective Elections and Candidates."
That this meeting of the Liberal Conservative Association of the Regina District nominates Mr. Nicholas Flood Davin as a candidate for the Dominion Parliament subject to the approval of a Conservative convention composed of Delegates from all parts of the Riding in case one should be called. 72

The meeting went on to order that the motion be circulated to other Conservative associations in the riding, and Davin himself moved that it also be sent to leading Conservatives in centres where there was no association. 73 The Regina Conservatives were apparently eager to have Davin in the field, but they did not want to alienate other Conservatives in the riding by appearing to act peremptorily in the matter, although they made no move themselves to organize a constituency convention. Davin himself was conscious of the importance of casting a wide net, and he told the meeting that he would also seek the support of his Liberal friends: "They knew what he was in the past -- a Conservative with liberal views...." 74

This qualified nomination brought a reaction from those in Regina who were dissatisfied with the prospects of having Davin as the Conservative candidate for Assiniboia West, and the Journal reported that this group, "composed principally of Conservatives, though a goodly number of Liberals were present," 75 met on Nov-

72 Minute Book, Nov. 8, 1886.
73 Ibid.
74 Regina Leader, Nov. 9, 1886, "Candidate for Western Assiniboia."
75 Regina Journal, Nov. 12, 1886, "How Election Matters Are Progressing."
ember 9 to discuss the situation. It was decided to hold a meeting of Conservatives and those opposed to Davin's candidature in the Town Hall on November 20, a decision which caused a flurry of excitement in the Davin camp and resulted in a circular being sent to all members of the Regina Conservative association urging them to attend the meeting which was classified as "a Grit move using one or two personal enemies of Mr. Davin to try and prevent that gentleman coming out and to injure the Conservative cause." The tactics of the Conservative association in this situation were extremely effective, for the meeting seems to have gone overwhelmingly in Davin's favour. Of the 350 persons present, only twelve opposed a motion endorsing Davin's candidature, a result obtained only because the meeting was, according to the Journal, packed with Davinites. There was now no alternative for the Liberals but to bring out a candidate of their own.

Local as well as personal and political rivalries played their part in the nomination of a Conservative candidate. The Moose Jaw Conservatives apparently took exception to the action of the Regina group, and went ahead to organize a constituency convention for November 27, 1886. The invitation to attend resulted in some bickering between the Regina and Moose Jaw assoc-

76 Minute Book, Nov. 11, 1886.
77 Qu'Appelle Progress, Nov. 25, 1886.
78 Regina Journal, Nov. 26, 1886, "Saturday's Meeting." Note: The issue of the Leader in which this meeting would probably have been reported is not included on the microfilm in A.S.
79 Ibid., "The Position of the Liberals in West Assiniboia."
iations as to the number of delegates each centre should be allowed, but the difficulties were overcome and when the convention gathered at the school house in Moose Jaw, Regina was represented by fifteen delegates, Moose Jaw by ten, Medicine Hat by seven, Maple Creek by five, and Swift Current by three. When the ballotting took place on the Saturday afternoon, Davin, who had been nominated by D.L. Scott of Regina and J.J. English of Maple Creek, won the nomination on the second ballot with twenty-two votes as against seventeen for Thomas Tweed and one for E.N. Hopkins, the latter two gentlemen withdrawing to make Davin the unanimous choice of the Western Assiniboia Liberal-Conservative Nominating Convention.

The Regina Journal saw in these results the almost unanimous opposition of western delegates to Davin, who was the choice of what the Journal claimed to be an unrepresentative delegation of Regina Conservatives, and the Qu'Appelle Vidette suggested that Tweed was really the more popular man because he picked up ten votes outside Medicine Hat, while Davin garnered only seven beyond Regina. Again, the Journal throws an interesting sidelight on this question of Davin's support when it reports a few weeks later that the Moose Jaw Conservative association had suspended

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80 Minute Book, Nov. 25, 1886.
81 Regina Leader, Nov. 30, 1886, "Western Assiniboia."
82 Ibid.
84 Dec. 16, 1886, "Blarney."
two of their members who voted for Davin at this convention. 85

The Conservative interpretation of the significance of the

Moose Jaw convention differed somewhat from the view expressed

by the Regina Journal; the Prince Albert Times noted:

Mr. Davin's nomination for Western
Assiniboia by such a representative body
as assembled at Moosejaw, carried with
it the assurance that he will be elected,
if not by acclamation, at least by a large
majority, notwithstanding the promised
political opposition of Mr. Ross, who for­
gets that he was elected [to the North­
West Council] by Conservative votes and
may want them again. 86

Davin was thus by no means the unquestioned choice of even

the Conservatives of Assiniboia West, although in spite of the

Journal's earlier predictions to the contrary, he had been able
to carry two conventions and a vote of confidence. The bi­
partisan protest meeting following the Regina nomination may
actually have been "a Grit move" as the Tories claimed but that
it could have been held at all gives credence to the view that
"many of [Davin's] strongest opponents [were] of his own political
household." 87 Moreover, the unanimity of the Moose Jaw nomination
was no more than a common formality which did not hide the fact
that differences of opinion existed and might well be expected
to continue.

As for partyism, it is difficult to subscribe unreservedly
to the view of the Medicine Hat Times that:

86 Dec. 10, 1886, "Editorial Notes."
87 Qu'Appelle Progress, Oct. 28, 1886, "West Assiniboia."
Had any man but Davin been brought out by the Conservative party to represent Western Assiniboia, the Liberals would certainly have refrained from bringing out a candidate.88

It could not have been Davin's candidature alone that forced a party struggle in Assiniboia West, for the day before the Moose Jaw convention the Journal had taken the position that while the Liberals would have preferred to forget eastern party differences and field a candidate acceptable to all, the Conservative nominating convention had, in Liberal terms, forced the issue into the partisan arena.89 Rather, it is conceivable that the Journal's campaign against Davin was based in large measure on personal dislike, and was inspired by the hope that if Davin could be prevented from coming out, a Liberal candidate would have a better chance in Assiniboia West, for Frank Oliver's Edmonton Bulletin, the consistent Grit voice in the North-West, made this rather interesting assessment of Davin's capabilities:

In Western Assiniboia Mr. Davin, of the Leader, seems likely to be unopposed as a straight government candidate; and since Mr. Ross has retired -- if he has done so -- Mr. Davin is undoubtedly the best man available. He is universally acknowledged to have great abilities, although a trifle erratic in their use.90

In January, with Davin in the field and no candidate yet

88 Quoted in Regina Journal, Dec. 31, 1886, "From Our North-West Exchanges."

89 Regina Journal, Nov. 26, 1886, "The Position of the Liberals in West Assiniboia." Actually, both parties fielded candidates in all four territorial constituencies, and in Alberta there was also an Independent Conservative candidate.

90 Jan. 22, 1887, "The Contest."
named against him, the Conservatives made a last bid for a non-
partisan contest, although one suspects that by this date both
parties used the term to mean that the man of their choice should
be left in the field unopposed:

A wanton contest [the Leader declared] would be worse than foolish -- much
better Mr. Davin should feel the whole constituency was behind him, Grit and
Tory, and that he represented them all. Personally, we believe, he would rather
like a fight.91

A Liberal candidate did not appear in opposition to Davin
until late January. Shortly after the Moose Jaw convention the
Journal reported that a requisition was circulating in Medicine
Hat to bring out James H. Ross as "the man for West Assiniboia."92
Ross, a rancher from Moose Jaw and a member of the North-West
Council since 1883, was well-known in the constituency, and in
the opinion of the Qu'Appelle Progress would "certainly be a
formidable opponent to Mr. Nicholas Flood Davin."93 On January
20 the Journal reported that Ross had declined to run because of
illness in his family, a decision that had been reversed, how-
ever, by the next issue which announced that Ross's parents were
now convalescing, and consequently, "at the earnest and repeated
requests of electors -- of all shades of politics -- from various
parts of the riding, he has entered the field."94 The prelimin-
ary skirmishing was over; battle had been joined in Assiniboia
West.

91 Regina Leader, Jan. 25, 1887, "Western Assiniboia."
92 Regina Journal, Dec. 10, 1886, "'The Man for Galloway.'"
93 Dec. 16, 1886.
94 Regina Journal, Jan. 27, 1887, "West Assiniboia."
As might have been expected, local interests figured prominently in the campaign, but on these questions affecting the peculiar interests of the North-West there were no real differences of opinion amongst the settlers, and consequently no marked differences in the platforms of the candidates. Early in January, the *Leader* had listed its "Policy for the North-West for 1887":

1. Second homesteads for all who came in here under the impression they would be entitled to them.
2. Entering on cancelled homesteads at the same rate as on the ordinary homestead.
3. The full homestead in the Mile Belt.
4. Abolition of the reservation of odd sections.
5. Scrip for all who, by their conduct during the rebellion, are morally entitled to it.
6. Abolition of duty on lumber and agricultural implements, or else an equivalent to the revenue of the North-West....
7. The pre-emption as a second homestead, or for $1 an acre....
8. The protection of the farmers against foreign ranching companies and monopolists of all sorts.
9. The establishment by the Government, of experimental farms, both agricultural and mixed, and the taking of energetic measures to improve the breed of cattle.
10. An elective Chamber, and full responsible Government, for the Territories.

These ten points Davin elaborated in his platform speeches as the campaign progressed. In addition, he made it clear to the electors of Assiniboia West that he stood for a programme of irrigation, justice for the half-breeds, taxation of all property,  

95 *Regina Leader*, Jan. 4, 1887, "The Leader Policy for the North-West for 1887."
an increased allowance for the North-West government, the appointment of local men to territorial offices, a simplified administration of the Lands Act, reform in the terms of service and opportunities for promotion of the Mounted Police, a railway to Hudson's Bay, a cash subsidy for the encouragement of local railways, and a programme of tree planting. 96

Similarly, Ross requested the support of the electors on a platform advocating local self-government, reform of the land regulations to permit the settlers to deal directly with the land agent, opening of reserved lands to settlement, cash subsidies to local railways and a railway to the Hudson's Bay, appointment of territorial residents to "positions of trust and emolument in the Territories," elimination of tax exemptions for townsite lots held by the government, second homesteads to those who were morally entitled to them, a rebate of the duties paid on agricultural implements, and higher revenues for the North-West Council. 97 Indeed, when the Regina Leader appealed to the voters to return Davin as their member arguing that he was in favour of "every expedient whereby human skill can minimize the difficulties of the North-West pioneer settlers, and develop the country," 98 it was an argument which was equally applicable to

96 See Regina Leader, Mar. 1, 1887, "Medicine Hat," and "Moose Jaw"; see also ibid., Mar. 15, 1887, "Mr. Davin's Address."


98 Mar. 15, 1887, "Mr. Davin's Address."
Mr. Ross.

It was not until the debate touched on those issues affecting the whole Dominion that the protagonists separated themselves, but at this level Dominion issues were barely distinguishable from the issues of party; it was a question of Grit vs Tory; Macdonald vs Blake. The Conservative press rang the changes on the theme that under Macdonald's government the settlers had never had it so good; "It was under Conservative rule," the Saskatchewan Herald claimed, "that the country emerged from a state of painful solitude and barren unproductiveness...."99 The Qu'Appelle Vidette reminded its readers that the land policy of the late Liberal government "was of the most illiberal character."100 From the platform, while Ross declared that it was time for a change, Davin reminded his listeners of the benefits of the National Policy in general and the Canadian Pacific Railway in particular, and suggested that "he did not believe in a Reform party that had nothing to reform, and this was exactly the position the present Reform party were in...."102 Thus, when Ross suggested that Davin was "too strong a Conservative -- a man who thought all good emanated from the Conservative party and all evil from the Liberal party...",103 Davin countered through

99 Jan. 15, 1887, "The Elections."
100 Feb. 17, 1887, "A Contrast."
101 Regina Leader, Feb. 27, 1887, "The Candidates Meet."
102 Ibid.
103 Ibid.
the columns of the Leader that it was now time for all Conservatives in the Territories to rally round the Old Chieftan, for "it is the policy and principles of your party that are at stake in this issue." 104

Aside from the basic issues of party, the electors were faced with a decision resting on the personal characteristics and abilities of the two candidates. Reports of the speeches of Ross and Davin carried in both the Journal and the Leader indicated that on the platform each treated the other correctly and with respect, 105 but the campaign was also waged in the editorial columns of the newspaper press the tone of which ranged from judicious and responsible criticism to bitter and personal attack. The Moosomin Courier, for example, acknowledged Davin's platform ability, but was "not quite so assured of his thorough solidness as a politician or of his characteristics as a representative man of the settlers of the Northwest." 106 Again, when the Leader asked "What has Jim Ross done for Assiniboia?" the Edmonton Bulletin suggested that:

In honesty of purpose, in earnest, disinterested and fairly successful efforts in the interests of the people Mr. Davin will not bear comparison with Mr. Ross. 107

Similarly, the Leader charged on one occasion that Ross, as a member of the North-West Council, had "betrayed" Assiniboia with

104 Ibid., "Editorial Notes."


107 Dec. 25, 1886.
respect to redistribution,\(^{108}\) and on another that he was too young for the responsibilities of parliamentary office.\(^{109}\)

It was Davin, however, who bore the brunt of the personal attack emanating largely from the pen of C.J. Atkinson, the editor of the Liberal Regina Journal. Davin had no right to represent a pioneer community, according to the Journal, for rather than sharing the rigours of pioneer life, he had preferred a well-paid sinecure as secretary to a government commission.\(^{110}\)

Not only that, but he had also secured from the government a timber limit on the North Saskatchewan, as well as large and lucrative government printing contracts.\(^{111}\) He was further charged with manipulating the distribution of seed grain to his own political advantage,\(^{112}\) and he was, in addition, as one "headline" put it, "a Deserter of North-West Interests for Party Purposes."\(^{113}\)

Davin, on the other hand, seems to have taken this somewhat virulent attack in his stride; the charges against him were carefully refuted from the platform and the editorial columns of the Leader,\(^{114}\) and his campaign was pursued in a manner which re-

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108 Regina Leader, Feb. 8, 1887, "Mr. Ross's Candidature."
109 Ibid., Feb. 15, 1887, "Editorial Notes."
110 Regina Journal, Jan. 27, 1887, "Brother Pioneers."
111 Ibid., Feb. 3, 1887, "More 'Experiences.'"
112 Ibid., "Seed Grain."
113 Ibid., Feb. 24, 1887.
114 See for example Regina Leader, Feb. 8, 1887, "Saturday's Meeting," and ibid., Mar. 1, 1887, "Seed Grain."
lected the extent of his culture, his urbanity, and his political experience. In addressing some of his German-speaking constituents, for example, he did not neglect to display his familiarity with the classics of their literature, and when he concluded a speech with a quotation from Goethe, "Ein froher Wille lebt in meinem Blut," he was greeted by "loud cries of hoch! hoch! and clapping of hands."\(^{115}\)

At the same time he did not hesitate to dispense the patronage which was available to him through his connection with the party in power: he wrote to the Minister of Justice requesting consideration of the claim of D.L. Scott of Regina for a judgeship, and the appointment of A.L. Lunan as jailer and J.H. Benson as sheriff; "Both these men deserve well of the party," he wrote. "No fifty men have done as much."\(^{116}\) As election day approached and as Davin became concerned about the Métis vote, he requested the Prime Minister to have the Lieutenant-Governor telegraph certain Métis leaders "urging them to support me. I can carry the Constituency without their vote --" he added. "Still it is desirable to carry that vote too."\(^{117}\)

Finally, however, when the polls opened on election day, March 15, 1887, the issues, the parties, and the personalities were in the hands of the electors whom the Leader exhorted in terms which summarize a campaign charged as much with personal

\(^{115}\) Regina Leader, Feb. 1, 1887, "Meeting in the German Settlement, New Elsass."

\(^{116}\) Davin to Thompson, Mar. 2, 1887, Thompson Papers, No. 5423, P.A.C.

\(^{117}\) Davin to Macdonald, Mar. 2, 1887, photostat in A.S.
bitterness as with party controversy:

Electors of Western Assiniboia today do your duty; vote for good Government; vote for a generous policy towards the North-West; vote down blackguard tactics and unprincipled wire-pulling; vote down the whiskey-inspired ribald hucksters of calumny; vote for a policy which will do justice to the North-West and cause money to be expended on useful works in Regina, Moose Jaw, Maple Creek, Medicine Hat and other places along the line; vote down a policy of green-grocer statesmanship and step-mother starvation for this great North-West; rise superior to party and vote as North-West men in the interests of Regina and her sister towns; vote, electors, for your own interest and disassociate yourselves from the malignant squirts of a baffled and disorganized faction; vote with the overwhelming majority of the West Riding of Assiniboia for a man who has been for five years the friend of all, Grit and Tory, a man who has fought your battles, and has shown that he is deeply interested in your welfare -- in a word VOTE FOR Davin.118

This the majority of electors did; Davin polled a total of 726 votes throughout the constituency, while Ross received 423;119 Davin won all but four of the polls in the riding, his most significant losses being Moose Jaw, Ross's home, and Wood Mountain, a Métis community.120

Local comment on the outcome is instructive: the Leader rejoiced with those Regina citizens who, with their brass band, serenaded Mr. Davin on the Wednesday following the election;121

118 Regina Leader, Mar. 15, 1887, "Today."
119 The Canadian Parliamentary Companion 1887, J.A. Gemmill, Editor, Ottawa, 1887, p. 177.
120 Regina Leader, Mar. 22, 1887, "Territorial Elections."
121 Ibid., "Mr. Davin Serenaded."
the *Journal* remarked that "one very noticeable feature of the voting was the manly way in which electors announced their votes for 'James Hamilton Ross,' and the faltering, hesitating way in which others said 'Davin'";\(^{122}\) the same issue attributed the Liberal defeat to being late in the field, to being unable to win the votes of the large number of government employees and contractors, to the open vote, and to the effect of patronage in its various forms, or as it was called, "boodle."\(^{123}\) In contrast, however, while acknowledging with a certain regret that the four territorial representatives were straight government supporters, the *Edmonton Bulletin* suggested that these four members, Davin included,

> will compare favourably with those of any province in Confederation. They are all local men of high standing, who are identified thoroughly with the country and in the vocations which they have thus far severally pursued have shown good abilities. Such men are naturally far preferable to mere politicians however able, and it is to be hoped that in the duties they have been called upon to assume they will do as well as in those that have fallen to their lot already.\(^{124}\)

Who then was this Nicholas Flood Davin whom the electors of Assiniboia West had chosen to be their first representative in the House of Commons? He had been born on January 13, 1843, in Kilfinane, County Limerick, in Ireland as the son of N.F. Davin

\(^{122}\) *Regina Journal*, Mar. 17, 1887, "North-West Elections."


\(^{124}\) March 26, 1887, "North-West Elections."
and his wife Eliza. His father died before Davin had reached his teens, and his mother apprenticed him to an ironmonger, but a philanthropic relative undertook to provide him with an education which the young man pursued at Queen's College, Cork, and at a college affiliated with the University of London before being admitted to the Honourable Society of the Middle Temple, London, on April 27, 1865.

Called to the bar on January 27, 1868, the young Davin, whom a contemporary has described as "a tall, spare man with a very thin purse," turned to journalism for the living which the practice of law seemed to deny him. He became first a reporter in the press gallery of the House of Commons, and later, during the Franco-Prussian War, a war correspondent for the Irish

125 The Parliamentary Guide and Work of General Reference, 1898-9, A.J. Magurn, Editor, Ottawa, 1898, p. 50. The entry shows Davin's father to have been a medical doctor, but A.S. correspondence with T.P. O'Neill of the National Library of Ireland reports that Davin's father's name is not included in lists of Irish medical practitioners of that period. See also J.R.C. Honeyman, "The Regina Leader," The Story of the Press, Battleford, 1928, p. 66, in which it is reported that Davin's father was serving in a regiment stationed at Kilfinane. J. Mackay Hitsman of the Army Historical Section, Ottawa, kindly checked Hart's Army Lists for 1842 and 1844 and advised me that "No one named Davin is listed in any commissioned capacity."


127 O'Neill, loc. cit.

128 Ibid.

As a war correspondent he had the opportunity to indulge what Stubbs has called his "zest for adventure," in pursuit of which he was apparently wounded at the siege of Montmedy and later was reported to have "made a spectacular exit from Paris in a balloon during the Communist troubles."

Returning to the United Kingdom, Davin re-entered the press gallery of the House of Commons and later, in 1872, he held for a short time the position of editor of the Belfast Times. There he became involved in a dispute with the publisher which led to a lawsuit and ended his association with the Times. In that same year he was injured in a fall from his horse, and by way of convalescence came to Canada commissioned by the Pall Mall Gazette to prepare a series of articles on a then current controversy -- annexation. What was to have been a convalescent's sojourn, however, soon became a permanent residence for reasons which Stubbs describes as "the charm of an Ontario midsummer, and ... the opportunities in a country still in the morning of its birth."

131 Stubbs, op. cit., p. 2.
132 Ibid.
133 Honeyman, op. cit., p. 66.
134 O'Neill, loc. cit.
135 Stubbs, op. cit., p. 3. This was Davin's stock explanation of his reason for coming to Canada. No reference by Davin to his difficulties in Belfast has come to my attention.
136 Ibid., p. 3.
Charlesworth points out too that:

> It was probably the great success of Thomas D'Arcy McGee in Canadian public affairs that prompted Davin to come to Canada; for though McGee had been the victim of an assassin's bullet, his career had been one to inspire admiration and emulation in fellow-countrymen of ambition.¹³⁷

And Davin, according to Charlesworth, possessed a "soaring ambition" which his Toronto newspaper colleagues recognized "would by no means be satisfied by the modest career of a newspaper writer."¹³⁸

Although new to the country, Davin was not unknown in newspaper circles, and he was able to find a position almost immediately on the Toronto Globe.¹³⁹ He stayed with the Globe for three years, and on leaving that paper did some free lance writing and lecturing, and eventually joined the staff of the Toronto Mail.¹⁴⁰

Davin had been in Canada for only some nine months when his skill as an orator was brought to the attention of a Toronto audience. There was, in the early 1870's, considerable interest in Canada in the subject of annexation, a proposal which appeared to some to be a means of solving the economic problems of the

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¹³⁸ Ibid., p. 24.

¹³⁹ Mallet to Patteson, Nov. 11, 1872. Mr. F. Mallet claims he was invited to Canada to join the staff of the Globe only to find that "a Mr. Davin, presenting himself for the vacant post at the same moment, and he, proving to be a personal friend and old colleague of Mr. Dymond's was appointed over my head." Patteson Papers, Archives of Ontario.

¹⁴⁰ Stubbs, op. cit., p. 4.
infant Dominion. A certain Dr. Tiffany of New York had presented the case for annexation at a public meeting in Toronto in 1873, but a group of newsmen were not prepared to allow the occasion to pass without some sort of rebuttal, and it was to Nicholas Flood Davin that they turned. Davin spoke in Shaftesbury Hall, Toronto, on April 19, 1873, with the Reverend Dr. McCaul, President of University College, in the Chair, and having called to his support the philosophers of the Greek and Roman Empires, the sages of the Old Testament, and the political theorists of modern Europe, he concluded that:

March may wed September and Time divorce
Regret, and the frosts of January nip
the flowers of June, but not a law of
separation pass between us and the country
of our great forefathers, in order that
there should take place a marriage traitorous to our most valued and sacred traditions. Let the United States go on in their own course. We neither envy nor fear them. 141

It was, according to one of Davin's later admirers, Davin not Tiffany who carried the day, and the success led Davin to feel that "his lot in the future was cast in Canada." 142

In addition to his career as a journalist and orator, Davin made a modest place for himself within the Toronto legal fraternity. He was entered on the Barristers' Roll for the Michaelmas Term of 1875, 143 and on February 18, 1876, the Minutes of Convo-

141 Nicholas Flood Davin, British versus American Civilization Toronto, 1873, p. 45.
143 Rolls of the Law Society of Upper Canada, Osgoode Hall, Toronto.
cation note that "Mr. Nicholas Flood Davin, a member of the English Bar, was called to the Bar." Davin was a dramatic courtroom orator, but he "gave only his spare energies to the law." Nevertheless, his defense of the printer George Bennett on trial in 1880 for the murder of George Brown, editor of the Globe, although unsuccessful, earned Davin an enviable reputation as a courtroom orator and logician.

While both journalism and the law held a certain attraction for him, Davin was nevertheless drawn into the stream of Canadian politics. The campaign of 1878 found him a popular speaker on the Conservative circuit, and indeed, he was actually nominated at a convention in Peel, a nomination which he declined to accept. Later in March the Mail reported him as saying that he did not intend to run in any constituency, "although he had been asked by three or four to do so."

Davin played an active part in the Young Men's Liberal-Conservative Association during the 1878 campaign, and the Mail reports a variety of political addresses delivered in Ontario at most of which he was in one form or another "cheered to the echo."

145 Stubbs, op. cit., p. 4.
146 See Albert R. Hassard, Famous Canadian Trials, Toronto, 1924.
148 March 21, 1878, "The Coming Campaign."
149 June 12, 1878, "Political News."
Eventually Davin did allow his name to stand as the Conservative candidate in Haldimand where he conducted a very effective although unsuccessful campaign. Charlesworth records a technique used by Davin to solicit the Irish Catholic vote so important in this constituency. One of his assistants had procured a picture of an Irish Mother Superior who may or may not have been related to Davin. While the candidate engaged in a political discussion with the master of a house, the assistant held the housewife in conversation, casually producing the picture of "Mr. Davin's sister." The housewife, usually impressed, would frequently refer the relationship to Davin who would manage to "sigh and murmur a wish that he were as saintly as his dear sister." 150

Davin polled 1400 votes on this occasion as against the 1566 polled by Mr. D. Thompson, the winning Liberal candidate, 151 but this in itself was a triumph in defeat, for Thompson was a well-to-do local son who had won the two previous elections by acclamation, who had held the seat continuously since 1863, and whose father before him had sat for Haldimand in the Assembly of the United Canadas from 1841 to 1851. 152

The campaign of 1878 marks the point at which Davin seems to have regarded his fortunes to be linked with those of the Conservative party, and his services to that party worthy of

151 The Canadian Parliamentary Companion and Annual Register, 1879, p. 237.
152 Ibid., p. 224.
certain consideration. Ward shows that in December of that year Davin was writing to Macdonald asking for a lecture tour in the United Kingdom or some position in the North-West Territories to tide him over his financial difficulties.\footnote{Ward, "Davin and the Founding of the Leader," p. 13.} He received neither a lecture tour nor an appointment to the North-West, but in 1878 he was sent to Washington by the Macdonald government to conduct an investigation into American methods of Indian education. Two years later he was appointed secretary of a Royal Commission established to inquire into certain aspects of the construction of the Canadian Pacific Railway. His work on this Commission was apparently satisfactory, for in 1884 Macdonald was able to put his name forward as secretary of a Royal Commission on Chinese Immigration with the following recommendation:

Davin has his faults but he has also great merits. He is exceedingly industrious, well read, and can sift and classify evidence. Judge Clark who was our chairman on the C.P. Railway \footnote{Macdonald to Chapleau, July 3, 1884, photostat in A.S.} Commission was well satisfied with him and Sir Charles Tupper told us in Council that his index has a mark of genius. His fault is that he occasionally imbibes a little too much but I think you will find him notwithstanding this occasional failing exceedingly useful and he would take much work off your hands.\footnote{Macdonald to Chapleau, July 3, 1884, photostat in A.S.}

In addition to the regular activities of his newspaper career, the demands of politics, and the practice of law, Davin had also, since his arrival in Canada, found time to devote to belles lettres. In 1877 he had published his best-known literary ven-
The Irishman in Canada, a genealogical history of leading Irish-Canadian families. In addition, being a gifted and popular orator, he had produced in pamphlet form a number of his speeches, and he was a frequent contributor to such periodicals as The Week, The Canadian Magazine, Rose Belford's Canadian Monthly and National Review, and the North American Review.155

In 1881 Davin was again offering himself to Macdonald as a Conservative candidate in a forthcoming election,156 but this ambition was not yet to be realized, and in the following year he went west where destiny, or ambition, or economics, or the captivating "smell of new-mown prairie grass" were, like La Belle Dame Sans Merci, to hold him in thrall.157

This, then, was Nicholas Flood Davin who in appearance has been described as

... a well set-up man, just under six feet in height, straight as a reed, quick in action, but slow of speech. His features were liquid; they registered the birth of every idea in his brain. His head was large and well-posed.... At an early age

155 In 1882 he published a small collection of poetry entitled Album Verses and other Poems which was followed in 1884 by another collection entitled Eos -- A Prairie Dream and other Poems, the main item of which, "Eos," with revisions in both text and title, appeared again in 1889 under the Regina imprint as An Epic of the Dawn and other Poems, the first book of poetry to be published in the North-West Territories. Other of Davin's publications are listed in Bruce Peel, A Bibliography of the Prairie Provinces to 1953, Toronto, 1956, and The British Museum General Catalogue of Printed Books, Vol. XLIX, London, 1952.


157 See Stubbs, op. cit., pp. 6-7, and Ward, "Davin and the Founding of the Leader," p. 13. Stubbs relies on Davin's own explanation; Ward regards this as a legend and attaches greater significance to the existing documents.
he began to go bald. By his late thirties, his head, save for a fringe around the sides, was innocent of hair....

In dress, Davin was a bit of a dandy. His clothes, no less than his speech and his mannerisms, showed a studied affectation. There was a distinct atmosphere about him. He gave the impression that he was acting a part which he had set himself. 

One who had known him has left a description of Davin as a man of commanding appearance, with a rich and appealing voice, in a pearl-gray suit, with the cutaway coat he always wore, [and] black-ribboned eye-glasses with which he gestured effectively.

And another recalls particularly the power of his pale grey eyes, which, though never cold, gave a suggestion of "sizing up" the person he was talking to and calculating the impression he was making.

This was the man who had been chosen to represent the new constituency of Assiniboia West in the House of Commons. This was the Davin whom Grip described as "The Coming Man."

No member of the new Parliament [the comment continued] will be more closely watched by an expectant people than Mr. Nicholas Flood Davin, M.P. for West Assiniboia. Those people who have noted his ante-election address have a right to regard him as an independent member, who will retain his manhood, and in his own words "rise superior to party." That he will take his place in the front rank of our parliamentary orators, goes without saying, and we trust his eloquent

158 Stubbs, op. cit., p. 19.


THE COMING MAN.

GOOD BOY, DAVIN! NOW LIVE UP TO THAT IN PARLIAMENT, AND YOU ARE MADE!

From Grip, Apr. 9, 1887.
voice will be invariably on the side of right. It will be no easy work for him, however. The Government, no doubt, counts him amongst its chattels, and will do its utmost to suppress any indication of independence on his part. We hope he will mark this down in his little book. 161

For Nicholas Flood Davin, M.P., founder and editor of the Regina Leader, erstwhile Ontario and English barrister, war correspondent, press gallery reporter, poet, and author, the election of 1887 had truly opened wide the doors on "a world of hope."

161 J.W. Bengough, Editor, Toronto, April 9, 1887, "Comments on Cartoons."
CHAPTER II

THE HONOURABLE MEMBER FROM THE WILD WEST

When Davin entered the House of Commons for the first time as a member in 1887 he made no pretense about his party allegiance or his attitude to the constituency he represented: he was listed in the Parliamentary Companion as "A Conservative, [who] favours a broad and generous policy for developing and peopling the North-West." This description he proceeded to justify by word and deed, and in the four sessions of the Sixth Parliament from 1887 to 1890 he concerned himself with the problems of the individual settler as well as the broader issues affecting the Dominion and the Empire. Hansard records Davin discussing the question of the half-breed claims on one occasion, and Irish Home Rule on another; he is further recorded instructing the House on the justice of public expenditure in the Territories and again on the history of the Society of Jesus; or he is found advocating the publication of agricultural bulletins in German, or the maintenance of the Imperial connection. Thus, while one opposition member could refer to Davin as "the incarnation of Banff Springs, namely, gush and gas," and another could

1 H.C.D., May 3, 1887, Vol. I, p. 237. Mr. Casey referred to Davin on this occasion as "my hon. friend from the wild-west," and added, "he will excuse me if I cannot remember his constituency at this moment --" to which Davin replied, "I will excuse any amount of ignorance."

2 The Canadian Parliamentary Companion, 1887, J.A. Gemmill, Editor, Ottawa, 1887, p. 111.

call him "the blatherskite from West Assiniboia," still another could inform the House that "[Davin] is a man I admire very much. I admire his ability and his eloquence...." Davin, somewhat in the tradition of Cyrano de Bergerac, had about him a panache which his contemporaries could either value or scorn, but could not ignore.

He was active privately in the interests of his constituents from the very day he was elected to Parliament, and the Hon. John Thompson, Minister of Justice, was the recipient of a number of letters in which the new member for Assiniboia West presented the claims of his constituency and its inhabitants. Over the years Thompson became a sort of confidant for Davin, a friend and adviser to whom Davin unburdened himself from time to time. In 1888, for example, he wrote to Thompson as follows:

I am alive to doing all in my power for the Catholic portion of my Constituency, and have recommended Mrs. Simpson for a position in the Indian Office.

But neither for Catholics nor protestants [sic] who have done nothing for the party can I do anything while men who worked hard and whose other claims stand high are unprovided for. Father Graton knows how sincerely I desire to meet his wishes where it can be done with justice, fitness and prudence.

Davin pressed the interests of his constituents in public

4 Ibid., May 7, 1890, Vol. II, c. 4538. This expression, being unparliamentary, was withdrawn with the explanation that it had been used inadvertently: "...I thought he was outside, when an unpalatable truth might be stated," said the offending member, Mr. Charlton.

5 Ibid., Apr. 28, 1890, Vol. II, c. 4057.

6 Davin to Thompson, Aug. 27, 1888, Thompson Papers, Vol. 74, No. 5222, P.A.C.
as well, and he was not the least reluctant to take or make opportunities to advocate public improvements in the North-West. On one occasion he pointed out to the government that a court house and a lock-up were absolute necessities at Medicine Hat, Maple Creek, and Moose Jaw. He said: "It is not consonant with the dignity of justice that the Judges of the Supreme Court of the North-West Territories should hold their court in --" and when a member interjected with, "A school house," Davin continued, "It is worse than that -- they have got to hold their court in a tavern." On another occasion, his activities on behalf of those who had taken part in the suppression of the Saskatchewan Rebellion drew from Sir Adolphe Caron, the Minister of Militia and Defence, the acknowledgement that "no member of Parliament has taken a deeper interest in trying to secure recognition for those who took part in the suppression of the rebellion troubles in the North-West than my hon. friend from Assiniboia (Mr. Davin)."

He was concerned with the welfare of the Indians and Métis, and when the House became involved in a discussion of the propriety of religious education in the state-supported Indian schools, he expressed the opinion that the government would be "wanting in its duty ... if it did not join hands with the various religious bodies in attending to [the] religious culture [of the Indians]." The impression that the church-state question was

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10 Ibid., Apr. 28, 1890, Vol. II, c. 4049.
at issue in the matter had arisen, according to Davin, because of a "confusion of language"; "the eloquence of my hon. friend here (Mr. Landerkin) which is always amusing, and the logic of my hon. friend from Bothwell which is always irresistible, at the present time are both at fault."\(^{11}\)

It was, however, the cause of the North-West settler which Davin espoused with the greatest vigour. Since immigration, railways, and the tariff were each essential to the national equilibrium, and since the developing North-West Territories were perhaps more deeply affected by government policy than other parts of the Dominion, the three-legged stool which was the National Policy of the Macdonald government had a special significance for the North-West, and it was therefore to be expected that Davin, concerned as he was with the condition of the people in the North-West, would concern himself with the immigration, railway, and tariff policies of the federal government. On the question of immigration and settlement, for example, the House heard from him frequently on such matters as the homestead regulations,\(^{12}\) squatters' rights,\(^{13}\) experimental farms,\(^{14}\) well-boring,\(^{15}\) irrigation,\(^{16}\) and a university for the North-West Territories.\(^{17}\) The House also heard from him

\(^{11}\) Ibid.
\(^{15}\) Ibid., Apr. 5, 1889, Vol. II, p. 1080.
\(^{16}\) Ibid., Apr. 14, 1890, Vol. II, c. 3292.
\(^{17}\) Ibid., c. 3315.
frequently on the question of second homesteads, and indeed, his
campaign for justice in this matter stands as a most notable
demonstration of his persistence and his effectiveness as a back-
bench representative of the western settler.

In 1883, The Dominion Lands Act had been amended to permit
a settler who had received his patent after three years' residence
to file for a second homestead. While this was not the practice
in the United States, Macdonald had explained to the House that
the consequence of prohibiting the practice would undoubtedly be
a drain of experienced farmers to the American territories, and
the House appeared to be in general accord with the principle of
the proposal. Consequently, The Dominion Lands Act, 1883,
assented to on May 25, contained the provision that "any person
who has obtained a homestead patent after three years' residence...
may obtain another homestead and pre-emption entry." By
1886, however, it had become apparent that the principle of the
second homestead had not had the desired results; rather than dis-
couraging the exodus of settlers, it had encouraged speculation
in land, and the weed-infested fields of homesteads abandoned by
farmers who had moved farther west were in fact an injury rather
than an improvement to the land. The government, therefore, intro-
duced a measure to repeal the second homestead provision which,
after an amendment in committee to protect the rights of those
who had already received their patent recommendations, became law

19 45-46 Vict., c. 17, s. 37.
on June 2, 1886. 20 The second homestead provision had thus been on the statute books for three years and eight days, and since three years' residence was required before a settler could receive his patent, settlers who had taken up a homestead between May 25, 1883, and June 2, 1886, expecting to qualify for a second on completion of their patent requirements were virtually excluded, while those who had settled before the provision was made in 1883 were able to benefit from it. Davin appeared in the lists as the champion of the former group seven days after Parliament opened in 1887.

On April 20 of that year he introduced a bill to amend The Dominion Lands Act to allow a person who had settled between May 25, 1883, and June 2, 1885 [sic] to enter for a second homestead on any day after he had received his recommendation for the patent. This was, in his words, "only the merest measure of justice to the persons who will be affected by it," 21 but his bill died after first reading. A government measure to amend The Dominion Lands Act, designed in part to extend the qualifications for a second homestead, was introduced later in the session, but in Davin's view, as he explained it to the House, the measure would "not bear powder and shot for a moment when you bring the test of justice to it." 22 In his opinion, the bill failed from the point of view of both policy and justice, for in effect it made it easier for those who had no moral right to a second homestead while those

20 49 Vict., c. 27.
with both a moral and a legal right were completely deprived of the opportunity.

I know it will be said that the second homestead was a bad policy [he argued]. I grant that it was a bad policy and a mistake; but whose mistake and whose bad policy was it? It was our mistake and our bad policy. It was not the mistake of the Englishman, who, in 1884, on the Downs of Devon, met the emigration agent, and learned from him that in this great liberal land, that in this paradise of the settler, he could get a second homestead if he came here.23

As far as Davin was concerned, bad policy or not, Parliament could not in conscience repudiate a moral contract with the settler.

To this argument the Minister of the Interior, Thomas White, replied:

... while I have listened with great pleasure to the hon. gentleman's speech, I cannot quite say that I am altogether convinced by it. However, we will discuss it when we go into committee.24

This reply did not, of course, satisfy Davin, and he went across to the Minister and in private conversation learned that White had in fact seen the full force of the argument, but when pressed to act on it replied "I do not think I can."25 At this Davin "got a little mad, that is to say ... a little aggravated; [since, as he explained later] it is very seldom that I get mad, but when I do it is merely a righteous indignation,"26 and having gone back to

23 Ibid.
24 Ibid.
25 For Davin's account of this incident see ibid., Feb. 27, 1889, Vol. I, p. 353.
26 Ibid.
his place, thought the matter over before approaching the 
Minister again with this appeal:

Well, look here, you have been very good
to us, you have done nearly everything
that could have been done by your depart-
ment.... Now put [the termination date
for applying for second homesteads] on
one year and I will be satisfied for the
present.27

To this appeal White replied: "I will risk it."28

The principle was not argued to any extent in committee, and
indeed MacDowall from Saskatchewan was prepared to allow the
Minister to deal at his discretion with any cases of hardship.
He said:

... I do not altogether agree with [Mr.
Davin] that a very great injury will be
done unless this clause ... is altered.
I believe this clause as it stands will
satisfy most people in the North-West....29

However, just before the committee rose, the Minister made the
concession which he had promised Davin earlier, and moved an
amendment to extend the time limit within which a settler could
apply for a second homestead from June 2, 1886, to June 2, 1887,
and he added a further proviso to permit a certain group, the
crofters, who had been allowed to create charges against their
land, but who had completed their duties by June 2, 1887, to make
a second homestead entry. He said:

I think I will meet the views of the hon.
gentlemen from the North-West and Manitoba,
all of whom, notwithstanding the remarks

27 Ibid.
28 Ibid.
of hon. gentlemen opposite that they are too willing to agree with the view of the Government, have been most persistent in their efforts to have their views, not only in this matter, but in some other matters carried out....

Davin's back-bench tactics -- private consultation with the Minister combined if necessary with public criticism in the House -- were beginning to bear fruit.

The matter of second homesteads was not raised in 1888 "for a lamentable reason -- [as Davin explained later] because we had lost the man [Thomas White] who had been such an ornament to this House," but in 1889, on a motion for papers respecting memorials from the North-West government, Davin again explained the injustice which still existed, since the amendment of 1887 would benefit only those who had come in on or before June 2, 1884. He was more explicit later in that same session when the House was considering further amendments to The Dominion Lands Act. He listed the petitions which had been received on the question in 1887 and 1889; he quoted from a Department of Agriculture guide book of 1885 to show that the promise of a second homestead had been held out to the prospective settler; and he suggested the further extension of the period for applying for second homesteads to June 2, 1889. When the Hon. Edgar Dewdney, who had succeeded Thomas White as Minister of the Interior, replied that he "felt very much disinclined to perpetuate a system

30 Ibid., p. 914.
32 Ibid.
which I think has been a very great injury to the country," Davin countered by suggesting that the Minister's approval or disapproval of the policy was not at issue; the question at issue was the question of justice, and justice was on the side of the settlers in this matter.

I should be very sorry to see the Government persevere in that policy, [he concluded] because I remember the flourish of trumpets with which it was first announced, and if it is persevered in, we shall have the spectacle of the Government of Canada strutting into a difficulty and afterwards sneaking out of it.34

In the session of 1890 Davin used a parliamentary question as a means of pressing for action on the matter of second homesteads when he asked what representations the government had received in this matter, what consideration they had given to such representations, and what decisions had been arrived at. Dewdney answered that eleven petitions had been received, that the government had reviewed the matter and come again to the conclusion "that the granting of second homesteads was not beneficial to the interests of the whole North-West,"35 and that the Department of Justice had advised that those settlers who made

33 Ibid., Apr. 25, 1889, Vol. II, p. 1539. Dewdney had been a Member of the Legislative Assembly of British Columbia in 1868-69 and a Member of Parliament for Yale from 1872-79. He was appointed Indian Commissioner in the North-West Territories in 1879 and Lieutenant-Governor of the North-West Territories in 1881. He entered the House of Commons again in a byelecution in 1888 as the member for Assiniboia East. See Henry James Morgan, The Canadian Men and Women of the Time, Toronto, 1898, pp. 267-68.
entry between May 25, 1883, and June 2, 1886, were not entitled to the privilege of second homesteads.

A month later Davin reopened the question with this motion:

That it is just and expedient that clause 43 of the Dominion Lands Act be amended by extending its provisions from the 2nd day of June, A.D. 1887, to the 2nd day of June, A.D. 1889.36

In an impassioned speech he reiterated the arguments for the justice of his case, attacked the illogical position of the government, and in closing the debate suggested that if a large corporation were in a similar position, it would probably have the support of the members,

But in the case of these poor settlers, who are without means of making their voices felt in the country, when a humble member of this House brings forward their claims, we have a great man using his power against their position. I say you may vote on this how you like, their claim stands rooted in justice; as it stands there it ought to be strong against the whole world.37

The motion was negatived on division, but not before the Hon. Peter Mitchell made this comment which reveals something of his assessment of the member for Assiniboia West:

It always affords me pleasure to listen to the hon. gentleman. Everybody knows he is talented, clever, and able; and when he takes hold of any case, he generally looks to see it through, when he is in the humor. It is much to my surprise and my gratification that for once he has plucked up courage enough to attack the Government, assail their policy, denounce their unjust acts, and endeavor to persuade

37 Ibid., cc. 3318-19.
this House to pursue a course which will lead to a different state of things from that pursued by the Administration which the hon. gentleman has supported in the past and no doubt will continue to support in the future.³⁸

It was true, as Mitchell had said, that Davin would continue to support the administration; it was true, also, that he would continue to see his case for second homesteads through to a conclusion.

This second homestead issue was, however, not an isolated indication of Davin's independence as Mitchell's comment might suggest. Davin's concept of the parliamentary process was a concept which embraced "the best and noblest traditions [of Parliament]," and he sought in Parliament "something like plasticity, something like that capacity for being convinced which the very idea of a Parliament implies, and without which a Parliament is a mockery."³⁹ In February of 1890, for example, Davin had participated briefly in the debate on an opposition motion to establish a committee to enquire into the exodus of Canadians to the United States, and he alluded to this idea of plasticity when he said:

... if my hon. friends on this side, instead of moving for a fishing committee would make a motion in favour of an energetic immigration policy, they would find that some of the Tories would be voting with them.⁴⁰

He returned to a criticism of the government and its immigration policy the next month when an almost empty House was in Committee

³⁸ Ibid., c. 3319.
of Supply on immigration. He was critical of the fact that all the leaders of the opposition and all but a few of the government leaders were out of the House when this great aspect of the National Policy was being discussed, and he claimed the matter could not be discussed without revealing weaknesses in the policies of both parties, but he was especially critical of the present administration.

Sir, [he said] at this moment we ought to have at the head of one or other of these Departments a man of genius, a man of great energy, but at the present moment we have a Cabinet of antiques: I do not care how broadcast it is sent tomorrow morning, it has to be spoken out, we have a Cabinet of antiques. 41

The phrase was indeed broadcast: an opposition member referred to it as "the most true statement of the Government's ability ever given by any hon. gentleman on this side of the House"; 42 and a few days later Grip carried the following comment on the incident:

Mr. Grip has always felt an interest in that brilliant but rather erratic genius of Regina, Mr. N.F. Davin, and our advice to him has always been to stand up independently in the House and give to the country and not to any party the benefit of his fine talents. Mr. Davin has not always "done us proud" by following this sound advice, but we forgive him a great deal in view of the refreshing little episode which took place the other day in

41 Ibid., Mar. 26, 1890, Vol. I, c. 2447. Davin had used the phrase earlier; see Regina Leader, July 5, 1883, "Settlers on the Reserve," in which he said: "We have a sincere admiration for Sir John Macdonald, but he certainly seems to have a love for cabinet antiques."

A GOVERNMENT OF GENIUS.

Rough sketch of Design for a Cabinet (not of antiquities) by Mr. Nicholas Flood Davin, M.P.

From *Grip*, Apr. 12, 1890, p. 250.
the Emigration debate. 43

With respect to railway policies, it was perhaps the monopoly clause in the Canadian Pacific charter which most seriously offended the settler who attributed to it the high freight rates, the long hauls for certain commodities such as coal, and the isolation of certain areas which had been settled, in some cases, years before the construction of the trans-continental line. Morton shows that the policy which prohibited even temporary rail connections with the United States prior to the completion of the Canadian Pacific Railway led directly to great inconvenience for the settlers, for the flood of immigration had entered the West ahead of the railway, and thus, even by 1881 when the C.P.R. reached Brandon, "its single line running across the province was already inadequate." 44 The government of Manitoba therefore took it upon itself to charter railways under its constitutional power to incorporate commercial companies, and this led directly to a jurisdictional dispute with the federal government which resulted in the federal disallowance of the Manitoba railway charters. In 1887, the year in which Davin entered Parliament, Mr. Robert Watson, the Liberal member for the Manitoba constituency of Marquette, challenged the government's act of disallowance, and Davin thereby immediately became involved in a situation which was to be something of a harbinger of a later crisis in his political career.

43 Apr. 5, 1890, pp. 229-30.
Davin did not participate in the debate on Mr. Watson's motion, a motion which was clearly an expression of want-of-confidence, since Macdonald had said in the course of the debate:

If this House thinks [the government was wrong in their exercise of disallowance], it will so express its opinion, and another Government will advise His Excellency … when Manitoba repasses those Acts, and they will be allowed to go into operation. 45

Nor did Davin vote in the division which concluded the debate, and in which the other three North-West members cast their votes for the government. Thus Davin left himself open to charges made later in the press and repeated in the House, that he had "shirked the vote." 46 Thus too he found it necessary on a later occasion to explain the stand he took not only on the question of disallowance, but also on the question of his position vis à vis his constituency and his party.

When I came down here [Davin explained] I was, in principle, opposed to disallowance … [but] when I found the hon. member for Marquette (Mr. Watson) was about to make disallowance a question of want of confidence, I said to my friends, some of whom sympathized with me, if it comes to a question of want of confidence in the Government, it is all perfect nonsense, you must vote for the Government. Why? With the Government supported by a powerful majority, nothing could be effected except to present your nice conscientious views on the question of disallowance. So that I lay down this proposition, that when a party man differs on a detail from his party, such as this matter is, the proper thing for him to do, if he agrees with the party in its general program, is to support his party,


to keep his party in power so that it may carry out a beneficent general policy, and for the time being to allow that small side issue to rest. I have long ago thought that question out, and it is a very delicate and nice question. It is a very different thing if the difference occurs on a large question. 47

One might very well have asked what Davin meant by "a large question" if, in his view, the disallowance of the Manitoba railway legislation was merely a detail of party policy, but the answer might well have been that this particular matter was a local issue which did not warrant a party revolt. Yet why, then, did he feel it necessary to abstain? His explanation was given the following year when the House was debating a government measure to guarantee C.P.R. bonds in return for the surrender of the monopoly clause in the railway charter. He had been under the impression that his constituents were not particularly concerned with the question of disallowance, and while he was personally of the view that disallowance was not the best policy to pursue, the government had based its position on the interests of the Dominion at large, and therefore, Davin explained, "I did not vote. I did not pair.... I abstained from voting because I thought then that that was the only course for me to pursue." 48 Davin called Edmund Burke to his defence in this matter when he claimed that "nothing but the very greatest question, questions affecting the interest of the country

47 Ibid., p. 1014.

at large, can justify a man in breaking the bonds of an honorable [party] connection of that sort." 49

He went on to argue the case in terms of the legislation presently under consideration:

They have got rid, not of the disallowance for which the hon. member for Marquette (Mr. Watson) was struggling, and for which I in my way was struggling -- for I never concealed my opinion, but in fact stated in a very plain way to the head of the Government what my view on this subject was, that while my friends in Manitoba were contending for disallowance we in the North-West were not deeply interested in disallowance unless we had also monopoly got rid of; but the Government decided to get rid of monopoly and disallowance at the same time. 50

Davin had entered an area in which his conduct was subject to interpretation and in which the twin loyalties to party and to constituency appeared to conflict. His position may have been philosophically sound, but in terms of party politics the subtlety of the argument might very well have escaped the average party member, and the apparent conflict remained unresolved.

On the specific issue of this debate, the guaranteeing by the government of Canadian Pacific bonds in return for the abandonment of the monopoly clause, Davin stood squarely with the government. He referred to the growing value of the monopoly with the growth in production and population of the West; he claimed that the government had struck a good bargain for Canada in eliminating the monopoly clause in return for a guarantee of

50 Ibid., p. 1365.
the interest on $15,000,000 worth of bonds; and he was critical of that parochialism which forever argued in terms of what the West had cost the Dominion:

... do not let any man from Ontario or Quebec imagine that we for one second will listen with any patience to the proposition that the North-West is in any way indebted to the rest of Canada. The fact is this: it is the rest of Canada that is indebted to the North-West. We have given you a backbone. We have put you in a position to go before the world with the certainty of a great future, and hence it is that your credit stands so well.51

Finally, he refused to endorse an opposition amendment regretting that the security for the guarantee was inadequate and that the agreement contained no specific commitment to construct branch lines.

Now, Sir, [said Davin in closing his speech] I cannot vote for the amendment ... because part of it contains propositions which the Government have endorsed, and it closes with the simple regret that the Government have not done so and so .... Sir, I am a material creature. I am not airy enough, I am not volatile enough to be able to divide on a regret or go into battle about a sigh.52

There were other aspects of railway monopoly which concerned Davin. For instance, in 1887 the opposition had argued that the Qu'Appelle, Long Lake and Saskatchewan Railway and Steamship Company should not receive land subsidies since this short line was being built simply to enhance the value of certain coal

51 Ibid., p. 1366.
52 Ibid.
properties, but Davin had argued that coal was an expensive and essential commodity on the treeless plains and everything possible should be done to increase competition amongst coal suppliers in that area. On the other hand, when Mr. Walter Shanly, a Montreal Conservative, moved third reading of a bill to incorporate the Alberta Railway and Coal Company, the motion was opposed on the grounds that the bill would create another monopoly which would tend to increase the price of coal in the North-West Territories. Mr. Watson moved an amendment in an attempt to fix the freight charges on coal, and Davin, having spoken against the bill, voted for the amendment as one of a handful of Conservatives and the only North-West member voting against the majority.

Thus the premises upon which Davin based his actions as both an honourable party man and a North-West representative begin to emerge. On those many minor issues which did not involve a question of confidence in the government and on which Davin's views differed from the majority of his party, he was prepared to ignore party lines; where want-of-confidence was involved, but where the government enjoyed a commanding majority, Davin acknowledged his differences by abstention.

As for the third leg of the National Policy, the tariff, Davin was clearly a protectionist, and indeed had been one of

that group of newspapermen which included John Maclean, R.W. Phipps, Thomas White, and C.H. Mackintosh who in the late 1870's had "enthusiastically advocated a new and more national [protective] system." While his position was to undergo certain modifications over the years, his fundamental belief in a protective tariff is apparent throughout his career. In 1887, for example, he argued in favour of a protective duty on the patent insides of newspapers, and again, while Perley from Assiniboia East spoke in favour of a reduction of the duty on agricultural implements from 35 per cent to 25 per cent, Davin argued against the proposal:

In 1879 [he said] I saw in Winnipeg ... agricultural implements of all sorts, made in the United States, costing something like 45 and 50 per cent. more than like agricultural implements cost today, and each had the saucy American flag sticking over it, and that saucy little flag indicated what would be the effect on our great country in the west if we had pursued a policy different to that which had been pursued by a wise, far-seeing and patriotic Government.

Again in that same year when the opposition objected to a government proposal to raise the duty on newsprint from 22½ per cent to 25 per cent arguing that such an increase would be in effect a "tax upon knowledge," Davin's comment indicated something of his understanding of the theory underlying a protective tariff

policy:

Our theory is that, by adopting a National Policy, we superinduce a state of things by which we not only get the manufacture of the article done in our own country, on our own ground, developing the resources of Canada and employing our own labour, but that in the end we lower the price of the article and immediately after bringing the policy into existence we give you the article at a cheaper, or, at least, as cheap a rate as before.59

It was in 1888, however, in the debate on Sir Richard Cartwright's motion for unrestricted reciprocity with the United States, that Davin gave the earliest extensive account of his position on the matter of protection. He began by suggesting a similarity between the demeanor of the Reform party and the doctor in Molière's comedy Le Malade Imaginaire: both had been dismissed by the patient, and both consequently threatened the patient with destruction. In Davin's terms, unrestricted reciprocity was a prescription for the destruction of Canada. He suggested further that a comparison of Canada and the United States, with the population, the organized wealth, and the inchoate wealth of the two nations laid side by side, and an allowance made for the difference in age, would show to the advantage of Canada, and he refuted the argument that Canada was suffering from stagnation while everything was "halcyon and progressive and satisfactory in the United States."60

59 Ibid., pp. 522-23.

60 This and the following quotations are found in H.C.P., Mar. 16, 1888, Vol. I, pp. 223-34.
"What these hon. gentlemen remind me of is a story which those of us who have classical reminiscences will remember. I refer to the old Greek story of how Proteus sets out to get the head of the Gorgon, and he has go to the hyperborean regions, behind the north wind, to see the three grey sisters and ask from them where he shall find the Gorgon. And he finds the three grey sisters. There they are, beneath the moon, sitting on ice. They have only one eye among the three, and one tooth, and they sing a doleful song of how the old days were better than the present, and they hate the sun and the presence of this young energetic Greek, half divine, and of a heroism never before equalled—this Proteus who was bound on a most dangerous task, to get the head of that Medusa, which, once looked on, would turn the onlooker into stone. The sight of this energetic being angers them like the sight of the sun, and they sing the same monotonous wail of how the old times were better than the present, and how they hate the sun and the adventurous hero. When Proteus intrudes on them one wants the eye that she may see him, and the other wants the tooth that she may bite him, and they pass the eye from the one to the other, and they pass the tooth from the one to the other, just as our friends do here. The tooth which our friends pass around is the exodus, and the eye was made in a Yankee workshop and can only see ruin in anything Canadian. Still they hate the sun, the sun of Canada’s prosperity, which at the present hour, is shining above them bright and clear—aye, bright and clear and in, as nations go, an unclouded sky—and the sun of the future may be felt by any man of prophetic vision, any man of prophetic sense, so to speak; but they hate it all, and they sing the same doleful song of how the old times of deficits were better than these days."—Nicholas Flood Davin, in Budget Debate.

From Grip, Aug. 8, 1891, p.85.
Unrestricted reciprocity, he argued, would do nothing to prevent the exodus of population to the United States, the so-called exodus being in fact a perfectly natural development, but one from which "these pessimists derive great consolation." On the other hand, unrestricted reciprocity would certainly do great damage to the North-West, since American ranchers would immediately drive their herds north to graze on the Canadian prairies, and in ten years, Davin predicted, the grazing areas of the Canadian West would be cleaned off and the profits made in cattle would have gone "into the pockets of the millionaire ranchmen [sic] living in New York, Chicago and St. Louis."

Not only would Canada lose this wealth, he continued, but in addition, "all chance of Winnipeg becoming the Chicago of the west will disappear."

While admitting that geography imposed a certain relationship between Canada and the United States, Davin contended that "a great deal more is made of our geographical position than is warranted," and in spite of geography Canadians need not "shrink from the noble task of building up a great nation." To this end internal trade was as important to Canada as it was to the United States, and it was clear to Davin "that if we want to become a great nation, if we want to develop our resources in such a manner that the internal trade will be a great factor in our life, we must imitate the United States and pursue the same policy of protection."

Protection, he went on, took many forms, and he cautioned the House that unrestricted reciprocity would not necessarily give Canadian manufacturers free access to American markets, for
just as British industry at one stage chose to protect itself through a free-trade policy, so Canadians would find that American industry would continue to enjoy protection by virtue of patents, by virtue of being richer and more highly organized, and by virtue of the fact that they had "long come to maturity, while our manufactures are only in an adolescent stage." The American market was in fact "a treacherous one" for Canada, since it would necessitate competition on very unequal terms. Thus, while unrestricted reciprocity would not open American markets to Canadians, it would, on the other hand, enable American products to enter the Canadian market freely, and Canadian industry might therefore find it very difficult to retain even its own home trade.

There were other considerations as well: loyalty to the Empire was not to be lightly disregarded; problems of Canada's relationship with her more powerful partner would undoubtedly arise, and without the support of the "lion of England" Canada would be "like a rabbit caught in a wild cat's claw." Furthermore, unrestricted reciprocity was but a first step to commercial union and annexation since the difference between them "is the difference between tweedle-dum and tweedle-dee." Again, the loss of a revenue tariff would leave Canada no alternative but to levy that most unfair tax of all, a tax on income, and at the same time the loss of Canadian shipping could be expected since Canada's overseas trade would disappear under a reciprocity agreement. Nor should Canadians be blind to the internal problems of the United States which would undoubtedly affect any nation as intimately linked with the United States as Canada would be
by such an agreement; combines were rampant and presented serious industrial problems; the Negro population, which would reach 96,000,000 by 1960, represented a problem which "menaces the future of the republic." Finally, Davin suggested, the real question was: "Shall we take a step that will land Canada in the United States and make this country part and parcel of the republic?" This question he answered with an eloquent "No":

But Sir, [he concluded] I tell these preposterous propagandists of a contemptible pessimism, who whine out that Canada is doomed,

"The grave's not dug where traitor hands shall lay In fearful haste her murdered corse away."

No, Sir, Canada's future is secure. She is still young; but the day of maturity is at hand; and centuries hence, when the historian shall have marked with a pen of indelible scorn the character of this movement, her heart will be strong, her life vigorous, she will go forward in ever-expanding progress, beauty's ensign purple on her lips and on her cheeks, and the day remote beyond human ken when death's pale flag will be advanced there.

On the question of protection, then, Davin had taken a position sympathetic to the Canadian manufacturer, and in defending it he had used arguments calculated to appeal to the Canadian patriot. It remained to be seen whether he would be able to carry his constituents with him on this question even after bringing them face to face with the frightening adjunct to unrestricted reciprocity -- the invasion of North-West grazing lands by American cattle.

Thus, throughout the course of the Sixth Parliament, Davin established his reputation as a parliamentarian of considerable
ability. He contributed to the debate not only his eloquence, but also the fruits of a well-stored mind, and a determination to represent the interests of his constituents as he saw them. Moreover, he participated in the rough and tumble of parliamentary life with a gusto that probably endeared him to many of his colleagues on both sides of the House, while undoubtedly there were some who were repelled by it. When, for example, he characterized certain remarks of David Mills and Sir Richard Cartwright as "parliamentary pedantry," and a member challenged him to "say it loud and say it slow," Davin countered with, "I will say it as loud and as slowly as the tympanum or dulness of the hon. gentleman makes it necessary." On another occasion he suggested to the House that the Hon. Edward Blake, the distinguished leader of the Reform party, was "the greatest man in small things and the smallest man in great things with whom my reading has brought me in contact." Again in that same year he recommended a change in Hansard proof readers arguing that the present employee was incompetent -- "some of the words might have been worshipped without idolatry, [Davin explained] because they were like nothing in Heaven above, on the earth beneath, or in the waters under the earth." And when, on behalf of the library committee, he urged the House to make a larger grant for the purchase of exchanges, he said: "... we cannot

make bricks without straw. That is an Egyptian task." 64

He went on to argue with respect to the Library of Parliament that funds should be made available to purchase a wide variety of literary works without regard to the point of view of the author, but simply because certain works were recognized as being significant contributions to knowledge. For example, he went on:

I may say in regard to Lampman: that I have read Lampman's works. The fact is that he is a genuine poet. His song is not the mere echo of high poetic culture, he has a genuine note of his own; he has a genuine inspiration of his own; and so far as we can encourage him we ought to encourage him in the interests of Canada, because you may be sure of this, that the life-blood of a people is the genius that is put into books. There is the life-blood from which statesmen, and merchants, and lawyers, and others draw their nutriment, and that is the centre and source of all power. 65

Davin's ambition too was apparent in these years and he was on occasion chided by his fellow-members for being too eager to demonstrate his qualifications for a portfolio. 66 Indeed, Davin himself suggested that he was, in his way, "a funnel, so to speak, conveying [to the House] what information was given to me...." 67 This characterization was taken up by the members, and it was thrown back to Davin on a number of occasions as for example when one member expressed the hope that "whenever a

64 Ibid., Apr. 28, 1890, Vol. II, c. 4070.

65 Ibid., cc. 4072-73.

66 See for example, ibid., May 8, 1888, Vol. II, p. 1269, where Davin is charged with seeking the finance portfolio.

Minister of the Crown fails to give information to the House, [Davin] will prove himself up to his undertaking, and prove himself this peculiar political funnel so that we will receive all the information needed. 68 Even before this though, Davin had had the last word: "I only wish [he had commented earlier] I could taper the funnel a little so as to get some information into my hon. friends' heads, because the bottles are too small for the funnel." 69 Yet Davin did not win all his engagements, and when on one occasion in committee he made bold to answer a question directed to a Minister, he was rebuffed by the questioner in these words:

In my simplicity I supposed the Minister who had charge of the department would be able to give us the information, otherwise I would have asked the hon. member for East [sic] Assiniboia, whom we all know is ready to give information to every one who desires it in this House. I hope the hon. member will not feel in any way hurt because I neglected to ask him before asking the Minister. 70

His most serious rebuff, however, seems to have been his failure to win the appointment as Minister of the Interior in succession to Thomas White. In May, 1888, Grip had published a cartoon suggesting that Davin was the obvious choice for the office along with the comment "Can there be any doubt as to who the next Minister of the Interior will be?" 71 Davin's reaction

71 May 12, "Comments on Cartoons."
SURE ENOUGH!

"WHENEVER YOU SEE A RED-HEADED GIRL, YOU'LL FIND A WHITE HORSE IN THE VICINITY."—Current Proverb.

From Grip, May 12, 1888, p.9.
to Dewdney's appointment is not, of course, specifically documented in *Hansard*, yet at the same time it is easy to detect a certain bitterness in the relationship between the new Minister and the member for Assiniboia West which had not at all intruded into Davin's relations with White, and indeed Dewdney reciprocated with a gruffness in his dealings with Davin, a gruffness which Ministers usually hesitate to employ even with opposition members. 72

Yet in the same way that the bitterness of thwarted ambition is apparent, so also is it apparent that with all the eloquence, with all the knowledge, with all the sense of justice and of the parliamentary process, Davin still lacked those other qualities peculiar to even the most run-of-the-mill administrator. Perhaps it was Peter Mitchell who came closest to the mark when, after acknowledging Davin's ability and his eloquence, he added this assessment: "...but Davin has not any staying power about him. That is what is the matter with Davin." 73

Whether Davin had the necessary "staying power" or not, there seems to be no doubt that he had earned, if not the admiration, then at least the respect of his colleagues, for Edward Blake, that "great man in small things," in commenting on the "inestimable blessing" of parliamentary representation for the North-West Territories, said of Davin: "He says in the North-


In this way, then, did the members of the House of Commons assess the qualities and characteristics of Nicholas Flood Davin as he had demonstrated them during the four sessions he had sat in the House. In addition, while the events of 1886 and 1887 made it clear that the member for Assiniboia West could not expect the unanimous support of his constituents, it is of some significance to note that his parliamentary activities merited the unanimous endorsement of at least the Regina District Liberal-Conservative Association, for in January of 1889 it was:

Moved by C.J. McCusker, Seconded by P. McAra Sr. That this meeting of the Liberal-Conservative Association of the Regina District condemns the unjust and scurrilous attacks made by the "Winnipeg Call" on Nicholas Flood Davin M.P. for Western Assiniboia, who both before and since his entry into Parliament has by his able and patriotic action laid not only this district, but the whole Northwest under lasting obligations, and we hereby express our confidence in him, believing he will pursue the same patriotic course as heretofore, loyal not only to his party and the Dominion of Canada, but to the Northwest by standing up fearlessly for our rights.75

Shortly after prorogation on May 16, 1890, Davin returned to his constituency to attend to the politician's perennial task of mending political fences. His letters to Thompson in the

74 Ibid., May 6, 1890, Vol. II, c. 4474.
75 Minute Book, Jan. 3, 1889.
months that follow show his concern for those outward and visible signs which constituents regard as a measure of the influence their member is able to exert on the administration:

I have been at the extreme west of my Constituency [he wrote on June 9] and found everything most satisfactory. Moosejaw and Maple Creek will be the parts of my Constituency which will require most looking after -- I hope you will have the Court Houses built there this year; also a Court House fixed up at Medicine Hat. 76

They show, too, his confidence in his command of the electorate:

You will be glad to hear [he wrote some months later] that in the western half of my Constituency (whence I have just come) I was everywhere received with enthusiasm. In three places Votes of Confidence unanimous: in one one hand contra; in another seven hands contra -- I wish to heaven the election would come on in March. I should have a march over -- They gave me a regular ovation at Moosejaw. This greatly surprised me -- it is very jealous of Regina. 77

Yet, at the same time, Davin must also have been aware that within the Conservative organization itself those undercurrents of antagonism which had troubled the waters in 1886 and 1887 still ran close to the surface. Consequently, he found it necessary to seek Thompson's assistance to calm those waters:

I write to you not merely as to a leader of mine but as to a friend. Nobody can get back his deposit who runs against me. Why then should I be put to the trouble of a contest. D.L. Scott Q.C. your agent is always doing his little best against me. He, his partner, and Le Jeune the banker are always

76 Davin to Thompson, June 9, 1890, Thompson Papers, Vol. 109, No. 12645, P.A.C.

77 Davin to Thompson, Jan. 19, 1891, Thompson Papers, Vol. 121, No. 14273, P.A.C.
in trying. I want you on receipt of this to write D.L. Scott saying something like this --

"We see from reports that Davin is very strong. I hope you will do all you can to help him."\(^78\)

The influence of even the Minister of Justice was insufficient in this case, for two days after Parliament had been dissolved\(^79\) the first eddy of discontent began to rock the Conservative boat in Assiniboia West. The Regina Standard, which had commenced publication on January 29, 1891, and had acknowledged its support of the Conservative party for so long as that party continued to represent "a progressive national spirit,"\(^80\) remarked editorially on February 5 that it was quite fit and proper for Davin to present himself for nomination at another convention, and the same editorial suggested that there were other possible Conservative candidates in Assiniboia West including Thomas Tweed of Medicine Hat and D.L. Scott of Regina.

[However] if Mr. Davin be the choice of such properly constituted convention we shall support his candidature. Let there be none

\(^78\) Davin to Thompson, Jan. 30, 1891, Thompson Papers, Vol. 121, No. 14419, P.A.C.

\(^79\) Dissolution had come as something of a surprise in the North-West Territories. See Edmonton Bulletin, Feb. 7, 1891, "The Elections." However, Davin seems to have been expecting an election well before he was warned by the Prime Minister on Jan. 30, 1891, that "a dissolution is quite on the cards." See Macdonald to Davin, Jan. 30, 1891, Macdonald Papers, Letterbook 27, No. 415, P.A.C. For a discussion of Macdonald's strategy in dissolving at this time, see D.G. Creighton, John A. Macdonald -- The Old Chieftain, Toronto, 1955, Chapter 15.

of that eagerness to be first in the field, betraying conscious weakness. Let there be a convention without delay.81

This editorial, Davin claimed in a letter to Thompson, had been written by D.L. Scott.82

Another nominating convention, however, seemed to be the last thing in Davin's mind at that time, for the Leader of February 10 carried his address to the electors, a friendly little item, the informality of which was considered appropriate because the "candidate" felt as though he "were addressing so many brothers."83 Moreover, at a meeting in Regina on the previous Saturday at which Davin had defended his party and his record, he had taken pains to demonstrate that a convention was quite unnecessary. In the first place, he claimed that there was no need for a convention, for the voters' minds were made up; in the second place, he argued that there was not time to organize a properly representative convention; in the third, he suggested that people could not afford to attend; in the fourth place, he hinted that "there [was] good ground for believing that foul play [was] intended by one or two gentlemen in the extreme west"; and finally, he warned that there was a distinct possibility that a Conservative convention might alienate certain Reform votes which had already been pledged to him.84

82 Davin to Thompson, Feb. 9, 1891, Thompson Papers, Vol. 122, No. 14555, P.A.C.
83 Regina Leader, Feb. 10, 1891, "Address."
84 Ibid., "A Big Meeting."
The "unanimous vote and [the] great British ringing cheer"\textsuperscript{85} with which this meeting endorsed the sitting member did not, however, reflect the views of Conservatives generally on the question of a nominating convention, and a convention was called for this purpose for Saturday, February 14, 1891. The Regina District Liberal-Conservative Association, at a meeting the day before, named their delegation and instructed them "to vote for Mr. Davin as the nominee of the convention first -- last -- and always."\textsuperscript{86}

In Moose Jaw the next day difficulties arose immediately over the admission of six "uncalled delegates" from settlements near Regina which some claimed were adequately represented by the delegation of fifteen sent from the Regina District association. These six were finally admitted, however, and when the convention turned its attention to choosing a candidate, Davin found himself opposed by Thomas Tweed of Medicine Hat. In the voting that followed Davin won with twenty-five votes to nineteen for Tweed who thereupon pledged his support to Davin. It is of some significance to note that the "uncalled delegates" from Qu'Appelle Valley, Loon Creek, McLean, and Hednesford voted solidly for Davin giving him his majority of six,\textsuperscript{87} without which, the Regina Standard claimed, "Mr. Tweed would have secured the nomination by the casting vote of the president. This very close call [the Standard continued] was a great surprise to those that

\textsuperscript{85} Ibid., "What Will Mr. Davin Do?"

\textsuperscript{86} Minute Book, Feb. 13, 1891.

\textsuperscript{87} Medicine Hat Times, Feb. 19, 1891, "Moose Jaw Convention."
had been led to believe that Mr. Davin was almost invincible." 88

The editor hoped that these events would have a salutary affect on Davin since it had thus been fully established that there are not a few in his constituency, who have the courage to differ from him, and, who while perhaps approving his general career, are not prepared to endorse his every act. The constituency, too, will lose nothing from having disabused Mr. Davin's mind of the idea that he was the only one in Western Assiniboia fit to represent us in the Parliament of Canada. 89

The Leader, on the other hand, regarded the convention as simply an absurdity which Mr. Davin and his friends had been forced to attend. 90

Thus, the nominating convention, which Davin had hoped to avoid, had been a near thing; still, he had successfully met the challenge to his candidature, whether "foul play" had been intended or not. However, he was to face yet another challenge, and this of his own making, before he could present himself to the electors of Assiniboia West.

It was barely six days after the Moose Jaw convention when Davin's sun almost went into eclipse again. The occasion was a meeting at Medicine Hat at which, according to the report in the Medicine Hat Times, "Mr. Davin was in bad form, in fact he was to all appearances partially intoxicated, yet he spoke as well as many an ordinary man does in his sober senses." 91

88 Feb. 19, 1891, "The Convention."
89 Ibid.
90 Regina Leader, Feb. 17, 1891, "That Convention".
91 Feb. 26, 1891, "Mr. Davin Censured."
citizens of Medicine Hat were appalled at this unseemly conduct in one who aspired to represent them in the councils of the Dominion, and at the conclusion of Davin's rambling address, it was moved, seconded, and carried sixty-four votes to four:

That the disgraceful conduct of Mr. Davin since the Moosejaw convention is censurable and unbecoming and renders him unfit to represent this district in parliament. 92

Realizing the damage that might be done to the Conservative cause amongst the substantial puritanical element in the constituency, Daniel Mowat, president of the Regina District Liberal-Conservative Association, prevailed upon Davin to take the pledge, 93 and in the Leader of February 24, amongst the professional cards and advertisements for lost and strayed horses and for teachers wanted, there appeared Mr. Davin's renunciation of "the use of stimulants of all kinds," and his promise "to be in future a strict teetotaller and to use [his] influence, pen and tongue on the side of total abstinence." "I fully realize," he went on, "that drinking has been the bane of my life and I am determined to quit it forever." 94

The reaction was immediate: the Standard suggested that pledge had been given under "peculiar circumstances," and that Davin had been in "a bemuddled condition" when he gave it; 95

92 Ibid.
93 Regina Standard, Feb. 26, 1891, "Mr. Davin and his Pledge."
94 Regina Leader, Feb. 24, 1891, "Cards".
95 Regina Standard, Feb. 26, 1891, "Mr. Davin and his Pledge."
the Medicine Hat Times commented that the apology "made on the eve of an impending election, has about it a suspicious ring, yet we cannot see how the electors of Western Assiniboia can refuse to accept it"; 96 the Regina Leader, having reminded its readers that Davin had been nominated "unanimously" at the Moose Jaw convention, and having pointed out that he was about to become a member of the temperance society in Regina, suggested that "No man is perfect, and no doubt Mr. Davin has faults and has made mistakes, but these should not be allowed to out-weigh the services he has rendered before and since his election." 97

Comment on the incident was not confined to the editorial columns: a constituent wrote to the Medicine Hat Times to point out that conduct "which is censurable and unbecoming [in Mr. Davin] and renders him unfit to represent this district in parliament, is overlooked in the case of the C.O.M. of Canada..." 98 while another letter-writer, however, described the pledge as a "disreputable production, concocted on Sunday, printed on Sunday and, with brazen effrontery dated on Sunday..." 99 Regina Conservatives were similarly of two minds: a meeting of the association held on February 24, debated the following motion:

That it is the voice of this meeting that all Conservatives should stand true to Mr. Davin he being the Nominee of the Convention at Moose Jaw and endorsed by

96 Feb. 26, 1891, "Mr. Davin Censured."
97 Feb. 24, 1891, "Western Assiniboia".
98 Feb. 26, 1891, "Temperance or Politics".
99 Ibid.
the Government [sic] as their candidate [sic], and that we disapprove of the action of certain parties in endeavoring to make a split in the ranks of Western Assiniboia. 100

To this motion an amendment was moved by D.L. Scott and D.A. McDonald:

That all the words after the word that be substituted by the following 
"This Meeting shall defer taking any action until after Nomination Day." 101

The amendment was defeated, and the minutes do not include a notation respecting the fate of the motion.

The result of Davin's indiscretion was a contest which, as indicated in his letter to Thompson some weeks earlier, he had hoped to avoid. His opponent, a Conservative, was the man who had come so close to winning the nomination from him at Moose Jaw -- Thomas Tweed of Medicine Hat.

The campaign issue in Assiniboia West thus became the personalities of the candidates rather than the programmes of the parties. Davin was assailed for having "manipulated" the Moose Jaw convention to his own advantage, 102 and Tweed was attacked for having gone back on his solemn post-convention promise of support to Mr. Davin. 103 Furthermore, there were undoubtedly many in the constituency who, since the Medicine Hat incident, would have agreed with the editor of the Regina Standard

100 Minute Book, Feb. 24, 1891.
101 Ibid.
102 Regina Standard, Feb. 26, 1891, "After the Nomination."
103 Medicine Hat Times, Feb. 19, 1891, "Moose Jaw Convention."
when he said:

Mr. Davin in the quietude of private life will have ample opportunity to reflect upon his past career, to subdue the passion which has been the bane of his life, and to convince the public that his avowed determination to reform and to use his talent in the advancement of the temperance cause is genuine. In the meantime, Mr. Tweed will attend to our interests at Ottawa. 104

On the other hand, while Davin may have had cause to regret the affair, he saw no reason why it should end his political career. Indeed, from his demeanour in front of a Regina audience on nomination day, one suspects that he simply shrugged off the moralist's indignation and applied the politician's dictum that any publicity is good publicity. He explained to his audience that on the way to that fateful meeting in Medicine Hat he had met an old friend who had invited him to take a glass of wine at dinner. He confessed that it was very wrong of him, that it was a bad thing for him to drink that champagne, since, he said:

... my temperament was never able to stand anything strong. My system is so constituted that if I took a single glass of wine you could see in my eye there was a drop more than nature put there...; but [he went on] do you mean to tell me that men are fit to sit in judgement on me who are accustomed nightly and daily to take their horn (Cries of "No" and Cheers) -- men who sit over their whiskey till morning -- men who sit over the gaming table, with the little joker up the sleeve and in the other hand the right and left bower. (Laughter).

And he continued:

104 Feb. 26, 1891, "Tweed vs. Davin."
Gentlemen, some of you know that I can't drink whiskey. My physique is so well constituted that the least stimulant gets to the brain and produces an effect which it would not produce on duller brains. (Cheers and Laughter).

Then, having pointed out that other men, men such as William Pitt and Alexander the Great, had suffered from the same weakness, Davin proceeded in these words:

If I have served you nine years are you to forget those services for men who, if you sent them down to Ottawa, would be merely votes -- men who can drink whiskey all the time and stand it, because it would require an Etna to fire their brain. (Deafening Cheers and Laughter). Gentlemen, you know that I have been all my life more of a teetotaller than a wine drinker or beer drinker. (Cries of "So you have.")

While the Medicine Hat incident may certainly have focussed attention on Davin's weaknesses, it would be incorrect to attribute the anti-Davin sentiment in this campaign to that unfortunate affair alone. There were other and more deep-rooted sources of opposition with which he had to contend, the extent of which is revealed in his correspondence with Sir John Thompson after the election.

I have to thank you for the kindness you showed previous to my election [he wrote on April 18] and for the promptness with which you have acted when I have made any suggestion in the interest of the people or the party. I suppose you know your agent here D.L. Scott Q.C. was one of my great protagonists. He is a poorly endowed creature -- without influence -- without power of any kind -- a flabby mass of conceited mediocrity. All the influence and coercion (& this was supposed to be

105 Regina Leader, Mar. 3, 1891, "The Nominations").
omnipotent) Herchmer could use was against me; all the power of the Departments of the Interior & of Indian Affairs was stealthily used against me; the C.P.R. in one entire division but not with the wish of Van Horne; the leading Grit who opposed me in '87; the Lester Kaye farms; the western jealousy of Regina.

Once more let me thank you. I am sure you behaved sincerely -- Such cowardly treachery I have never even read of as was manifested in a certain quarter.106

Thus, while the Reformers might claim that the Tories benefited, particularly in the North-West Territories, by being assured of the vote of a prolific "establishment," namely, government employees, the Mounted Police, and the vested interests such as the railway and the land companies, it is apparent that Davin did not enjoy this particular advantage. Indeed, Herchmer was able to circumvent instructions from Ottawa that he inform his officers "that the police were at liberty to vote how they pleased," simply by adding, according to Davin, "but I am in favour of Tweed."107

It was in this atmosphere, then, that Davin submitted himself to the electors who returned their verdict on March 5, 1891. Davin was re-elected with a majority of 327 which was a mere twenty-four votes higher than his majority had been in the party fight of 1887. He had captured 67.5 per cent of the popular vote, an increase of 4.4 per cent from the last election, but at the

106 Davin to Thompson, Apr. 18, 1891, Thompson Papers, Vol. 127, No. 15278, P.A.C.
same time it should be noted that the total number of votes polled had increased over 1887 by 45.7 per cent. Of the twenty-five polls, Davin lost Moose Jaw, Beaver Creek, Caron, Swift Current, Maple Creek, and Medicine Hat to Tweed.108

Editorial comment on Davin's victory varied in tone: the Standard was "confident the greater number of those who opposed [Davin] yesterday, will become his fast friends" should he adhere to his promises to perform his public duties faithfully;109 the Medicine Hat Times, under the revealing heading "The Cause of Right Triumphs," claimed that the electors had demonstrated with no uncertain sound, they prefer an experienced and tried man, who, having committed a fault, has the manliness to acknowledge it and promises to do better in future, to an inexperienced, untried man who in his ambition to grace the lobbies and drawing rooms of Ottawa, breaks a most solemn pledge.110

The Moose Jaw Times commented tersely: "We extend our congratulations and look forward to a career of greater usefulness in the ensuing sessions of Parliament than in the past."111 Frank Oliver of the Edmonton Bulletin could not resist reminding his readers that the Regina Leader had claimed before the election that no sane person would deny Davin's eminent suitability as a Member of Parliament, and he suggested that "Judged by this standard the election returns show that some 660 of the free and independent of Western Assiniboia are insane, for they de-

108 Medicine Hat Times, Mar. 19, 1891, "Davin's Majority."
109 Regina Standard, Mar. 6, 1891, "After the Battle."
110 Mar. 6, 1891.
111 Mar. 13, 1891, "The Victory."
clared that Mr. Tweed was more fit to represent the constituency than Mr. Davin."112

An analysis of the motivation of an electorate, a delicate undertaking at the best of times, must be approached with even greater caution with respect to Assiniboia West in 1891, where despite the absence of a predominant party issue, the political atmosphere appears to have been remarkably fluid and uncertain throughout the campaign. Nevertheless, certain generalizations do emerge. On one hand, this election, contested by two candidates of the same party, shows more clearly than would have been the case had a partisan contest occurred, that Davin's control of his constituency was tenuous to say the least. After representing Assiniboia West for four years in the House of Commons, Davin was able to win approximately only the same proportion of votes as he had in 1887. On the other hand, however, if the "establishment" were in fact against him, as Davin claimed, the results would also suggest that he did enjoy the loyal support of a substantial group of settlers. Moreover, the antagonism of the police, the railway, the land companies, and certain departments of the federal government would also suggest that Davin was not the mere tool of the administration which his opponents in Parliament claimed him to be. Thus, whatever motives the electors may have had, and whatever influences may have been at work against him, Davin was returned for the second time, but the results appear to be amenable to at least two contradictory

112 Mar. 21, 1891.
interpretations: his friends could claim that even the opposition of certain government departments and other powerful institutions in the North-West had failed to detract from his popularity with the electorate; his enemies could argue that even after four years in office and in a contest against a candidate from his own party who had entered the field at the last moment, Davin had been unable to make any substantial improvement to his record of 1887.

Back in Parliament after the election, Davin continued to press upon the attention of the House the interests of his constituents, and in particular to pursue those matters which had been left unfinished from the last session, foremost of which was the second homestead issue. On June 1, 1891, he moved a motion urging that

... it should now be enacted that all those settlers who came in between 1st June, 1883, and 2nd June, 1886, should, on completing their improvements, be granted a second homestead. 113

In both the motion and the ensuing debate Davin recited the developments to date and again stated his case for second homesteads. While he found some support, notably from Laurier and Mills, the Treasury Benches, for which Dewdney and Thompson were spokesmen, remained unconvinced, and MacDowall from Saskatchewan claimed that the people of the North-West were not in sympathy with the resolution. When Sir Hector Langevin moved the adjournment of the debate, a motion which, if carried, would send Davin's motion to the bottom of the order paper, Davin

divided the House saying: "I have carried my constituency with the whole weight of authority against me, and I am pledged to my constituents to divide the House on this very question." 114

The adjournment motion carried in spite of Davin's substantial support from the opposition. Thus no marked progress was made, but at least the opposition appeared to have been convinced of the logic of Davin's case, and even the prohibitionist Grip was somewhat sympathetic to Davin when it commented on the debate in these words:

To [Davin's] demand, the Hon. Mr. Dewdney conclusively replies by alleging that Davin has broken through his temperance pledge since his arrival in Ottawa. We scarcely see the connection, though it is no doubt plain, looked at through Mr. Dewdney's eye-glass. One thing is tolerably clear, however, and that is, Dewdney and some other alleged ministers will have to go pretty soon. 115

Later that same month Davin brought the matter forward again, this time in a bill to amend The Dominion Lands Act, which, amongst other things, would extend the time for making a second homestead entry to June 2, 1889. "Should this clause be adopted," Davin advised on introducing the measure, "you will hear no more of second homesteads in this House." 116

Before the bill was called for second reading Davin took the precaution of making private representations to the Minister of Justice, and he forwarded to the Minister his own views together with those of John Secord, a former member of the North-West Council, and W.B. Scarth of

114 Ibid., c. 629.
115 June 13, 1891, p. 376.
the Canada North-West Land Company.\textsuperscript{117} This made it clear to Thompson that Davin was not arguing for the principle of second homesteads, but for the justice of the claim of those who had settled during the period the provision was in force.

When Davin's second homestead motion was called again on August 3, 1891, he withdrew it, in favour of his bill, and Laurier chided him on this occasion by saying: "I understand that the prospective Minister of the Interior has a Bill which practically includes this resolution"; Davin replied meekly: "I do not understand the jokes of the hon. gentleman"; but another member added: "The hon. gentleman blushes."\textsuperscript{118} His bill was called for second reading that same day, but he chose not to move it since he understood that "the Government intends to move it on to the Government Orders."\textsuperscript{119}

Davin's bill itself was not in fact transferred to government orders, but the Minister of the Interior introduced an amendment to The Dominion Lands Act on second reading of which Davin again urged upon the government his case for second homesteads. Later, just before the bill was reported out of Committee of the Whole, Davin said:

\begin{quote}
Before the Bill is reported, I trust that the hon. Minister of Justice will say something about the second homestead clause, because we really had a kind of understanding, though not such as pledged
\end{quote}

\textsuperscript{117} Davin to Thompson, July 18, 1891, Thompson Papers, Vol. 133, No. 16176, P.A.C.


\textsuperscript{119} Ibid., c. 3307.
the Minister or the Government, that the matter would be placed in a more satisfactory position.\(^{120}\)

In reply, Thompson acknowledged that he had promised to state the views of the government on the matter, and he expressed the opinion that further study was required since it was not certain how many settlers or how much land would actually be involved.

I believe that if the principle were worked out, as regards all who might possibly make claims, [Thompson replied] it would involve a concession of upwards of a million acres of land. We desire to investigate what these various classes of claimants are, and what extent of land would be involved in meeting their claims; and we shall be in a position to deal with the matter next session, perhaps as a Government measure. At all events, we shall be in a position to give the House such information as will enable it to deal with the matter with intelligence in the early part of the session.\(^{121}\)

With this the second homestead issue was closed for the time being, but an ultimate solution seemed very close at hand.

In March of the following year Davin was again in correspondence with the Minister of Justice with respect to second homesteads:

I trust that the Govt has decided to do justice to those men who came in between the 2nd of June 1884 & the 2nd of June 1886 [he wrote] & had become morally entitled to a second homestead by the 2nd of June 1889. The estimate given you (quoted in your speech last Session) of the amount of the public domain involved I am quite sure is grossly exaggerated, but if it were correct, 1st


\(^{121}\) Ibid., c. 6228.
justice should be done -- *fiat Justitia*
-- 2nd nothing would result contrary to
the accepted policy of settling the North
West.\(^{122}\)

Shortly thereafter Dewdney introduced a further amendment to
*The Dominion Lands Act*, and in his speech on first reading
informed the House that one of the provisions of the bill was
to extend the time for second homesteading from June 2, 1887,
to June 2, 1889.\(^{123}\) Thus it was at last provided "that any
person who, on the second day of June, in the year one thousand
eight hundred and eighty-nine, had obtained a homestead patent
... shall be permitted to make a second homestead entry."\(^{124}\)

It had taken some five years and a variety of parliamentary and
persuasive tactics, but Davin had obtained, in the face of the
opposition of the government, and particularly the Hon. Edgar
Dewdney, Minister of the Interior and himself a North-West member,
and with little support from his backbench colleagues from the
North-West, a measure of justice for a certain group of settlers.

Another piece of unfinished business, and a matter of par­
ticular concern to the western settler, was the administration
of the North-West Mounted Police which, under Commissioner
Lawrence Herchmer, was the subject of considerable criticism in
the territorial press. Herchmer's rigid concept of military
discipline, coupled with periodic outbursts of a violent temper
directed towards both his troops and the civilian population

\(^{122}\) Davin to Thompson, Mar. 8, 1892, photostat in A.S.
\(^{124}\) 55-56 Vict., c. 15, s. 4.
alike, tended to override any appreciation of his devotion to duty. While the conditions of service and the responsibilities of command may have justified Herchmer's rule of iron, his reputation as a martinet caused a restless dissatisfaction within the force which was in turn reflected beyond the police posts and barrack squares of the North-West.

Consequently, during the session of 1890, Davin had moved for a select commission of inquiry into the management of the Mounted Police and the conduct of Commissioner Herchmer, and in arguing his case he claimed that under Herchmer the morale and efficiency of the police were in jeopardy, and the people of the North-West were treated by Herchmer "as if they were dirt beneath his feet." Davin argued that the Commissioner was by temperament unsuited to command since minor offences of his men frequently merited severe punishment, while light punishment was sometimes given for far more serious crimes. Such gross injustice, Davin suggested, would not be condoned in the ordinary courts of law.

The government opposed Davin's motion, and in the debate Sir John Macdonald explained to the House that Herchmer's faults were the "faults of his good qualities," and because he was stern, firm, and a good disciplinarian, he was just the man for

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126 Ibid., c. 1504.
127 Ibid., Mar. 31, 1890, Vol. II, cc. 2674-80
128 Ibid., c. 2686.
THE ESTIMATION IN WHICH COMMISSIONER HERCHMER IS "HELD."

Sir John.—"Evidently he is unfit for the position, but I'll keep him in it, as his father was a friend of mine."

Sir Richard.—"Quite right; and I'll stand by you for the same reason."
the job. It was further charged by Mr. T.M. Daly, Conservative member for Selkirk, that this was "a matter of personal spite and spleen upon the part of the hon. member for West Assiniboia," and in spite of support from a few Conservative members and from the Liberal opposition, Davin's motion was negatived on a recorded division. He had, however, accomplished his purpose indirectly, for Macdonald advised the House that it was his "intention to have a departmental investigation, at the request of the Commissioner, into all the charges made heretofore or which may be presented against him when that departmental enquiry is undertaken."

The debate served other purposes as well: not only did it bring to the attention of the House, the government, and the country a matter which was correctly or incorrectly regarded as a grievance in the North-West, but it gave a slight glimpse of the strained relations which had by this time developed between Davin and the leadership of the Conservative party. Davin considered that he was doing nothing but his duty, an unpleasant duty made more unpleasant by the fact that he was opposed by the Prime Minister and therefore by the party over which he properly exercised a great influence. Davin acknowledged also that he fell under that influence as much as any other member of the party, but, he added:

I may tell you that if the frowns of the right hon. gentleman have any terror for me, it is only because of my affection

130 Ibid., c. 3355.
for him. It is that alone which arms that frown with terror for me. But, Sir, I say that nobody can have influence over me to the extent of preventing me doing my duty in this House. I have a duty to perform and I do not care how it may result to myself. I can parody the words of Edmund Burke and say:-

"I know the map of Canada as well as any man, and I know that the course I take does not lead to preferment." 131

Thus it is difficult to argue that Davin was motivated solely by a spirit of personal vindictiveness against Herchmer, for while it was true that the two had crossed swords on a number of occasions, and in fact Davin had been fined by Herchmer for a minor liquor offence in 1883,132 it is also true that as editor of the Leader Davin was on record supporting Herchmer and the police in several instances,133 as well as administering editorial rebukes when he felt it necessary.134 Moreover, both as an editor and as a Member of Parliament he had advocated reforms in the conditions of service which showed his genuine concern for the morale of the members of the force and for the force itself as a public institution.135 Indeed, it could more easily be argued that spite and vindictiveness were on the other side, for in the election the following year Davin found Herchmer's "power and influence" being used against him, and it

131 Ibid., c. 3365.
132 See Regina Leader, Aug. 16, 1883, "Justice in Regina."
133 See for example ibid., June 9, 1885, "The Mounted Police."
134 See for example ibid., Aug. 16, 1883, "Law and Justice."
is not unlikely that Davin's outspoken criticism of the administration in this and other matters would at least partially explain why, as he put it, "the whole weight of authority" was used against him in the election of 1891.

The departmental inquiry was conducted by Fred White, the Comptroller of the North-West Mounted Police, and his report was tabled in the House during the session of 1891. In his concluding remarks White said: "It will be observed that, with few exceptions, I have endorsed the commissioner's action in the various matters on which complaints were based," and he added that in his opinion Herchmer's unpopularity was due "almost exclusively to infirmity of temper, and lack of tact in dealing with the public and those under his command." The tone of these remarks was neither critical nor apologetic, but on the contrary, the Comptroller suggested that Herchmer's forcefulness and devotion to duty were essential characteristics for the commander of a force scattered over a large territory and exercising wide and varied responsibilities in bringing "a wild and undeveloped country into a state of civilization...." 136

The matter was not, however, disposed of by the Comptroller's report, for the departmental inquiry had not been made under oath, and the lingering dissatisfaction over the affair was such that Herchmer himself had requested Davin in February of 1891 to move for an inquiry under oath. 137 Herchmer had declared, Davin

137 Davin to Thompson, July 7, 1891, photostat in A.S.
informed Thompson, "that the police were demoralized; that his officers did not respect him; nor did Fred White." Davin therefore moved again for an inquiry into the general conduct of the Commissioner adding on this occasion the words "and especially with reference to his conduct during the last election in Western Assiniboia, and also into the conduct of the officers and men of the Force in the said constituency during the election." Thompson replied for the government and acknowledged that although Mr. White's report was "a very full and elaborate document," it had not been possible for him to make as thorough an investigation "as it would have been desirable to make before the charges could have been considered as having been entirely disposed of." It was therefore the intention of the government, Thompson went on, to order a full inquiry under oath, and under these circumstances, and at the request of the Minister, Davin withdrew his motion.

The inquiry was conducted by Mr. Justice Wetmore, and his report was tabled in the House on March 3, 1893. In reply to a question asked on March 15, Davin elicited the following summary of the report from the Hon. W.B. Ives: one hundred and thirty-seven charges had been preferred against Herchmer of which Wetmore found fourteen proved, and twenty-three proved in part; none of the charges affected the honesty or business capacity

138 Davin to Thompson, July 7, 1891, photostat in A.S.
140 Ibid., c. 2920.
141 Sessional Paper No. 47 of 1893 (Not Printed).
of the Commissioner or the efficiency of the force; Wetmore did find, however, that Herchmer was "liable to lose his temper"; the course the government intended to take in view of the results of the inquiry was "under the consideration of the Government." Thus Davin had again demonstrated that he could, when occasion demanded, tread steadfastly on the path of duty as he saw it, even when the performance of that duty appeared to run counter to the interests of his party and when he himself was accused of being motivated by "personal spite and spleen."

While it does not appear that the personal relationship of Davin and Herchmer had ever been one of warm friendship, it would seem unlikely that Davin would act as he did simply to seek vengeance on Herchmer for any real or imagined personal wrong. On the contrary, both before and after the inquiry, both in Parliament and out, Davin had amply demonstrated his concern for the Mounted Police as a praiseworthy and respected North-West institution. On more than one occasion in Parliament he defended the force against the onslaughts of a parsimonious Reform party, as for example during the session of 1894 when he argued that the police were economically managed, and performed a valuable service to the nation in maintaining peace and harmony in the North-West. Mr. McMullen suggested that Davin's interest in the force arose from his fear of an Indian outbreak, and while such an outbreak was unlikely, McMullen could well-understand his fear since "[Davin] belongs to that class of men to whom, in the

142 H.C.D. Mar. 15, 1893, c. 2387.
case of an outbreak, one pair of legs would be worth two pair
of hands." Davin was, of course, more than equal to this
style of debate, and a few moments later he rose to say:

... I must say that the slaughtering heroism
of the hon. gentleman transcends in one
direction anything that I have ever shown.
He never rises in the House without murdering
the Queen's English; he never rises in this
House without dealing out wholesale slaughter
against Lindley Murray; and I confess that,
in his performance of these great feats and
these bloody onslaughts upon the literature
and language of England, he rises to a pitch
of valour and heroic distinction to which I
could make no approach whatever; and I do
not profess to rival my hon. friend in that
kind of courage. 144

As for the National Policy, Davin continued generally to
hew to the line he had marked out for himself in earlier sessions.
He was to be found expressing his view that the railways should
be made legally responsible for such things as fire-guards and
safety devices; 145 he took up the cudgels on behalf of the propo-
sal, dear to the hearts of his constituents, for a railway to
the Hudson's Bay; 146 he moved a motion advocating a reduction in
freight rates in the North-West Territories. 147 Yet he was not
content merely to dabble with the superficial aspects of the
railway problem, and in a Parliament where there were many who
would claim that railways and politics were synonymous, Davin
spoke, as he had earlier in his newspaper, of the dangers of a

143 Ibid., June 20, 1894, Vol. II, c. 4653.
144 Ibid., c. 4657.
147 Ibid., July 8, 1895, Vol. II, c. 4022.
railway monopoly, and he cautioned the House that:

... much as we are pleased with what has been done [by the C.P.R.], much as we are pleased with the fact that this iron band put across the continent with so much skill has given a guarantee to the world and to ourselves of our national development, we cannot close our eyes to the danger that the day may come, the day may be at hand, when the whole railway system of this country may pass into the hands of one great corporation ... and the man who controls that corporation is practically the director behind the Throne. 148

He went on to remind the members that the only interests of a railway company were those involving its own welfare -- "A corporation has neither a soul to be saved, nor is there any effective means of punishment available" 149 -- and he concluded with these words:

... I say this, that it is the duty of men who have no interest but the public interest to serve, to alarm the public mind on all occasions like this into watchfulness, so as to secure that we will take care in the future to minimize the dangers of railway power to the progress and the liberty of Canada. 150

Similarly, with respect to immigration Davin continued to urge, as he had in the past, that the government should undertake more vigorous and effective methods of peopling the West, for, "if Canada is to be to the Empire what Canada is capable of being, those Territories must be filled up." 151

149 Ibid., c. 4636.
150 Ibid.
accomplished, in his view, only by large-scale, government-sponsored immigration programmes and not by the "stray efforts made by charitable associations, and the scanty efforts that can be made on the small sums hitherto voted by Parliament."\(^{152}\)

Yet in the popular mind it was the tariff which was the embodiment of the National Policy, and it is in his discussions of the various aspects of the tariff that Davin's concept of emerging Canadian nationalism is most clearly revealed. While he was essentially a protectionist, he was anything but doctrinaire in tariff matters. He argued that the National Policy "was made for the country and not the country for the National Policy,"\(^{153}\) and the protectionist must therefore seek an ideal tariff.

There must be a tariff [he said later], moving along the ridge of which you will give that protection to native industries which will foster them and keep them healthy, and at the same time protect the people from the grasping policy of the manufacturer, protect the people from being mulcted in the goods they buy and being made to pay more for them than they ought.\(^{154}\)

In Davin's view a protective tariff should not be designed to protect special groups, but to protect the country as a whole, and he claimed:

that any view that stops short of regarding this country as an organic whole ..., that looks to the benefit of any single member of that organism as against the rest, takes

\(^{152}\) Ibid., c. 1874.

\(^{153}\) Ibid., Feb. 8, 1893, c. 464.

\(^{154}\) Ibid., Feb. 13, 1893, c. 613.
a narrower view than is consistent with even local wisdom, above all, consistent with patriotism to the country in which he happens to live.\footnote{155}{Ibid., Apr. 2, 1894, Vol. I, c. 536.}

Consequently, the tariff required constant adjustment; "like every other good thing, [the tariff] requires to be constantly watched and regulated in order that it shall be in accordance with the needs of the community."\footnote{156}{Ibid., Jan. 27, 1896, Vol. I, c. 680.} Such attention and regulation, such adjustment and alteration, resulted in what Davin described as "scientific protection."\footnote{157}{Ibid., c. 679.}

He found, however, that the gospel of scientific protection was not easily understood by the uninitiated, and his opening remarks in moving a motion for the abolition of duties on agricultural implements point to some of the difficulties he experienced.

... I fear that many hon. gentlemen in this House and out of it find it difficult to understand the discussions which sometimes arise in connection with the tariff. The average political mind seems equal to the task of understanding the politician who will vote for a protective tariff without any modification whatever, or the politician who says he is opposed to protection and will vote against any form of protective tariff. But the man who says: I am in favour of protection and, under certain circumstances, protection may mean the abolition of all duties whatever, is not understood. For, what is the object of all protection? The real object of all protection is not to protect the manufacturers, but to protect the country itself. If the main object of protection was to protect manufacturers...
without any consideration for the country at large, why that protection, by the very statement of the formula of it, is condemned as iniquitous. And so the protective tariff must be framed to so affect the industries of the country as to bring the greatest possible advantages to the country itself. 158

He pursued this argument of the national well-being in his criticism of the tariff policies proposed by the Liberal party, and he suggested that when Liberals "talk in this vague way about free trade they are simply talking to please the ears and deceive the judgment of the people." 159 He charged that their progress from unrestricted reciprocity to commercial union was a "depraved line" which would end with annexation, 160 and he demonstrated this point with one of his most colourful analogies:

A commercial unionist may deceive himself, and he may think himself loyal, that he could not be a traitor. Natural history brings us into acquaintance with a very interesting animal, the tadpole. It is not a fish, yet it dare not venture on dry land, but the microscope will reveal rudiments of legs -- of legs to be. It does not require a very powerful political microscopic examination of a commercial unionist to find the rudiments of those feet that would lead him across the line. In fact, and I do not mean to be offensive, your commercial unionist is a tadpole traitor. 161

Davin’s performance in the House when tariff issues were raised show something of the difficulties his colleagues must have experienced in recognizing the consistency of a scientific

Davin, the learned Tadpologist.

A Commercial Unionist may deceive himself, and he may think himself loyal, that he could not be a traitor. Natural history acquaints us with a very interesting animal, the tadpole. It is not a fish, yet it dare not venture on dry land. But the microscope will reveal rudiments of the legs to be. It does not require a very powerful political microscopic examination of a Commercial Unionist to find out the rudiments of those feet that would lead him across the line. In fact, and I do not mean to be offensive, your Commercial Unionist is a tadpole traitor.—Davin's Speech in Tupper Debate.
protectionist. In 1891, for example, he is to be found arguing against the removal of the duty on binder twine since the Canadian industry would immediately be swallowed up by an American monopoly.\footnote{Ibid., July 6, 1891, Vol. I, cc. 1821-24.} A year later, however, and on various occasions subsequent to that, he was to be found supporting the removal of the duty on twine and certain other products required in agriculture.\footnote{Ibid., Mar. 28, 1892, Vol. I, c. 544 ff. See also for example \textit{ibid.}, Feb. 1, 1893, c. 159 ff.} Davin of course argued that circumstances had changed, that protection of these commodities had served its purpose since the industries were not only able to stand on their own feet, but to monopolize the market in the process. It should be added, however, that Davin was quite likely fully aware of the revenue-tariff policies of the rapidly growing Order of the Patrons of Industry,\footnote{For an account of the Patron movement see Louis Aubrey Wood, \textit{A History of Farmers' Movements in Canada}, Toronto, 1924, Chapters X to XIII.} and the increasing farm population in his constituency undoubtedly commanded his detailed attention to the peculiar relationship between the tariff and the agricultural industry.

It would, however, have been unlike Davin to overlook the cultural aspects of a tariff policy. He rose in 1893 to suggest that books less than twenty years old should be admitted duty free, for the duty worked a hardship on young classicists who must have available to them the most up-to-date classical criticism. By contrast, he argued that works of art, which then were...
NICHOLAS FLOOD—"Dearest one, entrust this little hand to me! I have long loved you unbeknownst, and on political issues our two souls have but a single thought, our two hearts beat as one!"

("So far as we can see, their (Patrons') platform contains planks he (Davin) has been advocating right along. As to Tariff Reform he has been one of the foremost protagonists for it in the House of Commons, and out of it too.—Kee Pine Leader.

From Grip, Vol. 42, No. 24, 1894, p.188.
admitted duty-free, could very well be taxed, for, he pointed out, "it is one of the most beautiful results of the increase of wealth, that as a man's balance at his banker's increases, his aesthetic perception of higher art increases accordingly."\(^{165}\)

It was men such as Sir Donald Smith who sat for Montreal West who could afford to pay duty on their pictures, not the poor classical students who should be charged duty on their text books.\(^ {166}\)

Other matters of national interest if not of National Policy attracted Davin's attention during this period, the most interesting of which is the motion he moved on May 8, 1895:

That in the opinion of this House, the privilege of voting for candidates for membership thereof should be extended to women possessing the qualifications which now entitle men to the electoral franchise.\(^ {167}\)

He demonstrated the fitness of women for politics by reminding the House of the great women of history who had had immeasurable influence in political matters: the reigning Queen Victoria, Queen Elizabeth, Mary of Scots, (whom he described as "a woman of great genius as well as of great beauty"), Margaret of Austria, the Duchess d'Angoulême (whom Napoleon described, according to Davin, as "the only man the Bourbons had produced"), Catherine

\(^{165}\) H.C.D., Mar. 28, 1893, c. 3258.

\(^{166}\) Davin made his point. The duty on university books was removed the following year. See H.C.D., Apr. 2, 1894, Vol. I, cc. 532-33.

\(^{167}\) H.C.D., Vol. I, c. 701. In rising to speak Davin was greeted with cries of "Carried," and one member called out "Married." Davin acknowledged that this might be one way "of extending the franchise to the ladies, but it is one that has not yet had my practical support." It should be noted that in June of this same year Davin married Eliza Reid of Ottawa.
of Russia, Maria Theresa, and Aspasia. If women such as these could discharge the highest political functions, why, he argued, could not other women be trusted with the smallest duty in the political sphere -- voting? And he reminded the members that "we are not to judge them by an ideal standard. We must compare them with the men who vote at the present time...." Davin was followed in the debate by Laurier who, while not personally objecting to the general terms of Davin's motion, moved an amendment which appeared to be designed to satisfy his Gallic conscience and his Reform principles: "... the question [he moved] ... like other questions concerning the suffrage, more properly belongs to provincial jurisdiction." Laurier's amendment and Davin's motion were both voted down and the question of female suffrage was left to a later generation of politicians.

If the debate on Davin's motion for votes for women was the occasion for a certain jocular good humour in the House, there were other occasions when Davin himself was the butt of a more barbed humour. Hector Charlesworth in More Candid Chronicles retails an account of an occasion upon which Davin was to address an audience somewhere in Grey County, Ontario, and in common with many speakers had left a copy of his speech

168 Ibid., cc. 704-5.
169 Ibid., c. 705.
170 Ibid., c. 719.
with the Ottawa Citizen. Unfortunately, a blizzard prevented the arrival of the speaker, the meeting was cancelled, and Davin telegraphed the Citizen the ambiguous instructions to "let the speech go," instructions by which the author intended to convey the cancellation of the speech, but which were interpreted by the editor as meaning to go ahead with it. When the undelivered speech appeared in the press the next morning it caused some embarrassment, but the error could easily have been explained away were it not for the fact that the paper had printed the speech as received from Davin, interlarded with such stage directions as "Cheers & Applause" at appropriate intervals, and "studded with questions to which the speaker had responded 'with ready wit.'" Nor was this to be the end of it for the unlucky Davin, for the Liberal member for a neighbouring constituency was not long in unveiling the faux pas, and he took particular pleasure in drawing "the attention of the House," according to Charlesworth, "to the utterances of the member for West Assiniboia as reported in the Ottawa Citizen." 172

Thus did the sessions of the Seventh Parliament pass, and thus did Nicholas Flood Davin contribute to the political and parliamentary life of the Dominion. Yet, while giving no public indication of it, he confessed to Sir John Thompson in 1893 that he was "sick & tired of politics," 173 and on another occasion

172 I have been unable to locate a report of this in the H.C.D., but there are certain oblique references to Davin's undelivered speech. See for example H.C.D., Apr. 22, 1895, Vol. I, c. 133.

173 Davin to Thompson, May 19, 1893, photostat in A.S.
admitted:

I ... bitterly regret I ever allowed myself even after months of pressure to be induced to quit the quiet of my study by my late "friend" Sir John Macdonald.174

Having expressed a strong desire to get out of politics, Davin asked Thompson for the position of Lieutenant-Governor of the North-West Territories.

As a North West man who has served the North West, who has its confidence, who has served the Conservative Party, who has served you ... who has done some service in the House of Commons, I think my claims overtop those of all others -- This is the first time I ever asked anything for myself -- but it is not a very objectionable request when I add that I shall not be in the least annoyed or disappointed if you refuse -- perhaps as well or better pleased by "no" as "yes"....175

Davin was not appointed Lieutenant-Governor of the North-West Territories, nor did he get out of politics at this time. In fact, there were still stirring political and parliamentary times ahead for the honourable member from the wild west.

174 Davin to Thompson, May 16, 1893, photostat in A.S.
175 Davin to Thompson, May 25, 1893, photostat in A.S.
CHAPTER III
A MATTER OF CONSCIENCE

The waters of Canadian public life abound with the rocks and shoals of racial and religious controversy, and the politician who would navigate these waters must know that there can be no safe passage, but at best only a course plotted carefully to avoid the known dangers to navigation, and steered skilfully to compensate for the currents and rip tides of public opinion. Nicholas Flood Davin was no stranger to these waters when he entered the House of Commons in 1887, and before he left the House thirteen years later he had experienced the treacherous back eddies from the rocks of both race and religion, The Jesuits' Estates Act being his first encounter.

The Society of Jesus had been suppressed by the Pope in 1773, and by a decision of the British government their estates, which, in 1774, amounted to some 891,845 acres were to escheat to the Crown upon the death of the last surviving member of the Order, and the proceeds were then to be devoted to educational purposes. The last member of the Order in Canada died in 1800, but in 1842 the Jesuits, having been restored by the Pope earlier in the century, returned to Canada, and since in cases of escheat there was a moral obligation to appropriate a portion of the sum to the carrying out the original intention of the donors and to the indemnification of those who might otherwise have been entitled to the estates, the Jesuit Order still held a strong enough claim to preclude the sale of the lands. Furthermore, the Quebec bishops claimed that with the suppression of the Jesuits, their lands should have passed to the dioceses in which
they were located rather than to the Crown. Thus the bishops too claimed an interest in the lands involved and a right to participate in the settlement.

Honoré Mercier, who led the Liberal party to power in Quebec in 1887, incorporated the Society of Jesus that same year, and the following year, with the assistance of the Pope as the only authority recognized by the bishops and the Jesuits to act as arbiter in a Church dispute, he worked out an agreement between the two parties for full legal settlement of the claims which aggregated some $2,000,000 upon payment by the Quebec government of $400,000 to the Jesuits and $60,000 to the Protestant schools in the province. The agreement was embodied in The Jesuits' Estates Act passed without opposition or dispute by both Houses of the Quebec legislature in 1888, but in Ontario where memories of the racial and religious issues arising from the Riel affair were still fresh, a furor was raised over what was considered to be the Pope's unwarranted interference in Canadian affairs. Splinter groups from the two great parties formed the Equal Rights Association under the leadership of D'Alton McCarthy, and the dispute was carried into Parliament in 1889 with the demand for disallowance of The Jesuits' Estates Act. The case for disallowance, embodied in a motion moved by Col. W.E. O'Brien, was based on the assertion that the Act was

beyond the powers of the Quebec legislature since it endowed a religious organization from the public treasury, recognized the temporal authority of the Pope, and in endowing the Society of Jesus constituted a threat to the civil and religious liberties of the people of Canada. Davin did not take part in the debate, but in the ensuing division he voted with the majority against the motion which was supported only by "the noble thirteen," a group of militant Protestant M.P.'s otherwise referred to as "the devil's dozen."

Davin did participate the following year, however, when the matter was reopened by Mr. J. Charlton (North Norfolk) who moved an amendment to the Supply motion to the effect that the question of the constitutionality of The Jesuits' Estates Act should have been submitted to the Supreme Court of Canada. Davin took issue with Charlton who, he said, "has once again wantonly thrown this apple of discord on the table of the House...." Having reviewed the chequered history of the Jesuit Order, and having defended the settlement effected by Mercier, Davin concluded by saying:

Now, Mr. Speaker, the hon. member for Norfolk (Mr. Charlton) referred in his speech to "Him whose Kingdom was not of this world." I believe, Sir, the hon. gentleman is a professed follower of Him whose Kingdom was not of this world. I

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5 Ibid., c. 4228.
believe he is a professed follower of Him whose teachings which so far as my reading goes -- and it runs in a sort of a way I suppose, over five or six literatures -- there is nothing, in this wide world, that has been written from the birth of time, to compare with these writings. And what, Sir, is the cardinal doctrine of it all? It is charity; love to your neighbour, pity for mankind, kindness, making people love each other, and you loving your brother. That is the doctrine which runs through the teachings of Him whose Kingdom was not of this world. But here is a gentleman who makes professions which I would not presume to make, and yet, Sir, though he makes these professions, I would cut my right hand off, before I would take part in an agitation as he has done, so calculated to set man against man, and to raise up among our people, malignant, malicious, foolish, damaging and dangerous passions.

Davin's position was clear; this sort of thing was to him pure demagoguery. Yet for this very reason it was politically dangerous, especially so for an Irish-Canadian from County Limerick who claimed to have become "a very low English Churchman" by adoption.

6 *Ibid.*, c. 4236.

7 *Ibid.*, Feb. 12, 1890, Vol. I, c. 535. It might have been assumed on the basis of Davin's southern Irish ancestry that he was or had been brought up a Roman Catholic, but he declared on this occasion "Nobody supposes I have any leaning to [the Roman Catholic] church. I am a Radical on religious subjects...." See *ibid*. Moreover, T.P. O'Neill of the National Library of Ireland, Dublin, in correspondence with A.S. advises that Davin's birth is not registered in Roman Catholic parish registers between 1840 and 1844. On the other hand, there is little indication of a strong affinity for a particular Protestant denomination. In spite of his profession of Low English churchmanship on this occasion, it was not until the 1898-99 issue of *The Parliamentary Guide* that he listed his religion as Church of England, and the *Regina Leader*, Oct. 24, 1901, reports that Mrs. Davin was advised of her husband's death by the minister (continued)
Davin's next experience at navigating the reef-strewn waters of racial controversy came in that same session of 1890 when D'Alton McCarthy introduced a bill to abolish the dual language in the North-West Territories. The bill was a simple proposal to repeal section 110 of *The North-West Territories Act* which provided that either English or French might be used in the debates of the North-West Council and in proceedings before the courts, and that the records, journals, and ordinances of the Council were to be produced in both languages. According to McCarthy, the section had been inserted as a Senate amendment to the Act as passed in 1877 and had been left unaltered by subsequent amending Acts, but he argued that the continuation of the dual-language provision was inimical to national unity, and he claimed that the original provision for a dual language in the Territories had been a mistake since there was no legal requirement for two languages anywhere but in the Parliament of Canada and the legislature of Quebec. His proposal, he claimed,

7 (cont'd) of Knox (Presbyterian) Church, the church Davin habitually attended in Regina. In spite of having no apparent denominational preference, Davin was by no means irreligious. He reminded one audience that "religion is the politics of eternity, politics the religion of time, and you cannot act with a complete full-orbed duty in the one sphere without regard to the other." See clipping from *The World*, June 10, 1898, in A.S. file SHS 14. Perhaps the following lines, which Davin claimed to have been taught as a child, give the most succinct indication of his religious views:

Seek for the truth where'er 'tis found,
Amongst your friends, amongst your foes,
On Christian or on heathen ground, --
The plant's divine where'er it grows.

was in accord with public opinion as expressed in the territorial press and in a petition addressed to the House of Commons by the North-West assembly during the session of 1889 which argued that since the needs of the North-West population did not demand the official recognition of a dual language, the expenditure occasioned by such a requirement was unnecessary. 8

When McCarthy moved second reading of his bill on February 12, Davin rose immediately to move:

That this Bill be not now read the second time, but that it be Resolved, That it is expedient that the Legislative Assembly of the North-West Territories be authorized to deal with the subject of this Bill by Ordinance or enactment, after the next general election for the said Territories. 9

In speaking to his amendment he contended that the question was a local one and the decision should therefore be made by the North-West assembly, but he argued too that there was a question of justice involved, as there was on the second homestead issue, for if French-speaking settlers had been encouraged to move into the Territories expecting a statutory guarantee of their language, the guarantee should not be peremptorily repealed. 10 It could not be argued, Davin continued, that the repeal of the dual-language provision was justified simply because the French-speaking population was small: "... the bare fact of [the French] being outnumbered is a reason why, without giving them

10 Ibid., c. 533.
a hearing, we should not repeal this clause."\textsuperscript{11} He then proceeded to assail McCarthy's proposition that a nation can be formed only where there is a community of language, and he suggested that "... for a man of great influence and popular power to disseminate those fallacies throughout the country, is a very great crime and a very great misdemeanour at the bar of history."\textsuperscript{12}

I would not care in the least what he proposed to do [Davin continued] if he did not fall into such fallacies, misleading as they are and calculated to beget ideas which may indeed tend to the disruption of the country.\textsuperscript{13}

Finally, having shown that McCarthy's "main propositions" were "absolutely without foundation," that the deductions drawn from them were "fallacious," and that the authorities quoted in support of them "actually teach something else," Davin expressed the hope that there was "that grandeur of soul in my hon. and learned friend that he can come to the conclusion that he has been in error, and will determine to mend his ways."\textsuperscript{14}

As the debate continued it appeared that Davin's amendment was not acceptable to the House, and Mr. C. Beausoleil (Berthier) moved a subamendment declaring in effect that there was no justification for the withdrawal of the dual-language clause.\textsuperscript{15}

\begin{flushleft}
\begin{enumerate}
\item \textsuperscript{11} Ibid.
\item \textsuperscript{12} Ibid., c. 536.
\item \textsuperscript{13} Ibid.
\item \textsuperscript{14} Ibid., c. 545.
\item \textsuperscript{15} Ibid., c. 557.
\end{enumerate}
\end{flushleft}
the end, however, Beausoleil's subamendment having been defeated, it was the proposal of the Minister of Justice which carried the day. Thompson's subamendment was similar to Davin's amendment in that it left the final decision up to the North-West assembly which could act on the matter after the next general election in the Territories, but it also declared the determination of the House of Commons to resist any attempts to impair the covenants respecting the use of the French language.  

Thus Davin again demonstrated an inherent sense of justice and tolerance, a justice which was not confined to popular causes and a tolerance which was not dictated by political expediency, but in addition he demonstrated on this occasion a nice sense of that balance required of the parliamentarian when the local interests of his constituents appear to run counter to his own views of the broader interests of the nation. Davin was not to be stampeded by popular pressure, and when the McCarthyites claimed the support of the territorial press, Davin read to the House the comment of the Regina Leader of September 10, 1889, headed "The Dual Language." Let the question be raised, the Leader had advised, "but when raised let us discuss it as statesmen should discuss it, without violent or offensive language." And again: "If it should be decided that in any part of the Dominion the dual language is not necessary, let it be

abolished without exciting cries or dithyrambs, and vice versa." And finally:

We are in a new country in the North-West, let us make a new start and discuss any question that may arise, not in the deceiving glare of prejudice, but in the clear cold light of reason; nay, in the broad illumination of the Gospel of our Lord, who taught us that all men are brethren. If the continuance of the dual language is to be discussed it should be discussed in the same practical temper, the same absence of excitement, as we would discuss the building of a bridge over Boggy Creek. It is not necessary to be violent or offensive or to rail at this or the other section of the community....

This surely was a voice of reason, justice, tolerance, balance, a voice of responsible statesmanship, a voice which sought to reconcile rather than to abolish differences.

The breakers of religious controversy crashed ominously again in the House of Commons in 1894 when Israel Tarte, Liberal member for the Quebec constituency of L'Islet, moved a motion for papers respecting school ordinance number twenty-two passed by the Legislative Assembly of the North-West Territories during the session of 1892. The North-West Territories Act, 1875, had acknowledged the right of a Protestant or Roman Catholic minority in any school district to establish a separate school. The first territorial ordinance respecting education, passed in 1884, had placed the administration of schools in the Territories under a Board of Education chaired by the Lieutenant-Governor and operating in two sections, one Protestant, the other Roman Catholic.

17 As quoted in ibid., Feb. 12, 1890, Vol. I, c. 543.
This dual system of education was eliminated by the ordinance of 1892 which replaced the Board of Education by a Council of Public Instruction consisting of the Lieutenant-Governor and his executive committee plus four non-voting advisory members, two of whom were to be Protestant and two Roman Catholic. The result of this was, as a modern authority has pointed out, that the management of the schools had been virtually taken over by the State. The Council of Public Instruction assumed control of the administration of all schools in receipt of public funds, public and separate, in the matter of inspection, the certification of teachers, and the authorizing of textbooks.\(^{18}\)

The Roman Catholic hierarchy had approached the federal government in 1893 seeking the disallowance or amendment of this ordinance, but the federal government refused to take action and the territorial assembly, to whom the hierarchy had turned at the suggestion of Ottawa, proved to be similarly intransigent.\(^{19}\) Thus Tarte's motion brought the matter to the attention of the House of Commons where Davin, as a Member of Parliament and as a representative of the North-West, was again obliged to embark upon these controversial waters, and in so doing demonstrated that his rules of pilotage in such circumstances did not require him to seek either the Protestant or Roman Catholic side of the

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channel, but simply to take his departure from the facts of the case, and to make his landfall, according to his observations, at the truth of the matter.

At the conclusion of Tarte's speech in which he made the rather loosely documented claim that separate schools in the North-West had been "abolished" by the school ordinance of 1892, Davin rose, not "to oppose this motion, but to relieve the overwrought feelings of this House." He characterized Tarte's speech as "a vocal scrap-book," and he charged Tarte with having "failed to state the issue or the grievances which require remedy." Davin spoke, as he said,

with some earnestness on this subject, and for this reason: I say that it is more than one's patience can very well endure, to sit here, as I have for years past ... and hear hon. members, who know absolutely nothing of the North-west, speaking as though this or that section were being trampled under foot.

While admitting that he had heard one or two complaints about the regulations made under the ordinance of 1892, he stated that he had not heard complaints about the enactment itself, and he cautioned the House:

... that there never was a more mistaken course taken by anyone who is a friend of separate schools, than the course of ob-

20 H.C.D., Mar. 21, 1894, Vol. I, cc. 159-73.
21 Ibid., c. 173.
22 Ibid.
23 Ibid., c. 174.
24 Ibid., c. 175.
jecting to the state of things that exists at present. If you agitate it the result will be that a sentiment, partly provincial -- and I won't say that there is not another sentiment of a warmer character than provincial -- might be raised, and the results would be inimical to the very cause my hon. friend has at heart. 25

Indeed, he pointed out that the extremists on both sides of these racial and religious issues suffered very serious hallucinations with respect to the North-West, and in a comment applying to both the Tartes and the McCarthys, he said: "The bee buzzes as loudly and nonsensically in the head of my hon. friend as he buzzes in the heads of others." 26

When the House resumed debate on this motion on April 18, Davin reiterated his warning that should the school ordinance be disallowed or should the federal government prevail upon the territorial assembly to amend or rescind the ordinance, "an agitation dead against all separate schools in the territory" 27 would result.

There is not a part of Canada at the present minute where the breath of fanaticism is so mild as it is in the North-west Territories; [he said] and it is only such agitation as this that can disturb us by those religious passions that unfortunately have disturbed other provinces, and are fraught with so much evil. 28

Still, he argued:

I do not care whether he claims for a

25 Ibid., c. 179.
26 Ibid.
28 Ibid., c. 1629.
"Would you mind doing me a favor, McCarthy?"

McCarthy—"Delighted, I'm sure, Davin, if it's in my power."

Davin—"It is. Be so good as to mind your own affairs, and leave North-West grievances that don't exist to North-West representatives."

Protestant, a Catholic, or a Hindoo. I do not care whether it is for a worshipper of Buddha or a Christian; if justice is what Tartar claims ... he will find me with him.29

Yet where did justice lie in this issue? Or, more properly, where did Davin conceive it to lie?

There was not, as he saw it, "a scintilla of evidence that any rights of the Catholics whatever have been interfered with,"30 and he took some time to explain in detail the legal and administrative changes that had been effected by the school ordinance which had simply eliminated a dual system of education, and this to him, and he was a "pretty liberal man,"31 was a commendable reform, for, he argued, if one admits the necessity of a dual system of education,

Logically, this is the position you will be landed in, and you cannot escape from it -- that from one point of view, one set of teachers, one set of machinery, one set of scholars must all be wrong on one or two or three great subjects; you would pour out a stream of men, with false ideas on history, false ideas on science, false ideas on philosophy, literature, sociology; educated without being enlightened. You would be producing, if you look at the matter from the Catholic standpoint, bigots with the germs of religious hatred in their breasts, or, looked at from the other standpoint, laymen with the spirit of ecclesiastics.32

While Davin reminded the House that the point at issue was

29 Ibid., c. 1605.
30 Ibid., c. 1630.
31 Ibid.
32 Ibid., c. 1631.
not secular versus religious education, or the merits of separate or public or Protestant or Catholic schools, but simply whether or not the ordinance of 1892 and the regulations made thereunder had swept away the separate schools in the North-West Territories, he could not refrain from injecting into the debate some of his own views on education. Had the House been debating the advantages of a religious or secular education, Davin suggested, "I do not know but he would find me -- probably I have been born out of due time, and am a belated man -- standing side by side with those who believe that the best education is that which is shot through and through with religious teaching." And he went on:

The great men have come ... from a system where ... those facts that bear so powerfully on the moral nature and the reverence of the man, that tend to give him a true intellectual perspective, that enable him to see at once how great he may be and how small, as compared with other essences in the universe, he is -- that give him the idea of order, and enable him, whether he be educated in a democracy, a kingdom, or an empire, but especially in a democracy, to escape from the dwarfing influences of that 'plani aequori campi' -- that barren waste where every molehill exalts itself as a mountain, and every thistle waves itself as a forest tree.

The political overtones of this debate did not escape Davin, nor did they deter him from expressing his opinion on education generally, and particularly on the separate school system in the Territories. Still one detects a note of regret that the rewards

33 Ibid., c. 1605.
34 Ibid., c. 1606.
for liberality are seldom paid in political currency:

I have suffered politically for my liberality on such questions, [he said] because after all, I belong to the west, and I am an Ontario man, and nobody could be as liberal as I have been without exciting suspicion, however unfounded, and losing support which naturally belongs to me as a Protestant holding definite opinions on dogma. 35

Nevertheless, Davin had taken his stand on the issue and performed his duty in advising the House of the state of affairs in the North-West as he, a North-West member, understood it, and he concluded:

The only object I can possibly have is to force the truth on the people of Canada and on this House, because if this speech can have any effect in regard to my political position, it must be to injure me, that is, if there be that kind of power which is represented by certain remarks which I see here and there.... My only object must be that this House, so far as my poor testimony and my poor means of discussing a question go, shall be possessed of the truth. 36

He did not object to men fighting hard when they fought for political principles or party issues, and indeed he reminded the members that the English House of Commons had been described by a French spectator as a place where the rhetorical blows dealt out

were like these men dealt each other in battle, or on the sea in the old days, when yard was locked in yard and gunlip kissing gun. I do not object to all that, [he continued] but there is a limit beyond which party strife should not go. And that limit is passed when men will excite

35 Ibid., c. 1609.
36 Ibid., c. 1632.
racial or religious passions on groundless grievances, stirring up hatreds that may imperil the welfare or progress of a province, or even of the whole Dominion -- and doing it for the paltry purpose of trying to snatch a party victory.37

In view of the tenor of Canadian politics at this period when the country generally and the Conservative party particularly sorely missed Macdonald's skilful welding of a Protestant Ontario and a Roman Catholic Quebec, Davin's concluding plea is of considerable significance. He did not ask the House to support his position; he did not plead for public or separate or secular or religious schools; he did not contend for Ordinance 22; nor did he even suggest that the matter should be kept out of the political arena. Rather, he asked simply that members "make themselves masters of the facts" before discussing the question "in print or on the platform":

And if they do make themselves masters of the facts, [he continued] I care not how vigorously they fight, if they remember this, that in all our party struggles we should bear in mind that while we may be strong party men, we should be lovers of truth and patriots above all else.38

The House debated the territorial separate school issue again in the 1894 session when McCarthy moved an amendment to the motion for third reading of a bill to amend The North-West Territories Act. His amendment was designed to give the territorial assembly full control of education in the Territories and consequently the power of deciding whether or not separate schools

37 Ibid., c. 1634.
38 Ibid.
could be established, and he based his argument on the constitutional provision that education was a provincial rather than a federal matter. A subamendment was moved by Mr. S. Hughes (North Victoria) which would have prevented the territorial assembly from establishing separate schools, but when the House divided on the subamendment only Hughes and McDonald from Assiniboia East voted in its favour. 39

Davin rose later to remind the House that they were not voting on the separate school issue, but as to whether or not the powers of the territorial assembly should be enlarged; "That is the sole question, [he said] and voting on that question I shall vote in favour of enlarging the powers of the Assembly." 40 Nevertheless, he had spoken at some length on the question of separate schools, and had expressed his opinion that it was "far safer for the existence of the separate schools" for the control of education to be in the hands of the territorial assembly than to deprive the assembly of that control, 41 and he reasoned that there did not exist in the Territories any such feeling against separate schools as there is against being deprived of the power to which they believe they are entitled according to the spirit of the British North America Act. 42

Davin was referring to the fact that under the constitution

40 Ibid., c. 6143.
41 Ibid., c. 6140.
42 Ibid.
education was a matter for provincial jurisdiction, but the pro-
viso preventing interference with the rights enjoyed by a
religious minority at the time of union was regarded as a re-
striction of provincial control over education amounting almost
to a deprivation of a constitutional power. He took the position
that a provincial or territorial assembly exercising complete
control over education would be much more likely to deal justly
with a religious minority than if justice were forced on them
by an outside authority. Yet there was room to question this
assertion that separate schools would be safe in the hands of
the territorial assembly, for the supporters of separate schools
had before them at this very moment the Manitoba example with
all its constitutional complexities and legal niceties, and
Davin did not indicate in just what manner the temper of the
Territories differed from that of Manitoba on the separate school
issue.

Davin spoke too on his own concept of education, and in
opposing Hughes' subamendment he said: "The Territories do not
want to be told that they must have a certain description of
education, one that does not teach them anything about God but
simply questions of duty between man and man," and he went on
to suggest that:

... if real religious education is given by
either [Protestant or Catholic separate
schools], side by side with a good secular
education, I would infinitely prefer it for
myself, or for any relative in whom I was
concerned, to a mere secular education. I
cannot ... understand how any of the great

43 Ibid., c. 6141.
questions that a man of any education has to grapple with, can be met without facing at every step the propositions of religion. You cannot climb the starry spiral of science without on every stair being confronted with the great postulates of religion. You cannot have a thorough education, in my opinion, without its having been also a religious education. 44

Having thus declared his own personal views on religious education, he then felt it necessary to explain why he was in favour of handing over to the Legislative Assembly of the North-West Territories the complete power of dealing with the educational question:

I will tell you, Sir: [he said] We live in an age of wide suffrage; we live in a democratic community; we live in a time when the people rule; we live in a time when the majority is sacred, and when vox populi is actually vox dei. I do not say I would have preferred to live in another age, but finding myself in such a time I must live up to it. I live in a country and at a time when these things prevail, and I represent a constituency to whose opinions I am bound to pay some attention. 45

From this comment we learn almost as much about Davin as we learn about his views on education, but in particular the comment is of interest insofar as it gives a slight indication that Davin was not quite so sure of his grounds in claiming that the temper of the Territories was opposed to the abolition of separate schools. It is worth noting too, particularly in the light of later events, that Davin felt "bound to pay some attention" to the opinions of his constituents, but it is significant that he

44 Ibid.
45 Ibid., cc. 6141-42.
did not say he was bound to act in accordance with those opinions.

Thus these two debates on the separate school question show Davin in a rather interesting light. Not only do we find him arguing for justice as he had done on other occasions, not only do we find him interpreting to the House a state of affairs which existed in the North-West as a North-West member might reasonably be expected to do, not only do we find him appealing to the House to act on the basis of fact rather than prejudice as would seem natural in a man who took some pride in his own intellectual accomplishments, but we find him also introducing a fresh breeze of liberality not commonly associated with discussions of education in Canada. It was a liberality due probably to the fact that having been born and educated overseas, Davin was not wedded to the Canadian assumption that education was an either-or proposition, an alternative between state-controlled, secular schools on the one hand, or church-controlled, religious schools on the other. Education to him could never be the private preserve of the theologian or the mere moralist, and attempts to make it one or the other deprived it of its objective -- the enlightenment of mankind.

Yet could this dispassionate analysis, this aseptic sense of justice be expected to appeal to a Protestantism which had never really understood that the history of Christendom had not ended with the Reformation? Or could it, for that matter, appeal to a Quebec Catholicism which, while prepared to accommodate itself to a vigorous Anglo-Saxon majority, remained convinced,
nevertheless, that the Protestants of that majority were still heretics, and even the faithful amongst them somewhat less than civilized? Could Davin really explain to the members of the House as well as the electorate the intellectual consistency of his opposition to the disallowance of both The Jesuits' Estates Act, and the North-West Territories school ordinance of 1892, or how he could vote against McCarthy's proposal to repeal the dual language clause of The North-West Territories Act, and in the same session stand with McCarthy in urging that the Territories should have complete control of education? But this was Davin's dilemma; this was the dilemma of the poet in politics.

Davin made his final passage through the shoaling waters of racial and religious controversy in the great debate on the Manitoba School Question, and on this occasion the tides ran even more fiercely since the issue involved not merely the school system of Manitoba, but as well it brought the ambitions of a British and Protestant Ontario to possess the West into conflict with the "counter-claim of Quebec that the West should be the dual heritage of French and English."46 It was thus inevitable that the Manitoba School Question should become a national issue, that the currents of controversy should lead into the main channel of Canadian life, and that the navigator making his passage through that channel should be beset by the strong on-shore winds of provincial rights.

The dispute was but another phase in that unresolved conflict of race and creed amplified by the bigotry of a militant Orangism on one side and an ultramontane clericalism on the other which had most recently manifested itself in those controversies which have already been discussed. It began with the passage of The Manitoba School Act of 1890 which established a national school system in the province and abolished any form of publicly supported denominational schools. The Roman hierarchy moved against the Act by both a petition for disallowance and by litigation. The former was withdrawn and the latter delayed until after the election of 1891, and late in that year "the Manitoba School Question began its tortuous progress through the courts." On July 30, 1892, the Judicial Committee of the Privy Council handed down its decision which in effect declared the School Act to be intra vires thereby reversing the decision of the Supreme Court of Canada and upholding the judgement of the Manitoba courts.

Thereupon the Roman Catholic minority sought a remedy under section 93 of The British North America Act which provided that a minority deprived of educational rights enjoyed at the time of union might appeal to the Governor General in Council and ultimately, if necessary, to the Parliament of Canada for a remedy. The question of whether or not such an appeal lay with the Governor General in Council under these circumstances was referred by the federal government to the Supreme Court whose

47 Ibid., p. 250.
judgement, rendered in February of 1894, held that such an
appeal did not lie. This judgement, however, was also reversed
by the Judicial Committee of the Privy Council in a decision
rendered on January 29, 1895, and, in Morton's phrase, the
Judicial Committee had thus twice "returned to the government
the poisoned chalice of the dreaded obligation to deal with
the Manitoba School Question."48 In February of that year the
Governor General in Council heard the appeal of the Roman
Catholic minority, and on March 21 issued a remedial order to
the Manitoba government directing the province to restore to
the minority their right to denominational schools, a propor­
tionate share of the school grants, and an exemption from taxation
for the public school system. Greenway, the Manitoba Premier,
supported by a resolution of the Manitoba legislature, refused.49
Failing the success of further negotiations, the federal govern­
ment thus had no alternative but to introduce remedial legislation
in the Dominion Parliament.

Judging by the attitude of the territorial press, the
population of the Territories followed these developments with
interest, but it was readily apparent to the settlers that, as
Laurier's biographer later expressed it:

The school was merely the arena where
religious gladiators displayed their powers,
an occasion for stirring the religious

48 Ibid., p. 270.

49 For an account of these events see also Sissons, op. cit.,
pp. 180-95, and S.E. Lang, "History of Education in
Manitoba," Canada and Its Provinces, Vol. XX, Pt. II,
Toronto, 1914, pp. 417-47.
convictions and religious prejudices of thousands and of demonstrating how little either their education or their religion had done to make them tolerant citizens.  

The *Edmonton Bulletin* suggested in 1891 that since Manitoba had been the battleground upon which both Ontario and Quebec had struggled for twenty years to re-create their respective religions and cultures, Macdonald had called the election earlier than had been expected so that the government might avoid committing itself on the Manitoba School Question during the campaign and the Conservative party could continue to rely on support from both Ontario and Quebec.  

Still, territorial sympathies from the beginning tended to favour the Manitoba government, and the Supreme Court decision against the constitutionality of the School Act was reported by the *Saskatchewan Herald* as "a bad blow." Moreover, it is also apparent that from the outset the territorial population regarded the question of provincial rights to be as much at issue as any question of the rights of minorities. The *Saskatchewan Herald* made this point very clear: "The politician who proposes to restrict the liberties of a province is simply working his own destruction."  

At the same time, of course, the religious elements in the


51 Feb. 7, 1891, "The Elections." W.L. Morton says that Tache "was persuaded to withhold an appeal to the courts until after the election of 1891." See *Manitoba: A History*, p. 250.  

52 Nov. 6, 1891, "Manitoba School Act."  

53 Ibid., Nov. 4, 1892.
dispute were not ignored, and as the prolonged debate reached its ultimate climax the Regina Standard expressed the somewhat aggressive attitude of the extreme Protestants:

Let all loyal Canadians, irrespective of party, take advantage of their golden opportunity to crush the power of political Romanism in our New Dominion. To grant separate schools would be to establish by law a state church which arrogates to itself all power in heaven and on earth, and claims to hold on its possession the keys of gehenna. Like the warriors of London-derry 200 years ago, let us be deaf to all compromise and like them let our watchword be NO SURRENDER.54

But the Standard was not typical of even those few territorial papers which commented at any length on the school question. The complexities and dangers of the situation were noted by the Regina Leader:

This is a most momentous matter because the question before the minds of the lawyers and the appellants is not the question before the popular mind and it is impossible to get the popular mind to go into this question as a cold matter of law. The question before the great mass on one side is -- are we to be tyrannically deprived of certain rights? The question before the other is -- are we to be tyrannically bossed and dominated? These are not the technical questions but we say these are the questions, inflammable and dangerous, that are in the popular mind, and no legal argument can tone these down or mitigate the heat and it may be, the fury of the flames. Why not, as one of the clergy has suggested, find whether some solution is not possible that would

be acceptable to all and consistent with the preservation intact of the National System. 55

After explaining in detail the legal aspects of the remedial order, the editorial concluded that "from a legal standpoint the Council had no other course than the course it has taken; but speaking as statesmen we hope Mr. Greenway's Government may be allowed to deal with the matter." 56 Elsewhere, the Leader deplored the situation that had developed: "So important, so complex, so hemmed in with conflict and danger, and not one man in a hundred on either side capable of approaching the issues, some so delicate, without passion." 57 Thus, while territorial opinion by 1895 was decidedly opposed to federal interference in the affair, 58 there was also a fervent hope that the long-drawn-out dispute would soon be settled, for in commenting on the probable contents of the remedial bill, the Herald stated: "... it is thought it will be acceptable to the House and to everyone in the country who desires to see the question settled on its merits." 59

As the dispute has been kept up by eastern agitators [the editorial concluded], for the people of Manitoba have taken but small part in it, the proposed settlement will restore peace and contentment to the country. 60

55 Apr. 4, 1895, "The School Question."
56 Ibid.
57 Ibid., "Editorial Notes."
58 See for example Regina Leader, Oct. 17, 1895, "Mr. Laurier Behind Torres Vedras," and Saskatchewan Herald, June 21, 1895.
59 Saskatchewan Herald, Dec. 20, 1895.
60 Ibid.
For the politicians both in office and in opposition the issue was fraught with dangers, and Laurier and his Liberals must have been aware that should the Conservative government succumb to the lethal draught being relentlessly forced upon them, the "poisoned chalice" would as surely be offered to them in turn. True, both parties had their extremists violently committed on one side or the other, but the thoughtful men in both parties were fully cognizant of the difficulties of finding a solution which would fulfil the responsibilities of the federal government under the constitution and recognize and satisfy at the same time the rights of the minority and of the provincial legislature. Thus until the last moment both parties adopted the not-unstatesmanlike attitude of delay and cautious equivocation, for both knew that under the circumstances it was easier, much easier, to expound a solution from an editorial desk or a pulpit than from a seat in Parliament. It is not surprising then, to find that Davin was slow to commit himself to an irrevocable position on the Manitoba School Question, and even the Leader's pronouncements on the issue were at first couched as suggestions and hopes rather than demands. Still there is no doubt that Davin favoured a policy of non-interference reasoned from the very practical grounds that while The British North America Act may have given the federal government the right to act in such a situation, effective action could be taken only by the government of Manitoba.

In February of 1893, for example, the Leader had suggested that even if the Supreme Court ruled that an appeal from the minority did lie with the Governor General in Council, there was
very little the federal government could do to effect a remedy, and therefore, the editor asked:

Is not the manly, straightforward course then the one at once just and respectful to the Roman Catholic hierarchy and just and respectful to the country? If there is no intention of doing anything for them why not say so at once.61

A month later, however, in debate in the House of Commons on a motion moved by Tarte which condemned the manner in which the federal government had handled the Manitoba School Question particularly in referring the matter of the appeal to the courts, Davin defended the action of the government. The motion was ambiguous, he claimed: "Turn [it] one way and it has a Jesuit aspect; turn it the other way and it is all Orange."62 Still, it was not an idle question, since he welcomed "anything that will tend to dispel the cloud of prejudice ... that hovers over this country and threatens to shed its pestilential dews upon it."63 He argued that while ninety-five per cent of those who voted for him in the last election might take strong views "in favour of what, on the face of it, would seem to the popular mind, to be advanced by this motion,"64 and while he had presented several petitions from his constituents who were opposed to interference with the Manitoba schools, he felt that the difference of opinion amongst learned lawyers was "sufficient reason for

61 Regina Leader, Feb. 9, 1893, "The Manitoba School Question."
62 H.C.D., Mar. 8, 1893, c. 2024.
63 Ibid., c. 2022.
64 Ibid., cc. 2013-14.
referring this matter to a tribunal."65 Again in the following year when the House was debating the North-West school ordinance, Davin had this to say on the position of the Roman Catholic minority in Manitoba:

When the Manitoba school question comes up, if it does come up, I will be quite ready to express my opinion upon it, and that opinion is not very different from that expressed by the late member for Winnipeg (Mr. Macdonald) when he criticized the legislation of the Manitoba Assembly.66

Davin seems to have been similarly reluctant to commit himself on the hustings to a definite position with respect to this issue, but by 1895 he appears to have come out in favour of provincial rights and secular schools, although the circumstances of this commitment tend to show that it was made under duress. The Moose Jaw Times reported a political meeting held in Moose Jaw on March 12, 1895, at which, "Being questioned about schools, Davin said he favoured provincial rights and national, non-sectarian schools. (Hitchcock's words)."67 The significance of the parenthetical addition is clear from a report in the Regina Standard of another meeting held in Regina: "He (Davin) professed himself favourable to national schools, but at Moose Jaw the word non-sectarian had to be put into his mouth."68 However, the Standard very properly, albeit somewhat vindictively,

65 Ibid., c. 2023.
67 Mar. 15, 1895, "Now They're At It."
68 Mar. 21, 1895, "Very Badly Riddled."
challenged this "very reluctant assent" in view of Davin's pronouncements in the House of Commons with respect to secular and religious education, and the Standard concluded that Davin did not really believe in secular schools, but had been forced to support them because of their popularity with his constituents. Finally, the Leader sought to make Davin's position clear with the comment: "Mr. Davin's views on [the Manitoba School Question] have long been known, and known to be in accord with those of his constituents -- for Provincial Rights and Secular Education." However, if this was intended as a general statement of Davin's views on education, the editor was being somewhat less than candid, for Davin in the House of Commons had been anything but a strong supporter of secular education. If, on the other hand, this statement had been intended to apply solely to Manitoba, it could be interpreted to mean that if the province, in exercising its right to control its own educational system had adopted a policy of secular schools, then Davin favoured that policy not because he believed in secular schools, but because he believed that education was a matter falling solely within provincial jurisdiction. Yet this is speculation; the fact remains that his constituents had good ground for believing in 1895, notwithstanding the valid doubts cast by the Standard, that Davin stood for provincial rights and secular schools and would take a position in Parliament opposed to federal interference in the Manitoba school controversy.

69 Ibid., "Davinian Pledges."
70 Regina Leader, Mar. 21, 1895, "The Meeting on Saturday."
Whatever doubt there may have been respecting Davin's views on secular schools, there was no such doubt as to his point of view on federal interference with the school legislation of Manitoba. He had made it clear from the platform, through the columns of the Leader, and in the House of Commons that he believed the solution to the problem lay with the Manitoba government itself, and it should be noted that this stand was perfectly consistent with the views he had expressed in Parliament on the question of the Jesuits' Estates, the dual language in the Territories, the territorial school ordinance, and McCarthy's proposal to grant complete control of education in the Territories to the territorial assembly. It should be noted further, however, that while taking this position against federal interference, Davin had not publicly committed himself to oppose a government which proposed to interfere either by a remedial order, which had already been issued, or by remedial legislation which it was anticipated would be introduced at the forthcoming session. Perhaps he did not think it necessary to commit himself on what might be merely a hypothetical question, for in December of 1895 he had written from Winnipeg to Walter Scott, the new owner of the Leader:

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72 The sale had been concluded on Aug. 22, 1895, after protracted negotiations, and the final agreement included a clause (number 16) which had committed Scott to support Davin and the Conservative party at least until after the next federal general election, and had permitted Davin to retain control of the first two editorial columns for that same period. This resulted in a rather strange editorial situation, for Scott and J.K. McInnis had been (continued)
You may be quite certain Remedial Legislation will not come before the Dominion Parliament. The School Question has lost its great importance here in Manitoba. Greenway will carry the country. Opposition will not be wholly wiped out. Greenway will settle the School question or deal with it -- will settle it in fact before the new year is very old. As the Leader has always contended the Manitoba Legislature is the only power which should touch it.\textsuperscript{73}

Even as late as February 27, 1896, sixteen days after the remedial bill had been introduced, Davin was reporting to Scott that there was "still some idea something will occur to prevent second reading coming off," although by this time he was of the opinion that it would carry.\textsuperscript{74}

Davin's letters to Scott in these hectic months, written to provide background material and suggested editorial comment, indicate something of the "excitability of the House,"\textsuperscript{75} and it is no wonder the House was excitable, for in early January it was witnessing what might very well have been the disintegration of the Conservative party. Parliament met on January 2, 1896,

\textsuperscript{72} (continued) partners since 1892 as publishers of the Regina Standard, and, in June of 1894, at the instigation of J.H. Ross, Davin's Liberal opponent in 1887, and A. Hitchcock, who was for a short time in 1895 the Liberal candidate in Assiniboia West, Scott had purchased the Moose Jaw Times. In the meantime, McInnis had been nominated as the Patron candidate in Assiniboia West, and Scott was thus in the happy position of having a journalistic relationship with all three political parties. See Drake, \textit{op. cit.}, pp. 83-86, and D.H. Bocking, "Premier Walter Scott -- A Study of His Rise to Political Power", unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1959, pp. 9-17.

\textsuperscript{73} Davin to Scott, Dec. 30, 1895, Scott Papers, A.S.
\textsuperscript{74} Davin to Scott, Feb. 27, 1896, Scott Papers, A.S.
\textsuperscript{75} Davin to Scott, n.d., Scott Papers, A.S.
and the Speech from the Throne forecast the introduction of remedial legislation. 76 On January 7, after a long weekend adjournment, Sir Adolphe Caron announced to the House of Commons the resignation of seven Ministers, and two days later the House adjourned again until January 14. Davin could feel "The situation changing here every minute," 77 and at one stage he predicted "out of [his] own consciousness [that] Bowell will go out -- Tupper come in -- form Govt and after a few days go to the country." 78 The Conservative party did not in fact disintegrate; Tupper's reappearance seemed to breathe new life into the party, and Davin reported: "Make no mistake that Opposition in its present shape cannot win -- Tupper will carry 'a winner' to use the slang of the hour." 79 When the reconstructed ministry was announced in the House on January 15, Davin's comment shows something of the spell Tupper's very name seemed to cast over the party: "... Sir, Macbeth, at the famous feast, when the ghost of Banquo appeared to him, was never so unmanned as was the hon. gentleman [Sir Richard Cartwright] by the spectre of Tupper that rose before him." 80 Still there were doubts. A few days earlier Davin had written to Scott:

Whoever undertakes to reorganize the Cabinet unless he gives a strong government proclaims that the Conservative Party has

77 Davin to Scott, Jan., n.d., Scott Papers, A.S.
78 Davin to Scott, n.d., Scott Papers, A.S.
79 Davin to Scott, Saturday, n.d., Scott Papers, A.S.
outlived its usefulness. If old Sir Charles undertakes it & repeats the blunders of Abbott and Thompson he will close in shame & impotence the most successful of colonial political careers. If on the other hand he really gives a vigorous government he will have added enormously to his claims on Canada today & on posterity.81

But the touchstone of it all was the Manitoba School Question; "I think you will find [Davin wrote in mid-January] if Tupper weathers the storm of the Schools that he will carry things triumphantly."82

The cabinet crisis could have been Davin's long-awaited opportunity for a seat on the treasury benches. He had informed Scott, mistakenly as it proved, that "Perley and Lougheed are both going to be Ministers -- if I am not." He added, again mistakenly, "It is considered certain that Daly is going out -- hence this boldness of speech."83 It is not clear that Davin was actually offered a portfolio, but he himself reported to Scott: "I told Bowell I cd not go into any Govmt pledged to Remedial Legislation."84 If Scott knew anything of Davin's ambition, and he undoubtedly did, this refusal of cabinet office was the clearest statement yet of Davin's views on remedial legislation.

One of Davin's most significant comments to Scott was con-

81 Davin to Scott, Jan. 12, 1896, Scott Papers, A.S.
82 Davin to Scott, Jan. 24, 1896, Scott Papers, A.S.
83 Davin to Scott, Saturday, n.d., Scott Papers, A.S.
84 Davin to Scott, Jan. 25, 1896, Scott Papers, A.S.
tained in a post script to a letter dated January 25, 1896:

Bear this in mind [he wrote] it is im-
possible for you or me or anyone else
to fight strongly for Manitoba when
you know and I know that Greenway's
Government was ready to sell out --
perhaps has sold out as it is -- to
this Government -- they were on con-
sideration of getting School Lands --
& a number of other things -- to bring
forward provincial legislation to
satisfy the Catholics. I know nothing
of the Remedial Legislation but it may
contain a surprise.85

If up to this time Davin had resolved to oppose the government
on remedial legislation, was his resolve weakening? Or was
this perhaps an unconscious rationalization of an instinctive
desire to stand by his party in a crisis? It is difficult to
know, particularly since it was in this same letter that he
reported his inability to join a government pledged to remedial
legislation, and also since in this same letter he informed
Scott that D.H. Macdowall, the Saskatchewan member, proposed
to introduce a bill on the subject which "gives up the principle
of non-interference,"86 a bill which Davin described in "A word
of contemptuous blame" as "the bill of a baby. The House of
Commons would scorn to pass such a bill."87 Yet, at the same
time he advised Scott:

If I were you I would go very gently for
those who come out for interference with
Manitoba. It is the declared policy of
the Leader not to interfere. What is the

85 Ibid.
86 Ibid.
87 Ibid.
use of interfering? If they go far
enough to satisfy -- it will be an
outrage & impractical if they bring
forward a milk & water measure it
will satisfy no one."  

However, he concluded with the note: "Most -- nay all Conserva-
atives here assume [?] Sir Charles Tupper (Baronet) will
carry everything before him."  

It would seem, then, that the
significance of the letter and post script is not that it is an
indication of Davin's views one way or the other, but rather
that it is indicative of the diversity of interests and issues
which beset an individual member who eventually would be ex-
pected to declare himself in public. Such a state of mind can
be inferred from a later comment: "As to the school question
[Davin wrote on February 21] -- the leading men on both sides
are quaking about it."  

Thus events marched relentlessly on, and when a delegation
headed by Sir Donald Smith returned from Manitoba in February
having failed to establish any basis for negotiations with the
Manitoba government, there was no alternative but to proceed
with the remedial bill. On March 3, 1896, Tupper opened debate
on the motion for second reading. He stood squarely within the
four corners of the constitution, arguing that the Judicial
Committee of the Privy Council had ruled unequivocally that a

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88 Ibid. The words "very gently" appear in the original as a marginal insert.
89 Ibid.
90 Davin to Scott, Feb. 21, 1896, Scott Papers, A.S.
91 See Sissons, op. cit., p. 191.
grievance existed with respect to the educational rights of the Roman Catholic minority in Manitoba; he argued further that the constitution provided a means for the redress of such a grievance, and that the minority sought to avail themselves of this means of redress. It was not, according to Tupper, a question of denominational schools; it was purely a question of upholding the constitution and thus preserving Confederation. This his government intended to do, and on the rock of the constitution his government and his party intended to stand or fall. 92

Laurier followed. His position is summarized quite clearly in his peroration:

I know, I acknowledge, that there is in this Government the power to interfere, there is in the Parliament the power to interfere; but that power should not be exercised until all the facts bearing on the case have been investigated and all means of conciliation exhausted. Holding these opinions I move that the Bill be not now read the second time, but that it be read the second time this day six months. 93

It should be noted that Laurier's amendment, the six months' hoist, was a standard parliamentary amendment designed not to delay, but to kill the bill, and since the government had already made the measure an issue of confidence, party loyalty was at once a legitimate and necessary consideration for all members. Laurier could have chosen other forms of amendment, for example

93 Ibid., c. 2759.
by moving that a decision be deferred until a parliamentary committee could inquire into the matter, and had he done so the want-of-confidence issue would have been less clear, but in moving as he did he forced the House to decide not only for or against the bill, but for or against the government.

Davin's assessment of Laurier's position is contained in a letter to Scott dated March 5, 1896:

The stand Laurier has taken greatly appeals to my admiration [he wrote]. It is a pity he did not take it until he was forced. Still it is a noble stand for a French Canadian Catholic to take -- of course his speech and Geoffrion's show that he is not where you & I stand -- namely absolutely against interference with Manitoba. The only difference between him & the Government is one of degree. 94

He continued:

Now the only course open to the Leader in my opinion is something like this -- to welcome Laurier even at the last hour & though half way to the Western view -- But pointing out that those who ask for delay are as much remedial legislationists as those who propose the bill -- The Western view being to let the great prairie province alone, confident that if left alone her Legislature will do justice to the minority.

As for partisan involvement, he commented:

You have no idea of the pressure brought to bear on the Members of the Conservative Party who were opposed to remedial legislation on one ground or another --

He felt that the government's position was improving, but that

94 This and the following quotations are found in Davin to Scott, Mar. 5, 1896, Scott Papers, A.S.
his "defection" was regarded as a "terrible gap ... in the
Conservative artillery."

Someone was needed to have followed Laurier
who had raised a splendid but most vulner­
able structure someone who could have struck
at it before the mortar had hardened -- but
there was no man to do that. The last
person who came to me ... was Daly. So
inviting was the grandoise glittering in­
consistency of Laurier's speech that I
deply regretted that on this subject I am
so absolutely severed from the Government.

Incidentally, there is also the expression of a faint dismay at
the demands made on the time of a Member of Parliament:

I have not read a single page of a book
or paper for amusement since I came up to
Ottawa [Davin complained] -- nothing ex­
ccept something bearing on my ParIty work.
My wife complains we have so little con­
versation together. As I once said:­
If you keep yourself abreast the ParIty
work here -- it is as treadmill a job as
ever man undertook.

The debate was prolonged, and as the inevitable division
approached members hesitated to leave the precincts so that
Ministers were to be found with cots set up in their offices,
and members ensconced in blankets in the committee rooms. Some
sought merriment and relaxation to relieve what must have been
an incredible tension in the House, and on the night of March
18, in the midst of what was to be a forty-hour sitting, some
Conservative members held a "Symposium" in the smoking room at
which, so the Conservative Whip reported to the wife of the
Governor General, Davin "was called on to give a Blackfoot
Dance.... They had a long table with refreshments put up &
Mr. Davin wound up his dance by springing on this & jigging down
the centre kicking over bottles & tumblers & plates at every
This was, of course, but an interlude in the drama taking place in the Chamber, and as the debate wore on, and as speaker followed speaker throughout these days and weeks, Davin's understanding of the issue and of his duty with regard to it had begun to change, so that when he rose to address the House some time before midnight on March 19, he said:

This debate, Sir, is remarkable, perhaps in my experience, unique. It is unique in this. As it proceeded light was so cast upon the issue that new standpoints presented themselves, and the question here today is wholly different from that which has troubled the mind of the country for some twelve months.

The question of whether it was desirable to legislate along the lines of the remedial order had been "ipso facto decided in the negative so far as practical politics goes" the moment the bill had been introduced, but when the Leader of the Opposition moved the six months' hoist rather than an amendment calling for a commission of inquiry, "a wholly different issue and a more complexed issue was presented to the people of Canada, and directly to the members of this House." It was no longer a debate between remedial legislators and anti-remedial legislators, for Laurier, Mills, Martin, and "the great bulk of the Liberal party are as much committed to remedial legislation as Sir Mackenzie Bowell or the Secretary of State." The question at issue now was simply one of "etiquette"; The government, "to use the language


96 This and the following quotations are found in H.C.D., Mar. 19, 1896, Vol. II, cc. 4159-65.
of leader of the Opposition ... did not adopt methods sufficiently sunny." Why then, Davin asked, did Laurier move the six months' hoist "which is a denial of the principle he says he agrees with"?

The crux of Davin's speech is contained in these few sentences:

Sir, since I have weighed the arguments in this debate, I may tell you -- and I will take you frankly into my confidence -- that I have changed my opinion as to the course I ought to take. I changed my opinion, so as to be decisive as to the action and the course to which duty pointed, only after I heard the speech of my hon. friend for Bothwell (Mr. Mills), and it is, I think, not a weak compliment to pay that hon. gentleman. The speech that I heard from the member for Bothwell (Mr. Mills), clinched whatever influences were at work on my mind, and made it impossible for me to take the course I had determined to take, of resolute opposition at every turn to the policy of the Government in regard to this question. There is the strictly practical question: What is the use of voting against one set of men proposing remedial legislation to let in another set to propose remedial legislation? And there is the question of principle, on which my judgment has been, I say frankly, greatly influenced by the speech of the member for Bothwell (Mr. Mills).

Thus, while he realized that a violent attack on the remedial bill would probably strengthen him in his constituency, he realized also that having come to the conclusion he had, "there was but one course before an honourable man," and since there was "no ground for the anti-remedial legislator to stand on ... a man holding with the general policy of the Government would be false to every instinct of patriotism if he did not express himself at whatever cost, as I have expressed myself here."
Mills' speech, according to Davin, "was one of the closest, one of the best sustained arguments I have ever listened to in my life." The speech was, in fact, a penetrating and elaborate disquisition on the Canadian constitution as it related to the school issue in which Mills had acknowledged the legal and constitutional right to proceed with remedial legislation, but in which he also argued that in political terms the measure was prematurely before Parliament since the government had not established all the facts and had failed to negotiate earnestly and honestly with the Province of Manitoba. But Davin argued, the "lengthy, grandiose, ably sustained" argument "did not hang together" with the conclusion; it was "like a great Corinthian portico, pillar after pillar, crowned with ornate capitals, rising and stretching beautifully away in graceful perspective and stately grandeur, and all ending in -- a rat hole." With respect to provincial rights, Davin continued, Mills had shown that there could be no interference whatsoever, for "as long as the province acts within its provincial powers, it stands unimpeachable and impregnable, and can laugh at and defy all Dominion action." It is only when it goes beyond those powers, "when it becomes a trespasser," that Parliament can interfere. "Therefore, that cry of provincial rights is done away with." Then, having denied the necessity of an inquiry into facts that were acknowledged to be already "notorious," and having concurred

97 See ibid., Mar. 18, 1896, cc. 3816-78.
98 This and the following quotations are found in ibid., Mar. 19, 1896, cc. 4166-71.
in Sir Donald Smith's suggestion that unanimous agreement on second reading would render future negotiations "more effective and successful," he concluded with these words:

Sir, let me close as I began. No man can regard it now when we come to vote either on the first or second question, and especially on the question for the six months' hoist -- no man can say now that he is voting as to whether he shall be in the battalion fighting against remedial legislation or fighting for it. The question now is between two bodies of men both in favour of remedial legislation, differing as to when and how; one going at it practically with a measure in their hands, whether they are approved by others or not, but who have taken measures already, and who are on the road to settle it; and others wanting an investigation into facts which, to use their own language, are notorious, and which, if notorious, they do not need an inquiry to investigate. Let us rise for once above the mere question of using the great subjects of legislation that come to us here as weapons of partisan warfare, and vote on this question as patriots, determined to do our best for Canada.

The tension was released; the long period of indecision was over; Davin was committed. A few hours later he cast his vote against the amendment and for second reading of the remedial bill.

While Davin had directed his course according to his assessment of what was logical and honourable, and in so doing had demonstrated that there was in Parliament, for him at least, something of that "plasticity" which would allow the possibility of minds being influenced and even changed by the process of parliamentary debate, he was also fully aware that there were some who would regard his action as a remarkable reversal of
what had been expected of him. Consequently, he wrote a long letter to Walter Scott in explanation of his vote. "You will doubtless have thought," he began, "that strong party feeling overcame my own sentiments. That was not so." He referred again to "Mills' remarkable speech," and to the view that all but a few authorities recognized that a duty had been thrown on Parliament. On the question of federal interference he said: "I am convinced that I was too confident to give the question the study I ought to have done, and Mills' speech convinced me that provincial rights can no more be assailed by this parliament than federal rights by a provincial parliament." In summary he wrote:

Once my convictions on this subject underwent a change, my duty, but certainly not my inclination pointed in one way, because I had everything to lose and nothing to gain by the course I determined to take. I could still have voted against the Bill; but its second reading asserted only the principal [sic] of Remedial redress.... I could have paired with Dr. Montague and so kept my name out of the Division; I could have abstained from voting; I put these courses aside as the suggestions of weakness.

In advising Scott of what he ought to do he reminded him that "the Privy Council is part of our constitution," and the constitution should not be defied. "Your view," he continued, "which was mine also of non-interference is only tenable now as an abstract proposition." In conclusion, he wrote:

Without strong reasons I would not throw

99 This and the following quotations are found in Davin to Scott, Mar. 21, 1896, Scott Papers, A.S.
away so much. I who told Mackenzie Bowell that under no circumstances could I enter a cabinet pledged to Remedial Legislation.... I have written at great length because I vehemently desire that you should go into this question thoroughly, and I have the certainty what the effect of that will be which is born of my own strong and overwhelming conviction.

The reaction to Davin's vote, in some circles at least, was swift and vigorous. The Regina Standard, predictably, listed Davin with the "seven traitors from Manitoba and the Northwest Territories, who represent (or rather misrepresent) the country...",100 and in the same edition the editor asked:

... how does the conduct of Nicholas Flood Davin, himself an Irishman and an alleged Protestant, contrast with the manliness and courage of him whose price was thirty pieces of silver, and who when he realized the magnitude of his offence, had the decency to hang himself?101

The Saskatchewan Herald, on the other hand, while making no specific reference to Davin, said:

Looking at the protracted discussion that has marked the history of this subject, Mr. Bowell seems to be the only one who was really honest in his course. All others trimmed their sails to whatever wind seemed to promise success, or would lead to the overthrow of the Government. For Manitoba schools they cared nothing except as a means of attaining power.102

The Regina Leader was "humiliated, chagrined and amazed,"103

100 Mar. 26, 1896, "Only One Friend."
102 Mar. 20, 1896.
103 Mar. 26, 1896, "For or Against."
and at the end of a long and critical editorial on the subject indicated that because of Davin's vote it might not be possible for the Leader to support him in the coming election campaign.

However, second reading of the bill did not conclude the debate, for the measure had still to be considered in Committee of the Whole, but since the life of the Seventh Parliament was due to expire in a few short weeks through the efflux of time, the opponents of remedial legislation were in a unique position to employ with effect all the obstructive devices available. Thus, for all practical purposes, debate in committee was futile, but Davin's comments during this stage of the proceedings, as well as his letters to Scott, shed further light on his state of mind with respect to the Manitoba School Question, remedial legislation, and the duties of a Member of Parliament.

What is the good [Davin asked Scott] of the estimate of men about my character who with twelve years experience before them jump to a conclusion because in one of the most difficult points of conflicting opinions & duties, I take a course which no man with any authority would dare say was other than constitutional.104

In this same letter he indicated that he had not been subjected to coercion in any way; he had made up his own mind on the matter, and indeed, as late as the night previous to the vote, had in effect "voted for Laurier's amendment and against the second reading -- having paired at about 12 o'clock p.m."105 As for the bill itself, aside from the principle of remedial legis-

104 Davin to Scott, April 7, 1896, Scott Papers, A.S.
105 Ibid.
lation, Davin was of the opinion that "This bill is not worth the paper it is written on unless Greenway cooperates." 106

On another occasion he explained again:

That though Remedial legislation is in the constitution yet it would be better not to make use of it. Will this position enable you on a mere question on a vote on principle to vote against those who make use of it? It would justify you in not proposing the policy were you in power; it would justify you in opposing the details of the bill; it would justify you in pressing its withdrawal; it would [not] justify in voting against second reading. 107

Finally, on April 18, Davin wrote to Scott in a last attempt to secure a reconciliation, and on this occasion he said:

I of course agree with you that I made a great personal sacrifice in the vote I gave; I was fully conscious of it at the time; but looking at the circumstances of the case from every point of view at the time I felt it my duty; I feel that it was my duty now; although it looks as if on that question I shall have to stand against the policy of the conservative party. But how would it have mended matters from the point of view of carrying out my opinions to have had Mr. Laurier going to the country with Remedial Legislation on his banner? I should be in the same position as I am, differing from both the parties on the subject. 108

106 Ibid.

107 Davin to Scott, Apr. 11, 1896, Scott Papers, A.S. The word "not" is omitted from the original, but the sense of the passage suggests the omission was unintentional.

108 Davin to Scott, Apr. 18, 1896, Scott Papers, A.S. The salutation of this letter was "Dear Mr. Scott", rather than the "Dear Scott" which Davin had used previously, and the letter ended with the hope that "perhaps in conversation we may be able to understand each other better."
A reconciliation in fact proved impossible of attainment, for Scott remained righteously indignant in the spirit of his "For or Against" editorial. Such righteous indignation, however, is more than a little puzzling coming as it did from Walter Scott who, through his editorial connections with three newspapers gave the impression that he was attempting to ride three political horses at the same time, a feat which was bound to raise questions respecting not only the skill, but the principles of the rider. Scott may have felt that Davin's vote on the remedial bill was a heaven-sent opportunity to escape from the terms of an awkward contract, for in the end, in spite of Davin's attempt to secure a reconciliation, a further agreement was drawn up by which Scott was released from his earlier commitment to support Davin and the Conservative party and the Leader was leased to Davin's friends for the period of the election campaign. 109

In the House of Commons too Davin found it necessary to defend himself against Scott's editorial attack, and he explained to the House that a journalist sitting down to write an article does not have time to weigh all the various factors affecting the judgement of public men. "It is easy to write an article after this fashion," he declared, "and I have done it myself," 110 but it was a different matter for a Member of Parliament to weigh the consequences of a vote of confidence in his

109 Bocking, op. cit., p. 27.
own party when "he agrees as regards nine-tenths of its policy and differs on one-tenth" particularly when if he votes against his party "he will assist in placing in power men who on that question hold the same opinions, or even more advanced opinions, then the men he turns out."\textsuperscript{111} Furthermore, he argued, "voting for the principle does not pledge you either to a single clause or to the third reading."\textsuperscript{112} As for the dual role of Parliament which this issue brought into sharp focus, Davin had this to say:

When we come to deal with this matter here in a practical way we find that this Chamber is not merely the great Consult of the nation but also the great battle ground between two parties, and you have to take into account the course that will be adopted and the use that will be made of the difference of opinion by unscrupulous partisans.\textsuperscript{113}

Davin was obviously fully aware of his dilemma, but it was a dilemma which would have been no less serious if the elements had been reversed, if he had voted against his party, for on the one hand he was accused of the crime of disloyalty to his constituents, on the other he would have been branded as disloyal to his party. He could do nothing more than make his decision, cast his vote, and defend the principles upon which he had acted. This he had done, and he concluded by saying:

\ldots I think the House is entitled from an hon. gentleman to an explanation of

\textsuperscript{111} Ibid.
\textsuperscript{112} Ibid., c. 5498.
\textsuperscript{113} Ibid., c. 5501.
his position, if he is placed in the position which would seem to the House to be either inconsistent or unworthy, and the country is also entitled to an explanation of his position. I have ventured to explain my position on the Bill. I have voted for the remedial principle on second reading of the Bill, but with the Bill itself I do not agree.\textsuperscript{114}

April 15, 1896, was the last occasion upon which the House considered the remedial bill, and before the committee rose the Hon. J.A. Ouimet, Minister of Public Works, suggested that the Conservative party would fight the forthcoming election under the banner of remedial legislation. Davin replied: "Well, Sir, it would be very inconvenient if that should be the banner under which the Conservative party is to fight, for I shall not be found fighting under that banner."\textsuperscript{115} Again he explained the influences which had caused him to vote as he did, influences such as the speeches of Mills and Smith:

\begin{quote}
but I was also influenced by this consideration, [he continued] that I had acted for twenty years with the gentlemen who compose the Conservative party; and, as I sat here ... and counted seventeen men on that side who voted against the second reading, and there were three men on this side ... who were certain to vote the same way -- making twenty in all, or a difference of forty in the majority, I thought that the Government were beaten; and I turned round and said ... that I had acted with those gentlemen for twenty years, and under these circumstances the man would be dastard who would not stand up and break the wave that came to sweep them away; and I rose and did it. I was greatly influenced by that. I do not say
\end{quote}

\begin{footnotes}
\item[114] Ibid., c. 5503.
\item[115] Ibid., Apr. 15, 1896, Vol. II, c. 6471. Several other Conservatives took a similar stand.
\end{footnotes}
I was wholly influenced by that, for I was not. In all crises like this, one is influenced by several motives. 116

Finally, he concluded by saying:

But we have come to the end of this matter, and I certainly cannot allow this question to pass from Parliament without saying what my opinion is -- that it is not in the interest of the country or in the best interests of the Conservative party, it is not called for by any grievance commensurate with the remedy applied, that we should produce a Bill of this sort which cannot be implemented, which mocks translation into action; and if you translate it into action you can only do it by forging into the constitution a principle ruinous to the very ends you are immediately aiming at and inimical if not disastrous to Canada itself. 117

Was Davin hedging? It is difficult to say, but even more difficult to demonstrate that this was a conscious attempt to have the best of both worlds, for he had long ago contended that the Manitoba government was the only authority competent to deal with the matter, and he stood by the principles of his second reading vote to the very end. On the contrary, this stand would appear to be consistent with the essential principles of parliamentary debate, and Davin was saying merely what other politicians have said before and since: I agree with the principle of the measure, but I oppose the method by which the principle is to be applied.

Thus the Manitoba School Question was a decisive event in Davin's political career, for not only did it mark a turning

116 Ibid., c. 6475.
117 Ibid.
point in the fortunes of the party which he had supported for two decades, and a turning point also in the relationships between the two major racial and religious groups which the Grand Old Man of that party had welded into a cohesive political unit for so many years, but in addition, it brought into personal conflict those principles of party and Parliament which had been fundamental to Davin's concept of his role as a member of the House of Commons. Moreover, to a certain extent, it raised again the old non-partisan instincts of the people of the Territories he represented, and in later years Davin might legitimately have contemplated the extent to which his subsequent political career might have been different had he voted against the remedial bill. Yet it remained for the future to write a footnote to these events and to Davin's crossing of his personal Rubicon, for while it was true that Laurier did effect a settlement of this vexed question of Manitoba schools without resorting to coercive measures, it is also true that he was altogether too sanguine in expecting that his "sunny ways" were in themselves sufficient to implement a settlement even substantially satisfactory to both the Roman Catholic minority and the Manitoba government. 118 Time if not politics was to demonstrate that Davin's instincts to support the principle of remedial legislation rather than the principle of non-interference were justifiable, but whether these instincts arose from a sense of justice or of party loyalty must remain a matter of conscience.

118 See Sissons, op. cit., p. 194 ff.
CHAPTER IV

THE HONOURABLE MEMBER FOR DIXIE

The 1896 election must be examined not in terms of the Manitoba School Question alone, but in terms of a whole series of events, unfortunate events from a Conservative point of view, dating back to 1891 and earlier. The succession of prime ministers from Macdonald to Abbott to Thompson, Bowell, and finally to Tupper had done little or nothing to nourish confidence in the Conservative leadership; the scandals of the early nineties undoubtedly shook the confidence of the public in the Conservative party; the party itself was seriously split over issues of race and religion, and by 1896 it had been in office for eighteen years, two years short of that frequently fatal twenty-year life span of governments; the delayed tariff reform was regarded in the West particularly as too little and too late; depression and drought had taken their usual toll of government supporters. Moreover, under Laurier the Liberal party had become a resurgent political force, eager for office, and offering as an attractive panacea for the nation's ills a programme of low tariffs, provincial rights, and honest, economical government.

Something of these unsettling conditions as they affected Assiniboia West is apparent in Davin's correspondence with Thompson beginning as early as 1891. In November of that year he wrote: "There is a rumour abroad here of a general election. If there be any truth in it Heaven help the Conservative party, for only a miracle can save it." The letter continued:
My strong desire is that Mr. Abbott's Government should be successful. There has not been time for the great impression made by the scandals to wear away. True the bulk of Conservatives will vote Conservative; but it is not the bulk vote which wins -- it is the stragglers. You are sure of all the garment but the hem; it is the hem frays away. Go to the country now & it will be said it is fear respecting bye elections. Go to the country without reorganizing your Cabinet to which you were pledged and what will be thought of your good faith by the officers in your army to whom that pledge was given? Do you think the people wd stand it?

He advised Thompson to strengthen the cabinet, do good work for a session or two, and then go to the country; "Faith pure & simple is everything in religion; in mundane affairs we can have facts as well." The following month he confessed:

I have a queer sort of "gaingiving" as Hamlet says about my political heart in regard to your Government. I pray God it may not be so but I think the country is shrinking away from you. The people are beginning to talk pretty plainly up here. But of course Mr. Abbott may set all this right.

As for the religious intrigues within the party, Davin indicated to Thompson in 1893 that Clarke Wallace and Sam Hughes had arranged for all the Orange lodges from coast to coast to condemn Davin by resolution, and he charged that in Assiniboia West the Orangemen had launched a whispering campaign against him:

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1 Davin to Thompson, Nov. 23, 1891, Photostat in A.S. (Original in Thompson Papers, P.A.C.)
2 Ibid.
3 Davin to Thompson, Dec. 15, 1891, Photostat in A.S.
4 Davin to Thompson, May 16, 1893, Photostat in A.S.
Now there is no doubt that Wallace and Sam Hughes have been pulling D.J. Robertson & S. Gray -- respectively Secretary & W.M. of the Orange Lodge here this year. Gray goes from bar room to bar room & stands on the street corners whispering in the ears of every Orange supporter of mine that he can get hold of, that I am "A damned papist in disguise" with the comment that he would prefer "a papist straight & above board to a damned traitor."

He went on to point out that the Grits of Assiniboia West were full of confidence, and it was expected that in the next election they would run J.H. Ross, Davin's opponent in the 1887 election. Davin confessed that in that campaign when he had had "the whole power of the Government," including Dewdney and Herchmer in his support, Ross had given him a closer race than had Tweed in 1891 when these and other powers were supporting Tweed, and he went on to suggest, therefore, that there was a very real possibility that "Wallace may imperil the Constituency by influencing the Orangemen against me."

Party unity was thus of the utmost importance, and in November of 1893 Davin emphasized this in a long letter to Thompson:

Now [the Grits] are full of confidence that their party will sweep the whole Dominion. There can be no doubt a great reaction has taken place all over the West mainly I think owing to the low price of wheat & the delay contemporaneous with this in giving tariff reform. We shall therefore have a big fight next time; nor is it clear to me that we shall

5 Davin to Thompson, July 1, 1893, Photostat in A.S.
6 Ibid.
win unless the Conservative Party be united. 7

He recalled the advantages enjoyed by the Conservatives in his constituency in 1887: Ross was just beginning his political career; the Tories were united; the government supported the government candidate; Conservative policy for the North-West contrasted favourably with the Liberal record; the territorial election came some weeks after returns were in from other parts of the Dominion. These conditions did not pertain in 1893. On the contrary, he went on:

Recently little settlements from Bruce & Wellington have come in -- all Reform. The election will be run at the same time as those throughout the rest of the Dominion. Ross will certainly make a better run in 94 or 95 than in 1887 & if the Conservative Party remain divided will as certainly win.

Party unity was the key in Assiniboia West as well as throughout the Dominion, but the 1891 contest had "played entirely into Grit hands by dividing the party & the division has never been bridged over."

The chief thing [he concluded] is union -- & with the Party united I can certainly carry the Constituency -- but whether with so large a majority as in the two previous contests I will not presume to say.

I need hardly tell you I should not trouble you at this length if I did not know the crisis to be serious.

In all these communications the theme is the same, and even when Davin could report, as he did in January of 1894, that he

7 This and the following quotations are found in Davin to Thompson, Nov. 30, 1893, Photostat in A.S.
was "stronger apparently than ever" in both west and east, he added: "Nevertheless, I believe we are going to have a desperate fight."\(^8\) Still, while he may have been stronger than ever personally, he could detect "a feeling wide-spread and strong against the Government."\(^9\) The following month he advised: "... a good harvest & prosperous times -- that is the great thing -- Without that no Government should tempt its fate."\(^{10}\)

In August he was still confident that his constituency had never been in better shape, but he was still cautious too: "How it may be a year from now I know not."\(^{11}\)

At the same time Davin appeared concerned that Thompson and his associates were being somewhat naive in relinquishing to the Legislative Assembly such traditional instruments of patronage as the appointment of court house caretakers and the distribution of seed grain. To him this meant simply that the patronage would be distributed by his opponent, Jim Ross, who was at this date Speaker of the Legislative Assembly, and thus "The Party loses, but the country gains nothing."\(^{12}\) He complained about this to Thompson saying, "'It is magnificent, but it is not war'; it may be high statesmanship but I am quite sure

\(^{8}\) Davin to Thompson, Jan. 24, 1894, Thompson Papers, No. 24736, P.A.C.

\(^{9}\) Davin to Thompson, Jan. 29, 1894, Photostat in A.S.

\(^{10}\) Davin to Thompson, Feb. 8, 1894, Thompson Papers, No. 24908, P.A.C.

\(^{11}\) Davin to Thompson, Aug. 30, 1894, Photostat in A.S.

\(^{12}\) Davin to Thompson, Jan. 29, 1894, Photostat in A.S.
it is not astute politics." He saw no reason why a Tory
government should encourage the resurgence of their opposition,
a resurgence which they should do their utmost to combat, and
to this end he urged Thompson or some other Minister to come out to the West to counteract the influence of Laurier: "The coming of Laurier acted on the Grits like a shower of rain on slugs and snails [he wrote]; they have come out of their holes; and a certain Grit movement is going forward." He showed greater optimism in October, however, when he wrote:

I have this Constituency now that I can carry it flying & if I should die or retire any one of my friends can carry it as a supporter of yours. Until a few months ago I had trouble enough with the Dewdney intrigues. If the elections came off now I should be elected by acclamation & could then go & help whoever is our candidate in Western [sic] Assiniboia or in the Saskatchewan. It is important you should get a full support from the West.

This optimism appears to have been justified, for five months later, on March 12, 1895, Davin was nominated by the Conservatives of Assiniboia West at a convention held in Moose Jaw at which, in contrast to previous conventions, the utmost harmony appeared to prevail. No candidate was named to run against him, and even Mr. Tweed, who had been unable to attend, sent a message expressing his support. Candidates from the

13 Ibid.
14 Davin to Thompson, Sept. 1, 1894, Photostat in A.S.
15 Davin to Thompson, Oct. 4, 1894, Photostat in A.S.
16 See Regina Leader, Mar. 21, 1895, "Convention at Moose Jaw."
DAVIN IN THE SWIM.

"There is a tide in the affairs of men which, taken at the FLOOD, leads on to fortune."—Shakespeare.

From Grip, Vol. 42, No. 12, 1894, p.92.
other parties were also in the field in 1895: J.K. McInnis, editor of the *Regina Standard*, came out for the Patrons; and Mr. A. Hitchcock, a Moose Jaw banker, represented the Liberals for a short time, but he was later replaced by Mr. J.A. Grant of Fort Walsh. The Liberals eventually withdrew their candidate to leave the field to Davin and McInnis, but at the same time there were also rumours, which did not materialize, that a third candidate independent of the Liberals, Conservatives, or Patrons would be brought out, and the names of F.W.G. Haultain, G.W. Brown, and J.W. Smith were mentioned in this connection. Conservative suspicions of collusion between McInnis and the Liberals are reflected in the following lines which appeared in the *Leader* of May 28, and which chronicle McInnis' progress from Conservative editor to Patron candidate to Grit suitor:

I

I am McInnis.
I am the Thunderer.
I am also the Prince of the Floppers.
Conservative, -- that is while Dewdney's ads "Homestead Regulations" ran in my paper.
(Twelve cents a line first clatter, eight cents each subsequent).

II

Then when the Patrons formed -- deftly I did it.
Attended their lodges and spoke at their picnics.
Used every means to secure nomination.

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17 See *ibid.*, May 21, 1896, "The Political Situation."

18 See *Saskatchewan Herald*, Apr. 24, 1896. Haultain was the M.L.A. for Macleod; Brown was the M.L.A. for North Regina; Smith was a Regina hardware merchant and had been mayor in 1889.
III

Then with three candidates -- three-cornered shindy
Carefully, gingerly, softly I worked it.
Promised the Lib'rls I'd come out flat-footed.
If they would pull their man out of the contest.
Rightly they call me the Prince of the Floppers.
I am the Thunderer --
I am McInnis.19

The campaign in Assiniboia West as it developed through late April, May and early June or 1896 was a bitter personal fight between Davin and McInnis; the *Qu'Appelle Vidette* reported that the two candidates were "fighting tooth and nail in Western Assiniboia, where more personal ill-feeling is being displayed ... than is generally shown."20 Davin went to the people on the record of the Conservative government and his own record in obtaining increased powers for the territorial assembly, second homesteads, and a reduction of duty on farm implements. Moreover, he promised to continue to press for irrigation, reduced freight rates, alienation of government interests in town-sites, cold storage facilities, and compensation for scouts and Mounted Police who served in the Rebellion.21 Naturally, Davin's record appeared as something less than admirable when described

19 *Regina Leader*, May 28, 1896. No indication of authorship is given, but since in rhyme and meter this represents something more than a crude campaign jingo, it is reasonable to assume that it was written by Davin himself.

20 May 28, 1896.

21 See for example *Regina Leader*, May 7, 1896, "On the Stump," and *ibid.*, May 14, 1896, "Mr. Davin's Manifesto." Scott and Davin having been unable to reconcile their differences, an agreement was reached whereby the *Leader* passed back temporarily into the hands of Davin's supporters as of this date. See *ibid.*, "Repudiation."
by McInnis who on one occasion was reported as having "enter-
tained the audience, pointing out from Hansard what he claimed
to be great inconsistencies in the public conduct of the late
member, and claimed that the versatile talents of Mr. Davin
could be better utilized on the lecturer's platform, where con-
sistency was not an absolute essential."\(^{22}\)

Generally speaking, however, throughout the Territories
it was still the pros and cons of the National Policy which the
rival candidates debated. In Alberta, for example, the bulk
of Frank Oliver's election address was taken up with matters
concerning land policy, railways, and the tariff,\(^{23}\) while in
Assiniboia East the editor of the Qu'Appelle Progress maintained
that it was the National Policy that was at stake in the election,
and he suggested even that:

Mr. Clark [sic] Wallace and those who
agree with him in his views on the
Manitoba school question, will not permit
that minor matter to interfere with their
hearty support of a government which is
making such a brave and successful fight
for a policy which has built up a nation
and saved our people from feeling that
depth of commercial depression which has
passed over other lands.\(^{24}\)

Also debated from the platforms and in the columns of the
newspaper press throughout the Territories were the pros and
cons of the Manitoba School Question and its solution in terms
of the remedial legislation proposed by the Conservative govern-

\(^{22}\) Qu'Appelle Progress, May 21, 1896, "Political Pot Purri."
\(^{23}\) See Edmonton Bulletin, June 1, 1896, "Election Address."
\(^{24}\) June 18, 1896, "The Dominion Campaign."
The views of Laurier, a candidate in Saskatchewan, were of course well-known. In Alberta, Frank Oliver, running as an Independent Liberal, declared himself opposed to the coercion of Manitoba while his Conservative opponent, T.B.H. Cochrane, publicly subscribed to the views of Hugh John Macdonald who at an Edmonton meeting took his audience step by step through the Manitoba controversy indicating the constitutional justification for remedial legislation and concluding by assuring them "that no matter which side is victorious [the Manitoba School Question] will be settled between the Dominion and the provincial governments, and nothing like remedial legislation will ever be passed by the Dominion of Canada." In Assiniboia East, James Moffat Douglas, an Independent Liberal running with Patron support, declared that he was "prepared to oppose any bill to introduce separate schools from whatever source it may emanate." W.W. McDonald, the Conservative candidate in Assiniboia East, defended his vote for the remedial bill by arguing that he did not want to infringe upon the religious principles of the minority, that he was prepared to uphold the constitution which provided a means for the redress of grievances, and that he was prepared to stand by the government against the Liberal opposition whose criticism of the remedial bill had been that it simply did not go far enough. In Assiniboia West, McInnis, of course, was

25 See *Edmonton Bulletin*, June 1, 1896, "Election Address."
27 *Qu'Appelle Vidette*, May 21, 1896, "To the Electors of East Assiniboia."
an outspoken opponent of the coercion of Manitoba, and therefore Davin, like McDonald in Assiniboia East, found it necessary not only to pledge himself for the future on this question, but to explain and justify his performance in the past. 29

Once Davin had returned to his constituency from Ottawa he had found himself under consistent attack from the Liberal and Patron press for his vote on the remedial bill. "Mr. Davin's devious course on the remedial bill has considerably lessened his chances...," 30 commented the Vidette; and later: "Mr. Davin will again stand but it is apparent that he will be a long way from polling the full Conservative vote...." 31 Similarly, the Edmonton Bulletin commented:

Mr. Davin's course in opposing the remedial bill, then voting for it and then pretending to oppose it, presents him in a most ridiculous light before his constituents. They are accustomed to his political vagaries, but it is doubtful if they can tolerate him any longer. 32

Yet Davin was not without some support from the North-West press. For example, the Qu'Appelle Progress came to his defense with this item:

The Grit and Patron press are very severe on Mr. Davin for his action on the Remedial bill by voting for the second reading. His

29 Aside from Laurier, Davin and McDonald were the only two territorial candidates who had previously held seats in the House of Commons.

30 Qu'Appelle Vidette, Apr. 23, 1896, "Territorial Echoes."

31 Ibid., Apr. 30, 1896.

32 May 7, 1896, "In the West." See also Regina Leader, May 7, 1896, "Fools, All of us."
doing so did not ensure the bill passing the third reading, in fact, it has since been dropped, but Mr. Davin was not going to assist Mr. Laurier into power knowing that should such a calamity happen, the school question would be in a greater muddle than ever. 33

The editor may have been intending to defend Davin, but the item reads more as though he were attempting to conciliate the anti-remedial Conservatives.

Davin was thus in a very difficult position, for the Patron platform undoubtedly attracted some of his former supporters, and the remedial bill alone, to say nothing of his vote on second reading, had just as surely alienated others. Moreover, he must have been aware of the influence of the Orange lodges, amongst which his religious views were already suspect, whose stand on the issue of the Manitoba School Question is clear from the following resolution passed in May, 1896, at the semi-annual meeting of the Eastern Assiniboia County Orange Lodge:

That we regret to see both the greater parties of Canada pledged to remedial legislation, thereby enforcing upon Manitoba, against the wishes of the majority, separate schools. We recommend, therefore, that all members of Loyal Orange Lodges should vote only for such candidate at the ensuing general election for the Dominion parliament who will pledge himself against remedial legislation in any form. 34

Nor could Davin rely on any substantial Roman Catholic support, for the Roman Catholics of Assiniboia West represented approx-

33 Apr. 23, 1896, "The Coming Political Battle."
34 Qu'Appelle Vidette, June 11, 1896.
imately a mere seventeen per cent of the population.\(^35\)

In his election address Davin warned his constituents that the Manitoba School Question was being used as "a red herring affair -- and is being employed to divert your attention from great and lasting issues,"\(^36\) but red herring or no the charges against Davin were of sufficient importance to merit both an explanation of his past conduct on the matter and a pledge for the future. He therefore explained that he had had no mandate with respect to the remedial bill but to support the

\(^{35}\) The figure is interpolated from those given in Census of Canada, 1890-91, Ottawa, 1893, Tables II and IV, and Fourth Census of Canada, 1901, Ottawa, 1902, Tables I and X.

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<th>R.C. Popn.</th>
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\(^{36}\) Regina Leader, May 14, 1896, "Address to the Electors of Western Assiniboia."
Conservative government, and this he had done. Now, however, knowing the feeling of his constituency on the matter, he pledged himself "to oppose at every stage any bill interfering with provincial rights in Manitoba, and should any person be in a position to bring forth a stronger measure than that of last session I will of course a fortiori oppose him." In conclusion, he declared himself to be a supporter of Tupper, "with whom, however, I differ on the school question." Moreover, from several platforms throughout the riding, Davin explained his second reading vote in terms similar to those he had used in the House and in his letters to Scott, but one can detect in these explanations greater attention to the issue of party loyalty than he had previously admitted. For example, at Maple Creek, after a long and detailed account of the parliamentary technicalities of his vote, and after citing precedents from British parliamentarians, he had this to say of his speech on second reading:

The way I concluded that speech showed that when making it I had not then fully resolved to vote with the Government, and I repeat I should not have voted with

37 Ibid.

38 Ibid. In taking this stand Davin was doing what almost half the Conservative candidates in Ontario were doing, namely, running on the Conservative ticket with a caveat against remedial legislation, the issue upon which the party was appealing to Quebec for support. See Lowell C. Clarke, "The Conservative Party in the 1890's," The Canadian Historical Association Annual Report, 1961, p. 72.

the Government had not its fate depended on my vote. 40

Davin thus appears to have reversed the position he had taken in the House when he voted for the principle of remedial legislation. If the principle was defensible in April, why was it not defensible in May? If Mills' arguments had convinced Davin that remedial legislation did not interfere with provincial rights, why was it necessary to differ with Tupper on the school question? Or, to state the problem in the reverse, if the federal Parliament could not produce an effective measure to remedy the acknowledged educational grievances of a religious minority, why was it necessary to vote for a constitutional principle which defied implementation? The answers to these questions seem to lie somewhere between Parliament and party, for the remedial bill had become a paramount political issue, and Davin was fighting on that issue for his political life in a campaign in which a multitude of other factors left him no room to manoeuvre or compromise. In a confrontation with constituents in which the elements of the debate have been reduced to a brute simplicity, the politician on the defensive has no alternative but to temporize, and on the whole question of the Manitoba schools and his vote on the remedial bill, Davin and his party were on the defensive in this campaign.

Moreover, on this issue Davin and his colleagues were caught in the uncertainties of an upheaval in the power structure of the Conservative party, for the traditional racial and

40 Ibid., May 21, 1896, "Mr. Davin."
religious alliance which had maintained the Tories in power for so many years had been weakened by the disputes over the Jesuits’ Estates and similar matters and was rapidly disintegrating. Davin himself had been one of those Conservatives who had attempted to maintain the balance implicit in the Conservatism of Macdonald and Cartier, but in this last encounter with the forces of schism it would appear in retrospect at least that in the intriguing reciprocity of cause and effect, sauve qui peut was the only viable alternative for the Conservative party.

In addition, the situation was further complicated by conditions peculiar to the North-West Territories where there had existed from the beginning an inherent suspicion of partyism underlying a political superstructure essentially dependent upon the party system. Consequently, the electorate, confounded by the crisis, was highly susceptible to the "non-partisan" appeal of the Patrons of Industry, an appeal which Davin felt could be countered only by a marriage, not of convenience, but of political necessity, between the National Policy of the Conservative party and the anti-remedial instincts of his constituents. Finally, in Assiniboia West, Davin himself had never commanded the united support of the Tory party, and in the 1896 situation in which party loyalty was in a state of flux, where personal loyalty had never been reliable, the only variable was the platform, and the platform therefore had to be altered to suit the mood of the electorate.

Under these circumstances then it becomes even more clear that Davin's simplest course would have been to bolt the party
on the second reading vote. Had he done so he might well have swept the constituency in 1896. On the other hand, he might have had some expectation of being able to carry his constituents with him on this issue, but in the event this was clearly an over-estimate of his political ability. Having made and failed his attempt to educate his masters, Davin bowed to the will of the sovereign electorate.

Polling day was June 23, 1896, and by that evening it appeared that Davin had gone down to defeat. McInnis was borne triumphantly on the shoulders of his supporters through the streets of Regina while the band played "Hail, the Conquering Hero Comes," but the celebration was premature. By June 25, Davin had a two-vote majority, which was regarded by the Leader as a "practical defeat" for which "Mr. Davin has no one but himself to blame." The summing-up of ballots was held on June 30, and as a result of certain errors detected by the returning officer, Davin's majority grew to five. In the face of such a small margin, McInnis naturally applied for a recount, the results of which were announced in the Leader on July 16: the Hon. Mr. Justice Richardson who had conducted the recount declared the vote tied. It therefore became the duty of the

41 This was the first time that the secret ballot was used in a federal election in the North-West Territories.
42 Stubbs, op. cit., pp. 10-11.
44 Ibid., "In West Assiniboia." As of this date Scott had resumed control of the Leader.
returning officer, Mr. Dixie Watson, to cast the tie-breaking vote, and in doing so he contended that "The people have not pronounced themselves against their former decisions," and therefore he gave his casting vote to Davin to elect him by a majority of one.

This one vote was naturally the occasion for much jesting at Davin's expense; having been elected by Dixie Watson's casting vote, Davin was referred to from time to time as "the honourable member for Dixie," but his own wit was more than equal to the occasion: "That one vote of mine," he is reported as saying, "seems to give great amusement, but I can say of my vote what the gallant Mercutio said of the wound he received from Tybalt, 'No, 'tis not so deep as a well, nor so wide as a church-door, but 'tis enough, 'twill serve.'" Again, when twitted in the House about his slim majority, he replied in a more serious vein:

... as to the majority of one, we have heard that joke before.... This joke about majorities, as marking the efficiency of a member of Parliament, shows the grossest possible ignorance of parliamentary representation. The idea, evidently, in the minds of some hon. gentlemen is that the efficiency of the representative is in exact ratio to the size of his majority. If that were so, in what poor condition, considered in his representative capacity, would my hon. friend from Alberta (Mr. Oliver) be at present. My hon. friend boasts of his big majority, but his predecessor had a majority ... certainly twice as

46 Ibid., July 16, 1896, "Re-count Showed a Tie."

47 Stubbs, op. cit., pp. 11-12.
large, and it would be absurd to say that Mr. Davis ... was a double-barrelled representative, as compared with the present representative of Alberta. Go to the history of England, go to such men as Lord Palmerston and Sir Robert Peel, and what do we find? We find that such men, the most representative men that England ever produced, choosing some little pocket borough, with about 120 electors, to send them to Parliament. The fact is that remarks of that kind ... are certainly not rooted in parliamentary knowledge or parliamentary decorum. 48

However, his election troubles were not over, for McInnis entered a petition against the election alleging certain irregularities, and the petition hung over Davin's head for some months until through an agreement between Laurier and Tupper a number of outstanding protests on both sides were sawed off. Clifford Sifton undertook to request Walter Scott to arrange to have the protest dropped in Assiniboia West. The independent young editor might very well have been flattered to learn that the Minister of the Interior had been impelled to approach him on this matter not only because of the personal impression he had made, but "also upon a perusal of the columns of your paper which makes it evident that you are one of the men, unfortunately too few in our Western Country, who is able to rise above petty local feelings or personal feelings however strong, and look to the interest of the party and the interest of the Country as a whole." 49 Through the influence of Scott and the judicious ex-


49 Sifton to Scott, Aug. 1, 1897, Sifton Papers, Letter Book Vol. 221, p. 915, P.A.C.
penditure of a few hundred dollars the petition was dropped
and Scott could report tersely and dramatically: "It is
finished. God save us from our friends." 50

In such a manner then did Nicholas Flood Davin become
for the third time the Member of Parliament for Assiniboia West,
but under circumstances which led to the claim that:

The independent intelligence of Western
Assiniboia pronounced very strongly against
him. When the official vote, the police
vote, the rascally election law, the on­
slaught made by priests upon Catholic
Germans and Half-breeds, and the active
aid of more than one deputy returning
officer, Mr. Davin was able to poll only
a bare half of the total vote, he must
admit that he met a practical defeat, and
the very pronounced condemnation of the
unbiassed vote of the district. 51

But given the circumstances, was this a "pronounced condemna­
tion" and a "practical defeat"? Davin was the only Conservative
returned from a territorial constituency. The party itself saw
its majority swept away and its representation reduced to eighty­
nine seats. The electoral history of the riding indicates a
persistent anti-Davin element. Davin's conduct on the school
issue undoubtedly cost more votes than it gained for him. The
sale of his newspaper and the subsequent loss of Scott's support
left him without means of contacting his constituents during the
critical few weeks when Davin was still in Ottawa and the three
leading journals in Assiniboia West were controlled by his

50 Scott to Sifton, Aug. 14, 1897, Sifton Papers 1897,
   No. 21390, P.A.C.

51 Regina Leader, July 23, 1896, "Mr. Davin and his Present
   Position in Western Assiniboia."
opponents. Moreover, McInnis had been campaigning steadily for almost a year for the greater part of which Davin was out of the riding. These factors in addition to the trend away from the Conservative party evident in the Territories since 1891 suggest that far from being a "practical defeat," his one-vote majority was in fact a substantial personal victory.

A modern authority on Parliament has written that opposition parties would do well to follow the advice of Shakespeare's Sir Toby Belch: "So soon as ever thou seest him draw; and, as thou drawest, swear horrible." An examination of Hansard for the Eighth Parliament, in which Davin sat in opposition, shows that he too would have subscribed to this advice, for he was ever ready to cross swords with the occupants of the treasury benches or their supporters, and, moreover, since the election had reduced Conservative ranks to eighty-nine members to oppose one hundred and seventeen Liberals and seven others, Davin had ample opportunity for parliamentary combat. His interests, as one might expect, ranged widely over the field of Canadian affairs, but he and his colleagues subjected to the closest scrutiny those actions of the Liberal government which affected in any way the elements of that touchstone of the Conservative party, the National Policy.

On railway matters, for example, Davin continued to advocate those reforms dear to the heart of the western settler, and


with respect to freight rates, he suggested that "We can apply the principle of the penny post to transportation, and annihilate the disability which at present exists in the case of our farmers who grow grain in the centre of this continent."  

Again, Davin spoke in support of a motion moved by Frank Oliver urging the immediate conveyance of railway lands in order to ease the settler's burden of taxation. Sir Charles Tupper, on the other hand, argued that this would defeat the principle of having railways financed from the proceeds of the lands which they opened. In view of the fact that Davin had been frequently criticized for talking but never voting to embarrass the government which he supported, it is of some significance to note that on this occasion, Oliver, an Independent Liberal, chose to withdraw his motion after having received assurance that the government would consider the matter. Davin must have had his tongue in his cheek when he suggested that it might "strengthen the hands of the Government to pass this motion." He attacked the government on other occasions for their lack of interest in the Hudson's Bay railway, and in an interesting extension of the principles of the National Policy, he was also critical of the government's proposal for a Yukon railway on the grounds that it did not provide an all-Canadian route. He favoured a

56 Ibid., c. 3523.
Prince Albert-Edmonton-Peace River route in order to "develop the magnificent country along the Peace River," and also to retain "the trade of the country to our own people and within our own borders." 58

While as an opposition member, Davin's criticisms of railway policy were directed chiefly at the Liberals, it is nevertheless clear that he had an inherent suspicion of any government, whether Liberal or Conservative, with respect to railway matters. As an instance of this, when he spoke in support of a private member's bill to require railway companies to undertake certain safety measures, a bill similar to one which he himself had introduced at an earlier session, he pointed out that a private member had no hope of getting such a measure through the House unless the government were prepared to give it whole-hearted support. This Laurier refused to do, arguing that while it was a great humanitarian measure, there were "several objections" which could not "lightly be set aside," and, moreover, he was not sure "whether the time has arrived when such legislation should be placed on the statute book." 59 Laurier's objections to making this a government measure might have been quite valid, but Davin would have argued that the interests of the railway companies bore heavily on the decision.

However, in terms of his own concept of Canadian railway

59 Ibid., Sept. 9, 1896(2), c. 921.
policy, Davin's most significant contribution to debate on this general matter was, as it had been in the past, the advocacy of state control. In 1897 he said:

I am inclined to think -- and we may as well face the question -- that in the not distant future we shall have to have Government railways, if we want to retain our freedom in this country.60

The following year, in commenting on the transportation question, Davin referred to the desire of Canadians for freedom from the oppression of "dukes, and earls, and landlords," but he pointed out that Canadian business and particularly railway corporations were fast creating a financial aristocracy to which even Parliament appeared at times to make obeisance. Consequently, it became almost impossible for governments to do what they knew to be right in the face of pressure from the railway corporations, and he continued:

Now, Sir, although I am sorry to have to say that this Government has not lived up to its professions in the past, has not availed itself of its opportunities, there are yet at least three years of "locus penitentiae" left to it; and I would like to see the Prime Minister and his colleagues go into retreat and examine their consciences as to their political sins for the last twenty months, and try and redress the dreadful backslidings that I have witnessed with so much pain. That is what I want them to do in regard to this railway matter. All you have to do is to fall back on your professions, live up to the professions of the Liberal party, live up to the professions of Alexander Mackenzie and George Brown, and then you will be, I won't say ideal statesmen, but you will go as high as will

60 Ibid., Mar. 29, 1897, Vol. I, c. 118.
satisfy my humble confidence either in your desire or in your capacity to go.\textsuperscript{61}

He went on to claim that the government had the power through Parliament to exercise control over the railways if they would only use it, and in Davin's view "The people of Canada who bonus a line, should have a permanent interest in that line ... and a claim upon the earnings of the road."\textsuperscript{62}

Later he admitted that the question of the control of railways was fraught with difficulties, "but difficulties are the opportunities of great men,"\textsuperscript{63} and while state control of the main continental line would eventually prove to be the only solution, he acknowledged that it was a "long way to look forward to that...."\textsuperscript{64} In the meantime, he suggested, a solution not without its weaknesses would be for Parliament to include a schedule of maximum freight rates in subsequent charters granted to railway corporations. The free-enterprise solution of competition was quite inadequate in Davin's view, for, as he said later, "competition in railways is a delusion ... you cannot, in the nature of things, have competition in railways, because the cardinal principle behind competition is, that the thing that supplies the competition can be multiplied almost infinitely in proportion to the demand."\textsuperscript{65}

\begin{itemize}
\item[61] Ibid., Mar. 11, 1898, Vol. I, c. 1762.
\item[62] Ibid., c. 1763.
\item[63] Ibid., c. 1822.
\item[64] Ibid., c. 1823.
\item[65] Ibid., Apr. 4, 1898, Vol. I, c. 3041.
\end{itemize}
In 1899 and again in 1900 Davin supported motions urging the creation of a board of railway commissioners to control Canadian railways, but concurrently he was prepared to support the national system when it was endangered by competition from American lines, and in debating a railway subsidies bill he said:

We ought to pause before we give the maximum bonus to a line that will be part of the United States system. My desire is to fight the national system and to get the best advantage for the people travelling upon it; but when it comes to helping the lines of the United States against the national system, then I will fight for the national system. But I will do everything I can to lower the rates on our Canadian system.

Immigration and settlement continued to engage Davin's attention throughout the years he sat in opposition, and he continued to press upon the government improvements in policy and administration which his local knowledge as a North-West member showed to be desirable. For example, during the second session of 1896, he introduced a bill to amend The Dominion Lands Act to enable ranchers to qualify for a homestead by acquiring livestock and by erecting fencing and dwellings rather than by fulfilling the cultivation requirements which were patently inappropriate for the dry ranching country of the south and west. The bill was not proceeded with at that session, but

68 See *ibid.*, Sept. 9, 1896(2), cc. 873-74.
Davin introduced it again in 1897, and after second reading its main provisions were embodied in a government measure introduced by Sifton which permitted a settler who had fulfilled the residence qualifications, cultivated and fenced one acre per year, acquired forty head of cattle, and erected stables and outhouses for wintering the stock to obtain a patent for a homestead or pre-emption. Davin's comment on third reading was:

... I might on my own account say that while the Government have been accused of stealing many things from the Conservative party, there is no individual on this side from whom they have purloined in such a wholesale manner as from the humble individual now addressing the House.

Davin, who had long been an advocate of an imaginative immigration policy, respected the vigour with which Sifton approached the problem of peopling the West. He did, however, take issue with what appeared to be nepotism and patronage in certain immigration appointments, and he had in mind men such as W.T.R. Preston, a notorious Liberal organizer, and C.R. Devlin, a former Liberal M.P., when he said: "... too many of them ... have been appointed solely on account of political exigencies." It was for this reason that he intended to register his "protest against these bloated expenditures."

70 See 60-61 Vict., c. 29.
72 Ibid., July 9, 1900, Vol. III, c. 9649.
73 Ibid., c. 9650.
He took issue too with that aspect of Sifton's immigration policy which created colonies of European settlers in the North-West. The first Doukhobor colonies were established in 1899, and Davin commented: "Here we are, a people that lay so much store on the public school as a nationalizing influence, and here is our immigration policy which, by making settlements by colonies, strikes a serious blow at the nationalization of our people." He made it clear then and the following year that he held no ill-will for any able settler from wheresoever he might come, but he contended that not enough effort was being made to attract settlers from England, Ireland, Scotland, or France.

I do not say one word and never will, against any poor man from any country coming into Canada. But, I entirely disapprove of hiving any class of settlers; I entirely disapprove of settling people in colonies. Above all, I entirely disapprove of discriminating against our own people. I say that anything you do for any immigrant coming in here, you should do for a Canadian. Do not make fish of one and flesh of another, particularly when you are making fish of your own countrymen, who have certainly as much claim upon us as a man coming in from one of the four corners of Europe.

On the tariff question Davin maintained his fundamental belief in protection modified by his concept of a tariff flexibility to meet changing economic conditions, a modification he

74 Morton, History of Prairie Settlement, p. 112.
76 Ibid., c. 375.
77 Ibid., July 9, 1900, Vol. III, c. 9650.
had described earlier as "scientific protection." From this position he goaded the Liberal government, elected on a low-tariff platform, to implement their election pledges without delay. It was with an obvious relish that he turned on the supporters of the government those double-edged motions, once used with some effect against himself, which were in substance clear statements of Liberal policy while being in form want-of-confidence motions. This was the tactic he used in the second session of 1896 when he moved an amendment to the Supply motion reminding the House of Liberal promises to place certain items on the free list and concluding with the words:

... that, therefore, in the opinion of this House, when revision of the tariff is made the Government is bound in honour to place agricultural implements, binder twine and coal oil on the free list. 78

He used the same device the following session when he moved that:

Good faith with the western farmers on the part of the Government demands that agricultural implements and lumber be placed on the free list. 79

By 1897, however, he had other reasons to reproach the government, for by this time it was clear that the revenue-tariff views the Liberal party had expressed with such enthusiasm and conviction when they sat in opposition were undergoing a modification towards protection. Consequently, in the debate on the Address in Reply at the opening of the session, Davin expressed his view of the Liberal conversion to protection:

78 Ibid., Sept. 30, 1896(2), c. 2274.
79 Ibid., May 12, 1897, Vol. I, c. 2131.
I may be pleased that gentlemen have adopted views that I have held, but I am not pleased to have men occupying the high position of members of the Government of Canada laughing cynically in the face of the electors they have deceived. 80

A few weeks later the opposition had become concerned over an apparent delay in bringing down the tariff resolutions, but the delay did not concern Davin who referred to the government as a "parcel of quacks," adding:

... I much prefer, when the country's interests and health are placed in the hands of political quacks, that these quacks should hesitate and listen to the advice of people who know better how to deal with the country's affairs. 81

Even by 1900 Davin saw no evidence that the Liberals had learned anything about the nation's economic affairs. They had adopted the Conservative tariff, he declared, but, he added: "they do not know how to manage it, and the consequence is we have these riotous surpluses." 82

The Liberal tariff as introduced in 1897 Davin described as "constructed on the principle of cross fishing." It had been designed both to sustain the hopes of the free trader and to calm the fears of the protectionist, and as a result was a "Janus measure, which looks with one face to the manufacturer and smiles on him, and with another face on the free trader and smiles

81 Ibid., May 18, 1897, Vol. I, c. 2484.
82 Ibid., July 17, 1900, Vol. III, c. 10493.
The changes that had been made in the tariff, he claimed, were made "not in the interests of the farmer, not in the interests of the workingman, but in the interests of the manufacturers who have come to the Government and pleaded before them." To describe the affect of the tariff on the North-West, Davin recalled a pre-election cartoon which showed Laurier as the Good Samaritan bending over the prostrate form of the North-West farmer pouring into his open wounds the oil of revenue tariff and into his gaping and gasping mouth the wine of free trade as it is in England. Well [he went on], if any of that oil reached a wound ... I do not think it would be enough to lubricate the spring of the smallest Geneva watch that ever ticked, and if any of the wine of free trade as it is in England touched his gullet, I do not think it was enough to disturb the cerebral equanimity of the smallest and youngest chipmunk on the prairie.

Of the specific items in the tariff, Davin's chief concern was with agricultural implements and other necessities of western life. He criticized the government for having failed to reduce the duty on such things as binders and mowing machines, a criticism based on both politics and economics, for on the one hand he charged the government with broken promises, and on the other he pointed out that the implement manufacturer gained where the farmer lost because the tariff had reduced the duty on iron.

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83 {83} Ibid., May 18, 1897, Vol. I, c. 2485.
84 {84} Ibid., May 26, 1897, Vol. II, c. 2959.
86 {86} Ibid., May 11, 1897, Vol. I, c. 2056.
He scoffed at the very slight reduction in the duty on coal oil,\textsuperscript{87} and while he congratulated the government for having removed the duty on binder twine, he charged that in allowing the twine output of Kingston Penitentiary to be put up for tender, the distribution of twine had fallen into the hands of a monopoly, and the price had risen.\textsuperscript{88} He supported a proposal to bonus butter, asking: "... why should not this House do for the farmer of Canada what it would do for the iron maker...?"\textsuperscript{89} Again, in Committee of Supply, he moved that nails be placed on the free list, because he wanted "in some detail of the tariff, to see hon. gentlemen sitting on the treasury benches in the novel position of keeping a single promise they have made."\textsuperscript{90}

In other respects the Liberal tariff of 1897 took the first steps towards a system of imperial preference, an area of policy which neither party had as yet clearly defined, for Conservative instincts of loyalty to the Empire had been sublimated by an economic nationalism which insisted on a quid pro quo for any tariff concession,\textsuperscript{91} and the traditional Liberal outlook had been towards a continental rather than an imperial zollverein. Moreover, Britain herself had been wedded to a free-trade policy

\textsuperscript{87} Ibid., May 21, 1897, Vol. II, c. 2755.
\textsuperscript{89} Ibid., May 5, 1897, Vol. I, c. 1800.
\textsuperscript{90} Ibid., June 8, 1897, Vol. II, c. 3650.
\textsuperscript{91} See Donald Creighton, \textit{John A. Macdonald: The Old Chieftain}, Toronto, 1955, \textit{passim}. 
which by definition precluded tariff concessions, but these attitudes had begun to change, and a tentative approach was made in 1897 to preferential trade. Davin was able to congratulate the government "who for so long took a pro-United States position" for being "driven by the logic of events to take the loyal and imperial position which they now take," 92 and while he could approve the principle, he felt that the details of the agreement left something to be desired, for he argued that the Conservative position was that:

... it would not only be better for Canada, but better for the Empire at large, in making a preferential arrangement ... not to have a jug-handled arrangement, but to have one that would be strictly and mutually preferential. 93

Still, he concluded:

I much prefer to see them take a course which has a Conservative colour to it, than to see them take that course which would be in accordance with their past tradition. 94

In addition to the specific elements of the National Policy, there were other matters affecting the North-West on which Davin claimed the attention of the House. His activity on behalf of western agriculture, for example, gives the lie to the argument used against him from time to time in election campaigns that the West could be adequately represented only by a farmer, and in fact shows that there was considerable substance to his claim that:

93 Ibid.
94 Ibid., c. 3789.
... from the moment I entered this House [my] sails have been spread to breezes which blow in the interests of the agricultural class of the North-west Territories.95

That he was firmly convinced that the agricultural class had need of someone to watch over its interests, is apparent from this description of the cash position of the western farmer which Davin gave the House in 1900:

Suppose the farmer sells a thousand bushels of wheat in the British market at 80 cents a bushel; freights, insurance, &c., would eat up 35 cents per bushel, leaving the producer only $450 for his crop. He buys $250 worth of British goods and pays a duty of 30 per cent, or $75. The other expenses are, 20 per cent to wholesalers, 20 per cent to retailers, and 10 per cent for freight, in all $125. This would leave him without a dollar in cash, having secured only $250 worth of goods for $800 worth of wheat.96

Consequently, anything that could be done to improve the farmer's economic position was worth doing, but there were also political factors to be considered, for while backbenchers, particularly those sitting to the left of Mr. Speaker, cannot expect governments to display an immediate enthusiasm for their proposals, oppositions cannot be blamed if they appear reluctant to propose measures, the implementation of which may redound to the credit of the government. Davin's concern, however, was for the interests of his constituents rather than for political strategy, and if persistence was the key to success in moving governments, Davin, even in opposition, could claim a reasonable measure of

96 Ibid., Apr. 18, 1900, Vol. II, c. 3845.
success.

For example, in 1895 and again in 1896 he had moved, unsuccessfully, that an amount of $20,000 be applied to aid in the establishment of creameries and cheese factories in the North-West Territories. He had received little support even from his territorial colleagues, and the government had not been the least enthusiastic. When he moved the motion again during the second session of 1896, Oliver expressed his opposition to the subsidization of creameries in competition with private business enterprises. However, when the new Liberal government introduced the estimates the following month, they included an item of $15,000 "To promote the establishment and maintenance of creameries in the North-west Territories," and Davin could comment triumphantly:

I am exceedingly glad to hear the statement of the Minister of Agriculture, because it is very gratifying to me to find that the proposal I made here a few years ago has now fructified.

Production was but one side of the agricultural coin; marketing was the other. If the farmer needed the assistance of the government in his struggle to produce a crop under the hazardous conditions imposed by the elements and the distances peculiar to the western plains, he needed similar assistance, or at least

98 Ibid., Sept. 2, 1896(2), c. 583 ff.
100 Ibid., c. 2468.
protection, in the marketing of his produce. The most common grain-marketing practice had been for the farmer to sell to the highest of several bidders to be found on the railway loading platform, and to load his grain directly from wagon to car. There were a few grain elevators in the West as early as the 1870's, but they were expensive structures, and their efficiency was of greater benefit to the railway company than to the farmers. By the late nineties, however, some 447 elevators were being operated by elevator companies, milling concerns, individual millers, and a few, twenty-six, by farmers' companies. In 1897 when the Canadian Pacific Railway insisted that grain might be loaded only from elevators, the elevator and milling companies were thus in a position to enjoy a virtual monopoly of the grain trade by telegraphing agreed daily prices to their agents. The farmers were alarmed at this arbitrary curtailment of what they considered to be their right to load direct and the incidental advantage of competitive bids at the loading point, and on their behalf James Douglas, the member for Assiniboia East, introduced legislation in 1898 and 1899 to restore the rights of direct loading. Both measures failed to pass the House, but a Royal Grain Commission was established in 1899 the report of which led to The Manitoba Grain Act of 1900 which provided for the supervision of the grain trade, weighmasters, access to the scales, platforms for direct loading, and flat storage warehouses at the sidings. The elevator system of grain handling proved more effective in the long run, but the act established the principle

of government inspection of the grain trade.  

Davin had been concerned about the growing evidence of questionable grading practices, and as early as 1896 had moved that a committee of the House be established "to inquire into the present system of grading wheat in Manitoba and the North-west, and especially as to the frauds whereby it is alleged the farmers are cheated of what they are justly entitled to for their wheat." The government appeared skeptical about the alleged frauds, but promised to look into the matter and introduce legislation if necessary. After the change in government Davin again raised the matter on a motion for papers, but he did not move again for a committee because the session was expected to be short. He did say, however, that the elevator monopoly and the high freight rates cost the farmers several thousand dollars a year, and he advised the House that:

... the farmers of the North-west Territories feel that in regard to the buying of wheat from them, in regard to the grading of wheat, in regard to the system of fixing standards, in regard to the mixing of scoured wheat with their perfect wheat, and in regard to the transportation, they feel that they are at the present time in a state of great disadvantage and in a condition that calls for action on the part of the Government.

Later, with respect to grain standards, he said:

We feel strongly that the grain buyers in Toronto and Montreal have a great deal too
much to do at the present time with fixing standards. Their interests are not our interests.105

When Douglas moved second reading of his bill in 1898, Davin promised his entire support at all stages,106 and again in 1899 he urged the House to support the Douglas measure:

"I do not think [he contended] there can be any question raised by anyone as to the necessity of this legislation from the point of view of the prices paid or from the point of view of the danger of combination or convenience, or the safeguarding of the producers from loss in consequence of very undesirable incidents, in regard to the purchase of their grain. For my part, I have had evidence thrust upon me from every quarter of the country that this legislation is needed. I hope that the Bill will receive the support of both sides of the House and that it will pass into law this session."107

On a government measure to provide for the standardization of grain grading introduced in that same session, Davin attempted an amendment which would give the farmer the right to appeal the decision of the buyer to the head inspector, and while the House felt the device was somewhat impractical, Davin argued that: "The legislature cannot be too sagacious in exhausting every means open to legislation, to fence the farmer against the possibility of plunder."108

On The Manitoba Grain Act itself, Davin, while supporting

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105 Ibid., Sept. 25, 1896(2), c. 2053.
the principle of the measure, attempted to ensure that the farmer was well protected "against the possibility of plunder." He contended that the farmers were happy to ship through elevators provided they had the right to build their own cheaper warehouses if they felt the elevators did not treat them fairly. He suggested that the elevator operator be required to advise farmers of the daily Winnipeg grain prices. He attempted without success to include in the bill a requirement for the elevator companies to instal cleaning machinery rather than to calculate dockage on an estimated figure based on tests. Finally, when the government moved recommittal of the bill to add a clause requiring those who desired additional flat warehouses to pay for the requisite sidings and spurs, Davin was on his feet immediately, arguing that the requirement would be prohibitive and would deprive the farmers of any "leverage" against a possible injustice by the elevator companies. The North-West members as a body opposed the amendment, but it carried, and the bill passed into law as another example of the force of backbench influence. While neither Davin's proposed committee nor Douglas' bills bore fruit, the display of persistence, initiative, and relative unanimity by the members from the North-West and Manitoba undoubtedly had considerable affect on the timing and form of the eventual solution.

110 Ibid., cc. 5766-67.
Davin debated a variety of other North-West matters during these years in opposition. The Mounted Police, for example, continued to claim his attention, and on several occasions he introduced legislation respecting pensions and promotions.\(^{113}\)

He expressed concern with the drain on the numbers of men available for service on the prairies because of the requirements of the Yukon,\(^ {114}\) and a similar concern over what he regarded as a marked and unwise tendency to make appointments to commissioned rank from outside the force.\(^ {115}\) He again initiated debate for recognition of the claim of the Rebellion services of the Wood Mountain Scouts and Laurier replied in complimentary terms:

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\ldots \text{I may say that my hon. friend (Mr. Davin) has shown on all occasions (whether his friends were in office or not) the most creditable efforts to have these claims considered. He has not succeeded so far, but I hope that perhaps the day is not far distant, when his efforts shall be crowned with success.}\(^ {116}\)
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Davin supported a motion moved by Oliver contending for an increased subsidy to the North-West Territories, and in an appeal to Laurier to cut the leading strings by which the federal government had for so long bound the Territories, he said:

\[
\text{[The Prime Minister] is fond of regarding himself as a breaker of manacles, let him break those manacles that are on the limbs of the North-west Territories, let him give the Territories provincial autonomy and the annual subsidy to which it is entitled by reason of its population,}\]

\(^{113}\) See for example \textit{ibid.}, Sept. 8, 1896(2), c. 784.


\(^{115}\) \textit{Ibid.}, May 7, 1900, Vol. II, cc. 4787-89.

according to the calculations so ably set forth by my hon. friend [Mr. Oliver] this afternoon. 117

At the second session of 1896 he refrained from moving first reading of a bill of his own designed to give responsible government to the Territories since it was a measure which would require the cooperation of the government, "and as the Government had decided not to have any heroic legislation this session," 118 he had not bothered to have the bill printed. In 1897, when Sifton introduced an amendment to The North-West Territories Act which provided for responsible government, Davin supported the measure. He commented on third reading:

I can say that the most thoughtful people in the Territories have always held the views that I have held; but at the same time there has been no agitation and I have battled for this thing single handed. 119

He recalled that he had pressed the matter to the point of annoyance on Sir John Macdonald in 1888, and claimed that had his views been followed then or in 1891 when a further change had been made in the organization of government of the Territories, "we should have made more progress than we have done [in the North-West]." 120

Of other events of national importance during this period, the two most significant, the Yukon Gold Rush and the South African War, were ready-made opportunities for a Tory opposition

117 Ibid., Aug. 31, 1896(2), c. 419.
118 Ibid., Sept. 29, 1896(2), c. 2166.
120 Ibid., c. 4118.
to "swear horrible" as they mounted their offensive against the policy and administration of the Liberal government. Davin's contribution to debate on the various matters concerning the Yukon which were raised in the House appears to be of little significance except insofar as it shows a determination to probe extensively for evidence of administrative inadequacies. He did, however, advise the Minister, when setting up a system of government for the Yukon district, to profit from the experience of the North-West Territories, and particularly to appoint to the proposed Yukon council some ex-officio members, for this would "minimize the autocratic position of the Commissioner, which is very desirable." When the opposition moved for a royal commission to inquire into charges of maladministration of the Yukon, he urged the government to see that steps are taken so that this dark cloud which rests on a vast portion of those Territories shall not grow blacker, but that means shall be taken to pierce it, to discover what has caused it, and to punish any persons who may be culpable.

Davin's attack on the Liberal administration ranged from this admirable expression of administrative morality to the level of a political fishing expedition. He placed a question on the order paper asking:

Whether it is true that Mr. Ogilvie, the Commissioner of the Yukon, imposed a duty or tax on women of professed

121 Ibid., June 2, 1898, Vol. II, c. 6730.
immoral character in Dawson? If so, what was the amount of the tax or license? If so, is it still continued? If so, how much did the first impost yield?

Sifton answered: "The Government have no information..."¹²⁴ but Davin must have had some foundation for his inquiry, for he had raised this matter earlier in debate. Mr. J. Domville, who had recently been in the Yukon, had assured him that no such tax had been imposed; "Would he not take my word for it, that the women are not taxed out there," asked Domville? Davin could not resist the obvious reply: "I will take his word for anything he will say on that subject, because I know that is probably the only subject on which he is thoroughly well informed."¹²⁵

As for the South African War, Davin's remarks on this subject were little more than a recital of the litany of imperialism, and to him, Laurier's non-committal attitude in the early stages seemed to mark a weakness verging on betrayal:

Here was Canada [he said], this country of imperial proportions, vibrating from end to end with enthusiastic patriotism and determined to rush to the support of the mother country in a great crisis and show Christendom that England had her colonies by her side. Yet at that moment our leader was hesitating.¹²⁶

The liturgy prescribed but one response to the mother country's cry for help:

¹²⁶ This and the following quotations are found in Ibid., Feb. 9, 1900, Vol. I, cc. 272-75.
... if more men and more help should be required, I say we should be forward to let the Imperial authorities know that these five millions of men with the blood of the great historic races in their veins are ready to stand by her side and see to it that the empire is not impaired or its prestige dimmed or a shadow allowed to rest upon its glory.

That Her Majesty's French-Canadian subjects might not be moved to answer Britain's appeal with this "Ready-Aye-Ready" formula seemed entirely to escape Davin's Anglo-Saxon logic, for, he argued, the French-Canadian should be both proud of and grateful to an empire which had made it possible for "one French Canadian after another, with habitant blood in their veins, [to rise] to the highest positions, [and have] the happy, distinguished and useful careers they had."

No, Sir, [he continued] there is no class of the community that should be so loyal to the empire as the French Canadians, and there is no class of the community therefore, I am more ready to believe loyal to the empire, unless some evidence very different from what I have seen were brought before me to lead me to a different belief.

Thus Davin could

... deplore the hesitancy shown by the Prime Minister -- one week saying: I can't do it, the law is against me, I have no power; and then turning around in less than a fortnight and sending a contingent, and out-Heroding Herod in flaming rhetoric when they took their departure from Quebec. The spectacle of inconsistency, the spectacle of weakness, is something that will never leave the mind of Canada.

This perfervid imperialism, however, cannot be judged across the gulf of two world wars; Davin expressed in the eloquence of his century the creed of his culture. While both the style and
the sentiment are somewhat dated, it must be remembered that the men of his generation did not yet know that this was to be the last of the "gentlemen's wars," for they could still say, as Davin did in his last speech in the House of Commons, in tribute to the son of the Minister of Militia and Defence, killed in action in South Africa:

I would for my part ... express our great regret, and yet mixed with that regret is a sort of gratulation and pride that the son of a member of our own body and a member of our government, fighting for the empire, although his family are bereaved and although his country has lost his valuable life, yet has won the great prize of death in battle.127

But with all this imperialistic fervour, it is interesting to note that Davin could at the same time deprecate the use by John Charlton and Sir Richard Cartwright of the contemptuous phrase "semi-civilized Boers." "Why, Sir," said Davin, "they are descended from the choice races of Europe. They have in their veins the blood of the choicest fighting stocks of Europe."128

Parliament as well as the party and the public must be part of the frame of reference of men in public life, for upon entering the House of Commons, a member assumes a three-fold responsibility: he must be mindful of the interests of the public he represents; he must be alert to the opportunities for party advantage; and he must be vigilant in preserving the institution of which he is a member. Thus, in assessing the effectiveness

of political figures attention must be paid to the parliamentary environment and the relationship between the man and the institution. From Davin's conduct and comments in the Eighth Parliament further evidence is available of his concept of the role of the executive and legislative branches, of the role of the government and opposition, of the role of party and Parliament, and of the complex inter-relationships of the various elements which constitute the British parliamentary system.

His view of the participation of the electorate in the political process and the responsibility of governments to the electorate, he expressed in these words:

Let me lay down this proposition, that from a constitutional point of view, when an appeal is made to the people of the country, and they decide in favour of a given policy, it is a grave and serious evil to that country if that policy is not carried out by the party which comes into power. This appeal is the great wheel of our constitutional system. We believe in an appeal to the public mind at recurring intervals. We go to that public mind and ask for its verdict, and it is of the utmost importance to the constitutional working of our system that that great wheel should be allowed to turn, and that whatever the people have decided on should be carried into effect. 129

Not only governments, but individual members had a responsibility to the electorate, and on this subject Davin echoed Edmund Burke and Walter Bagehot when he said:

We are not here as the mere delegates of constituencies. The delegate of a constituency, who does just what his constituency orders, does, generally speaking, merely what the leading wire pullers in

It is clear that Davin felt that a member could exercise this responsibility only in the House:

I did not think [he said] that the proper course for a member of Parliament was to creep into Minister's offices and seek to influence them through ministerial whispers; but to speak his sentiments and his opinions in Parliament, and there endeavour to influence the Government. 131

Members should not "constitute themselves mere machines for the Whips to use just as they please," 132 for this would only result in debasing the institution of Parliament. On the contrary, he declared:

This is not merely a deliberative assembly where we come to discuss and debate; this is the greatest and grandest platform of the nation. And as long as that Press Gallery is there we can get to the country, and when we get to the country we reach the source of power. 133

Consequently, he advised the Patrons

... that if they want their principles carried out, it is not by silently and tamely lying down behind the Government, but by pressing them in this House and fighting for them like men. 134

In the same vein he described on another occasion the influence which a government backbencher might wield:

I call ... attention to the fact that a Government does not care very much about the opposition that comes to it from the

131 Ibid., May 18, 1897, Vol. I, c. 2486.
132 Ibid.
133 Ibid., c. 2487.
straight Opposition in the House, because the attack of the straight Opposition is discounted because it is its business to criticize and oppose. But the moment ... a follower of the Government ... stands up and expresses his opinion that a certain course contrary to their policy should be taken, that moment the Government pays attention to it. 135

The key to the whole process of course, was the government's responsibility to Parliament. Even with its majority in the House, the government was neither above Parliament nor beyond it, for there was no analogy between the parliamentary and congressional systems. "The Government of this country," he said, "is a committee of this Parliament, and [Ministers] are bound to be in their places and to give us information when we are discussing important questions...." 136 Indeed, Ministers benefited by submitting their policies to the scrutiny of Parliament, for "Parliament is government by speech, and if there be anything that Parliament does, that is worth more than another, it is in the criticism of ministers." 137 Such criticism, he claimed, "has prevented extravagance and excesses in government, that would otherwise have been committed in consequence of forces operating on the department." 138

Throughout this disquisition on the parliamentary process to which Davin returned from time to time during the course of

137 Ibid., July 16, 1900, Vol. III, c. 10302.
138 Ibid.
his career in the House of Commons, there is apparent a certain conviction that Canada was not making the best use of her Parliament, and that greater attention to the spirit of Westminster would be to the advantage of democratic politics and government in Canada.

It would be of immeasurable advantage to hon. members of this House [he said] if we could only bring the methods of the English Parliament into this Parliament, if instead of having two machines here, a Government in power with a hundred and twenty or a hundred and fifty members supporting it, and everyone of them here not to give the country the benefit of his judgement, knowledge and ability, but coming here to watch the leader stand up, and then like jacks-in-the-box up they are --

Some hon. Members. Take it back.

Mr. Davin. I do not say that against your party. This remark applies to every party in this country, because we have not the methods that obtain in the English Parliament.139

Parliament, in the British sense, cannot be considered in isolation from party, and party Davin regarded "as part and parcel of our constitutional government."140

I may say in passing [he added on another occasion] that from any observation I have been able to make, whether in New Brunswick or elsewhere, I have never come to the conclusion that the destruction of party distinctions can be of any advantage in a community which endeavours to carry on government on the British system. I confess I cannot see how that constitutional system can be carried out effectively without party.141

141 Ibid., Apr. 9; 1900, Vol. II, c. 3450.
In a paraphrase of Voltaire he continued: "... if there were not parties, we would have, in order to work the British constitution, to invent them." On the other hand, it is one thing to recognize the role of the party system in Parliament; it is another to subvert Parliament to partisanship. Davin attempted to maintain a balance in this relationship of which the following letter to Sifton shortly after his appointment as Minister of the Interior is interesting evidence.

There is I hope an enclosure outside party politics but within the larger field of patriotic attachment to Canada in which it is permitted men on opposite sides to interchange feelings of courtesy. I am happy therefore to say how glad I am to learn you have been sworn in as Minister of the Interior and to express my strong hope and confidence that in you the North West will have a sympathetic and effective friend.

He expressed similar sentiments in the House some years later:

... I will always set my face, so long as I have any position in public life, against a government or a member of a government or a member of a party who allows party interests and party proclivities to overshadow duty, honour, loyalty to the people -- and [he added significantly] that is the charge that we can successfully bring against the Minister of the Interior.

Again, referring to one of his territorial colleagues, Frank Oliver, he said:

... it was a great pleasure to me to hear my hon. friend's voice once again, and I

142 Ibid., cc. 3450-51.
143 Davin to Sifton, Nov. 18, 1896, Sifton Papers, 1896, No. 2065, P.A.C.
hope that in this House he and I, while we are colleagues, whether for a long or a short time, will use our united efforts for the good of the Territories, and let us not turn our efforts against each other at the bidding of either party or faction.  

These comments too, apropos a vote of $4000 to erect a statue to the Hon. Alexander Mackenzie, give a measure of Davin's concept of the role of party and Parliament. "The erection of a statue to so representative a man as the late Alexander Mackenzie meets with my entire approval," he said, but he went on to remind the government of "the purest and noblest figure in our history whose name is connected with the Reform party, though the Reform party he led would probably not be quite in line with the Reform party of today. I mean Robert Baldwin, a man whose character stands out in stainless purity in the history of Canada, and whose efforts to bring about responsible government were untiring and statesmanlike." At the same time, he contended that while it was quite appropriate for a party to honour a dead chief; "... there is even a nobler loyalty, and that is the loyalty which we can all share towards a man whose name is no longer connected with the strifes of to-day; and of whose claims on national gratitude there can be no doubt. In the same connection I would say that it is a reproach to Canada and to administrations both Liberal and Conservative, that no statue has been raised to D'Arcy McGee."  

145 Ibid., Aug. 31, 1896(2), c. 423.  
146 Ibid., July 14, 1900, Vol. III, c. 10254.
This calm and measured approach to the place of party in the parliamentary system of government did not, of course, mean that Davin was any less effective in the party struggle as it took place on the hustings or in the House. For example, in 1896 he suggested that Virgil's description of Scylla can be well applied to the Government. It was translated, I believe, by an old poet in this fashion:

At top it shows a gracious face,
The breast replete with human grace,
The rest is all an ugly whale,
With maw of wolf and fish's tail.

We have the gracious presence of the eloquent leader of the Government; we have the maw of the wolf in the person of the Minister of the Public Works Department and some others. In regard to the piscine description, I will not enter into it -- but there is a good deal that is fishy about the party.147

At a later session he compared the election promises of the Liberal party with their performance in office since 1896, and suggested that their "unredeemed pledges are so numerous that this government is like a congested pawnshop."148 Again, when the House was debating an amendment to The Militia Act and the opposition was critical of the number of men without experience in the militia who received commissions as colonels, Davin commented acidly:

I entirely approve of what the Minister of Militia has done for this reason, that it is in entire consistency with the policy of the government. It is humbug from the word go, and therefore, perfectly consistent with their policy all through.149

On another occasion when he contended that if the Liberal govern-

147 Ibid., Sept. 23, 1896(2), c. 1764.
148 Ibid., Apr. 18, 1900, Vol. II, c. 3845.
149 Ibid., June 1, 1900, Vol. II, c. 6463.
ment enjoyed any success it was because they had "reaped where
the Conservative party sowed," a member interjected to remind
him that he had at one time referred to a Conservative govern­
ment as a "Cabinet of Antiques"; "No," he replied, "the differ­
ence between this Government and the Government I called a
Cabinet of antiques is, that while that was a Cabinet of
'Antiques' this is a Government of 'antics." 150 Somewhat more
seriously, he charged the Liberals with having
always the same boundless belief in the
gullability [sic] of the people, and
in humbug. I have more faith in the
good sense of the people than hon. gentle­
men. I have not so much faith in humbug
as hon. gentlemen seem to have, and I do
not believe that you can found a policy
or a government on diplomatic mendacity,
however charmingly it may be put before
the people. 151

In the final analysis, however, Parliament and party,
government and opposition, are but amorphous, intangible elements
of political theory; the reality is the formal public confront­
ation of individuals in a personal, cut-and-thrust debate, the
rules of which restrict only the grossest calumny so that verbal
dexterity can be at once a sure weapon in attack and a safe shield
in defense. Davin was completely at home in this environment,
and his consummate skill in the forensic lunge and parry sparkles
even in the printed word of the Debates of the House of Commons.
Individuals as well as governments and policies were targets for
his shafts; Israel Tarte he described as "the Mephistopheles of

151 Ibid., July 17, 1900, Vol. III, c. 10494.
the Public Works, to whom the leader plays the part of Faust."\textsuperscript{152} Clifford Sifton and Tarte were referred to on another occasion as "the heavenly twins of the Cabinet -- the Castor of Quebec and the Pollux of Manitoba."\textsuperscript{153} In an expression of sympathy for Laurier, absent from the House because of illness, it was Tarte again at whom the barb was directed:

I am glad to know at any rate that my rt. hon. friend the Prime Minister will soon be convalescent, and in fact I have heard -- although I have always understood that my rt. hon. friend ... was a man of great abstemiousness -- I have heard what he is suffering from is partaking too much of pastry; he has had too much Tarte.\textsuperscript{154}

Again, Davin was critical of a practice by which the Minister of the Interior arranged for Liberal newspapers in Manitoba and the North-West Territories to receive editorials and letters purportedly from "Our Correspondent in Ottawa," but actually from a central press bureau of the government. He condemned this as a device designed to organize and control public opinion, referring to it scathingly as the "Siftonian Reptile Press."\textsuperscript{155}

He could display considerable finesse in silencing the member who would attempt to barrack him during the course of a speech. In debate on Yukon affairs he turned his attention momentarily to an interruption and said: "I thought at first

\textsuperscript{152} Ibid., Sept. 23, 1896(2), c. 1763.
\textsuperscript{153} Ibid., Apr. 4, 1898, Vol. I, c. 3044.
\textsuperscript{154} Ibid., Apr. 6, 1898, Vol. I, c. 3174.
that I heard the Klondike eagle, but it is the Yukon bray."\footnote{156}

On another occasion when the Speaker called him to order for referring to Mr. Richardson as "that man" rather than by the parliamentary mode of address by constituency, this innocent enforcement of the rules of debate gave Davin the opportunity to reply:

\begin{quote}
Did I say that man? I apologize to the hon. member (Mr. Richardson) for calling him "that man." It shows how one, in the heat of debate is apt to forget himself. It would be impossible, with the deepest plummet that ever sounded the depths of the Atlantic to measure the depth of my respect for the hon. member. I am sorry I called him a man. Nothing on this earth would lead me to repeat any such misnomer with regard to the hon. gentleman.\footnote{157}
\end{quote}

Davin's exchanges with Mr. J. McMullen appear slightly one-sided. The member for North Wellington one day advised the House that he was deterred from going to Regina because Davin resided there, but Davin urged him not to be deterred:

\begin{quote}
My hon. friend (Mr. McMullen) will have to reconsider his antipathy to being in a place where I am [he said], because I intend to get to heaven, and if he does not wish to be with me, then he will have to go below.\footnote{158}
\end{quote}

His most famous encounter in the House was with this same member who objected to what he considered to be Davin's claim to superior knowledge of North-West affairs.

\begin{footnotes}
\item[157] \textit{Ibid.}, Apr. 6, 1898, Vol. I, cc. 3197-98.
\item[158] \textit{Ibid.}, May 12, 1898, Vol. II, c. 5492.
\end{footnotes}
Why [said Mr. McMullen], if my brain was as green as the brain of the hon. gentleman (Mr. Davin), instead of going around with a skating rink on the top of my head, as he does, I could grow hair for sale. Let me tell him that I understand the question quite as well as he does. He must not fancy that when his hat is on, it covers all the brains we have in this parliament. Why everyone who has sat ten years with the hon. gentleman (Mr. Davin) in this House, knows that he has more rooms to let in his upper story [sic] than any man in this parliament.

Davin, quite unabashed, replied:

My hon. friend (Mr. McMullen), has told you, Mr. Speaker, that I have a skating rink on the top of my head. Well, there is no doubt about that. I certainly have a larger amount of forehead to show than the hon. gentleman (Mr. McMullen); but he did not tell you that there is a sort of similarity even now between us, because the curly locks that fell over whatever forehead he had twenty years ago, are no longer there. He did not, however, tell the House the difference between himself and myself, and the difference is: That though I am more bare-headed than he is, he is more fare-faced than I am.

Then, after a parliamentary interjection of "Oh" from an hon. member, Davin continued:

The hon. gentleman said that in my upper story there were a large number of rooms to let. Again, he did not tell us the difference between myself and himself. There may be rooms to let in my upper story, and there are rooms to let in the hon. gentleman's upper story; but the difference is this, that mine are furnished and his are unfurnished.159

If Davin had a reputation for being eminent in debate and skilful in repartee, he also had a reputation for verbosity.

159 Ibid., May 10, 1900, Vol. II, cc. 5055-56.
Mr. J. Domville of King's New Brunswick claimed that "he has wasted more time of this House than almost any other man in it," and he assured him that "much as we admire what he says, we shall still more admire it, when it is more briefly expressed."\textsuperscript{160} Mr. G.E. Casey (West Elgin) remarked: "It seems there are only two parties in this House, the Government and Mr. Davin,"\textsuperscript{161} and Bourassa referred to him as "Almighty Voice."\textsuperscript{162} Even members on his own side chided him on this point: Davin rose on a question of privilege to answer a newspaper charge that he had failed in his duty by allowing an important clause of a particular bill to pass without saying a word on it, and Sir Charles Hibbert Tupper interjected with: "I do not believe that."\textsuperscript{163} It was Mr. G. Landerkin of South Grey who was perhaps most effective in his criticism of Davin's penchant for debate. Landerkin claimed to have compiled statistics of the 1897 session which showed that Davin spoke 1,023 times, and his speeches occupied 250 pages of \textit{Hansard}. This placed him second to G.E. Foster who had spoken 1,453 times for 363 pages. Landerkin concluded by quoting a few lines reputedly overheard by a reporter who passed Davin at the gate one evening:

\begin{quote}
My name is O'Davin,
I soon will be havin' 
The House to myself
If I keep on this way.
\end{quote}

\textsuperscript{160} \textit{Ibid.}, Sept. 17, 1896(2), c. 1404.  
\textsuperscript{161} \textit{Ibid.}, May 12, 1897, Vol. I, c. 2136.  
\textsuperscript{163} \textit{Ibid.}, June 11, 1900, Vol. III, c. 7121.
My words are abundant,
My speech is redundant --
I can speak from the morn
Till the close of the day.\footnote{164}

Davin was, however, quite unperturbed "even though hon.
	members on that side of the House take flight when I rise up
to reply..."\footnote{165} He argued that he was but doing his duty in
Parliament while others "slink around corners and into cabooses
with the Ministers and colleague with them, get their ears, and,
in that way, accomplish great things. And those of us who dare
to address the Ministers in this House are accused of wasting
time."\footnote{166} Even allowing for the natural tendency of opposition
spokesmen to speak longer and more often than government support­
ers, Davin's sense of duty does seem to have carried him some­
what past the normal limits, for the entries under his name in
the index to the 1897 \textit{Debates} occupy some two and three-quarter
columns, while those under the name of the Prime Minister are
contained in three columns. Again, in 1899, Davin's entries
take three and three-quarter columns, while only one more column
is required for the Leader of the Opposition.

This personal exchange, this good-natured if pointed give
and take, had been, of course, part of Davin's debating style
from the moment he entered the House in 1887, but in this Parlia­
ment in which Davin sat in opposition one can detect an increasing
bitterness between Davin and other individual members, particularly

\footnote{164} \textit{Ibid.}, June 4, 1898, Vol. II, c. 7019 ff.\
\footnote{165} \textit{Ibid.}, Sept. 22, 1896(2), c. 1741.\
\footnote{166} \textit{Ibid.}, May 18, 1897, Vol. I, c. 2487.
his North-West colleagues. As an example, something in Oliver's attitude towards him moved Davin to charge that the Alberta member was motivated by a desire to

rise up and appear the protagonist to an indifferent and incapable member like myself, who has so badly, for ten years, represented the North-west in this House, and who has now to sit at the feet of this highly cultivated Gamaliel, and highly modest gentleman, who comes here to give me instruction. 167

At a later session he referred to the "miserable, wretched, insect spirit" manifested by Oliver. 168 He traced with some sarcasm the circuitous route followed by Douglas of Assiniboia East who claimed first, according to Davin, to be an Independent Patron, and then an Independent Liberal, then an Independent Conservative Patron, and an Independent Liberal-Conservative before becoming a Liberal Grit Patron. "However, I am told now that the hon. gentleman has blossomed into a full Liberal, and attends the Liberal caucus." 169

The intense bitterness which existed between Davin and T.O. Davis of Saskatchewan could barely be contained by the rules or conventions of parliamentary decorum. Davis described one of Davin's speeches as "a driftwood of ideas in a sea of self-conceited verbosity," 170 and Davin himself as filling "the same

168 Ibid., Apr. 21, 1897, Vol. I, c. 1044.
role in this House that the clown does to a circus, or the end
man to a minstrel troupe." Davin, on the other hand, after
being repeatedly interrupted by Davis, said:

Mr. Speaker, I call your attention to
that boor from Saskatchewan, and I would
ask you to keep him in order, or, if not,
I will take the hon. gentleman (Mr. Davis),
in hand, and bring my whip down on his
back, and make him rear so that he will
not know where he is.172

The next day Davin rose to correct a newspaper report of "a
rather one-sided wordy duel" between himself and Davis in the
corridors, saying: "... there could be no wordy altercation
between us, as, outside of this Chamber, I do not exchange
courtesies with the hon. member."173

Again, there appears to be more than parliamentary repartee
in this retort to an interjection from McMullen:

What a ghoul that is waking up from his
crass dreams of stupidity! What a wretched
moral ghoul the member for North Wellington
is, making a remark like that, meaningless,
having nothing to it, coming out of the
malignant recesses of a heart that has never
been able to learn humanity, as long as he
has lived.174

Similarly, it is legitimate to question why Davin felt he had to
turn on another interruption with this retort: "Will that
bleached negro keep quiet?"175 Of course, it could have been

172 Ibid., March 12, 1900, Vol. I, c. 1760.
Speaker intervened to say: "The hon. gentleman will
withdraw the expression 'stupidity.'"
that Davin had had things all his own way for too long. From 1887 to 1896 he had been one of a comfortable and commanding majority in the House, and his territorial colleagues, amongst whom he was by all measures the leading backbench spokesmen, had confessed the same political faith. Now, in opposition, he lacked the moral support of sheer numbers, and as the lone Tory from the North-West, the authority with which he had formerly spoken on territorial matters was frequently challenged. Yet surely Davin was too experienced in the ways of politics and Parliament not to have been prepared to make adjustments consequent to the changes in representation. He could not have expected Laurier to lean on him as an adviser on North-West affairs; he knew that Oliver and Moffat and Davis would take issue with him from time to time; he could have anticipated a certain arrogance amongst government supporters confident in their command of the House. There must be some other explanation for the acrimony which in these later years all too frequently intruded itself into Davin's relationships with his fellow-parliamentarians, and the explanation might be that his political opponents were determined to discredit him in the House and the country in order to effect his personal defeat and the elimination of Tory influence in the North-West.

For example, Liberal members took every opportunity to charge Davin with having consistently spoken one way and voted another, and Davis particularly was zealous in his attempts

176 See for example ibid., Sept. 24, 1896(2), c. 1941.
to demonstrate that Davin, as editor of the Regina Leader, had been the recipient of patronage from the Conservative government. 177 While it is mere speculation to assume that this was part of a plan to defame the member for Assiniboia West, it is clear that Davin himself felt there was a conspiracy of sorts against him, for he pointed out to the House that the Senate had amended a certain bill by adding clauses which he himself had proposed in the Commons, but which had been defeated there because, Davin charged:

... the members for Saskatchewan and Macdonald, those two charming specimens of humanity, and the member for Assiniboia -- did not want this reform, which they admitted was necessary, to pass in this House, forsooth, because Davin had proposed it and because Davin would get credit for it. 178

The Conservative attempt to unseat the Liberal government in 1900 was made in the face of prosperity for which the government, according to J.W. Dafoe, could claim credit "upon better grounds than are usually available in a case of this kind," 179 and Davin and his Conservative associates found that the story of this prosperity lost nothing in the telling from Liberal platforms throughout the country. It was a prosperity, again according to Dafoe, resulting from the remodelled tariff and preferential


179 John W. Dafoe, Clifford Sifton in Relation to his Times, Toronto, 1931, p. 201.
trade through which Canadian exports to Britain had increased by 50 per cent, and a rising tide of immigration which in 1899 alone had brought 10,000 new farmers to the prairie West. The result had been an impetus to business, substantial government surpluses, and the construction of a large number of much-needed public works. These buoyant conditions, Dafoe recalled, resulted in a contented people who "did not in the mass desire any change." It was clear too that this was no mere statistical or retrospective prosperity, for J.K. McInnis, editor of the Regina Standard and Patron candidate in Assiniboia West in 1896, could write in 1900: "The government have selected a most favorable time for the fight. The country is more prosperous than it has ever been since Confederation." Thus the most obvious issue upon which Laurier went to the people in 1900 was the issue of prosperity, an issue upon which all governments attempt to capitalize. Closely associated with the prosperous conditions of the country, in the Liberal campaign at any rate, was the record of the government which included, according to an endorsement passed by the Liberal association of Medicine Hat, the following impressive accomplishments: settlement of the school question; reduction of the tariff; inauguration of the British preference; participation in the South African War; development of transportation facilities; the penny post; abolition of land grants to railways; freight-rate con-

180 Ibid., p. 200.
181 Regina Standard, Oct. 17, 1900, "Political Sermons."
cessions from railways; opening of the Yukon at no cost to the Dominion; abolition of the United States quarantine regulations; and reservation of Dominion lands for the settler, not the speculator. 182 It was, however, the tariff which was again and again singled out as the shibboleth by which the people of a modern Gilead could distinguish the fugitives; "All the Conservatives say," the Standard declaimed, "the preferential tariff is of no benefit to us, and that high protection is the only fiscal policy suited to our conditions."183 Furthermore, the Standard suggested, to support the Conservative party "would be to return to protectionism with all its kindred evils."184 The Conservative reply was, of course, to claim that Liberal tariff reductions were but a snare and a delusion, and that the British preference was meaningless, in the West at least, where very few items of British manufacture were in use. This was the line Davin took at meeting after meeting when, speaking on the tariff, he showed "how the people had been deceived and how much more they had to pay in consequence."185

Davin was nominated without opposition at a Conservative convention held in Moose Jaw on September 4, 1900, at which he "promised the same adherence to principle and the same independence of party control as had ever been the leading feature of

182 Regina Leader, Sept. 20, 1900, "Medicine Hat Liberals."
183 Regina Standard, Oct. 17, 1900, "Political Sermons."
184 Ibid., "The Candidates and the Parties."
185 Regina West, Aug. 29, 1900, "Public Meetings."
This convention was described by the Regina West as "the most representative body that ever gathered together politically in the Territories," and having been nominated under such circumstances, it was claimed that Davin's "choice as representative should be as unanimous as his choice as candidate. Of his election there is no question. It is certain." The Liberals had brought out Walter Scott at a convention in June, but there appeared to be a certain defection in Liberal ranks, for Scott was regarded even by some Liberals as "the Sifton-Machine candidate for West Assiniboia," and in September a group calling themselves the Senior Liberal Association passed the following resolution:

Resolved, that in the opinion of this executive committee, the members of the Regina and District Liberal Association, and the Independents, are under no obligation to support the machine candidate, as we believe his election would be contrary to the principles of the Liberal platform laid down in Ottawa in 1893.

This evidence of dissension was naturally seized upon by the Davinites who delighted to draw attention to the choice confronting the electors:

186 Ibid., Sept. 5, 1900, "Liberal-Conservative Convention."

187 The West, a Conservative newspaper and rabid opponent of Walter Scott's Leader, had commenced publication on Apr. 27, 1899. Charles Willoughby, Peter McAra, and R.J. Westgate were the publishers. See Historical Directory of Saskatchewan Newspapers, 1878-1950, University of Saskatchewan, 1951, p.86.

188 Sept. 12, 1900, "Mr. Davin Nominated."

189 Ibid.

190 Ibid., Aug. 29, 1900, "The Leader's 'Statesmanship.'"

191 Ibid., Sept. 12, 1900, "Will Not Support the Machine."
One [candidate] chosen by a machine amidst the denunciation of the honest men of the party, the other chosen by the honest, unfettered vote of the entire party. One -- Mr. Scott -- the representative of a clique; the other -- Mr. Davin -- the free choice of the people. 192

There was, perhaps, a certain poetic justice in all this both for the Conservatives and for Davin himself, for the Tories of Assiniboia West had borne the cross of disunity in their ranks in 1887 and 1891. Moreover, if Davin had regarded Scott as a Judas in 1896, he must have drawn some comfort from the knowledge that even in Liberal circles there were some who regarded him as a Johnny-come-lately Liberal who, having campaigned for the Patrons in the last contest, "when the election was over, rushed up to the Reform Association rooms to join the Reform Association." 193

Dafoe has described the Conservative campaign throughout the country as one of "wholesale vigorous denunciation [and] ... loud and assured trumpetings of victory." 194 Assiniboia West was no exception although the trumpets of victory were sounded more often by the Tory press than by the Tory candidate. On the platform and from the editorial columns of the West Davin and the Conservatives maintained a running attack on the Liberal government, the Liberal leaders, and the Liberal candidate. It

192 Ibid., "A Difference."

193 Ibid., Oct. 3, 1900, "Old Liberals Endorse Mr. Davin." This charge was made by a Mr. Pettingell, spokesman for the Senior Liberal Association, at a Davin meeting in Lumsden.

194 Dafoe, op. cit., p. 200.
was claimed that there was a gulf of deceit between the campaign
promises of 1896 and the programmes implemented during the last
four years. Laurier, Bourassa, Sifton, and Tarte, but
especially Sifton and Tarte were alluded to as symbols of the
most sinister influences of eastern monopolies hand in glove
with blatant machine politics. At a Lumsden meeting, for ex-
ample, Davin claimed that he had no quarrel with true Liberals
such as Brown and Mackenzie; his quarrel was with "Siftonism
and Tarteism." A filler in the West suggested that "If
Tarte could only devise a way of letting the contract to be
re-elected out to tender he might be able to win." Scott
himself was charged with being "The nominee of the Sifton machine
in West Assiniboia [and] a second Dr. Douglas in his slavish
support of Mr. Sifton's pet and peculiar schemes...." Scott
was charged further with the inconsistency of publicly opposing
land subsidies to railways while running as a candidate for
the party which had given a record subsidy to McKenzie and Mann
for the Yukon railway.

In addition to this debate over promises, programmes, and
personalities, the air was thick with charges of bribery and
corruption at the hands of the ubiquitous Sifton machine. The

195 See for example Regina West, Sept. 12, 1900, "Davin and
Sifton."

196 Regina Leader, Oct. 4, 1900, "Election Campaign."

197 Regina West, Sept. 26, 1900.

198 Ibid., Aug. 22, 1900, "A Contrast."

199 Ibid., "Pre-Election Falsehoods."
West warned the "honest electors" in this notice early in the campaign:

One of the West Elgin pluggers has been and is in town and has been in close conference with the leading Siftonian. This is not the only evidence that the machine is at work. Honest electors! Liberal and Conservative, beware of the machine. 200

Again, the West urged all Davin's supporters to be sure their names were on the voters' lists, for the "machine" could be expected to use every means to prevent known Conservatives from voting.

It ought to be remembered that the Siftonites and monopolists have long since determined to defeat Mr. Davin no matter what it costs or how it is done. A desperate game is being played and they will resort to all manner of fraudulent devices. 201

Finally, a few days before the election, Davin himself published a notice in the West addressed to his supporters and agents:

We are already in a position to know positively that bribery is rampant on behalf of my opponent and sufficient evidence has already been accumulated to unseat my opponent if elected. I wish by this notice to warn all my supporters and agents that it is my desire that they in no way commit any infraction of the election act. I wish to be elected purely without the use of whiskey or money. 202

Notwithstanding all this, however, there was a positive side

200 Ibid., Aug. 15, 1900.
201 Ibid., Oct. 17, 1900, "A Corrupt Threat."
202 Ibid., Oct. 31, 1900, "Notice."
to Davin's campaign as well, and his Address to the Electors embodied and summarized those proposals he had made from platforms throughout the constituency: he promised to work for duty-free agricultural implements; the suppression of trusts and combines; protection for coarse grains and wheat against importation of grain from the United States; the British preference for wheat and cattle; "Lower freight rates with government ownership of railways as our goal"; improvement of the cold storage system; removal of the British embargo on cattle; effective livestock quarantine; a railway linking the Hudson's Bay with Winnipeg and some central point in the Territories, and a railway from Indian Head to Battleford via Saskatoon; drainage of the Dundurn marsh; a well-water survey; a wise and economic immigration policy including funds to be spent in the North-West Territories, and the encouragement of female immigration to ease "the stress on the female head of the household" particularly as it is experienced at recurring intervals such as harvest; legislation to ensure the safety of railway crews and passengers; and amendment of the elevator act "to emancipate the shipper from cramping and oppressive restrictions." 203

Having enumerated these planks Davin proceeded to remind the electors that there had been a government conspiracy against him in 1891 in spite of which "the farmers and the ranchers knew where their interest lay and were not unmindful of the past and stood behind me like a wall of steel." He saw a similar conspiracy against him in the present contest, but "it is greatly re-

203 Ibid., Oct. 24, 1900, "Address to the Electors."
inforced and great monied interests are banded against me in support of the Sifton candidate."

Farmers and ranchers of Western Assiniboia [he asked], are you going to allow party to place a ring in your nose to lead you against your own interest? Are you going to stand by while the interests I fought against in your behalf seek to bludgeon your watchdog? Can party infatuation and the blindness and madness of faction carry you thus far? I will never believe it.

Electors of Western Assiniboia, you have before you my record. You have before you my programme. I never forget how nobly you have again and again stood by me and I know my confidence this time as in the past will be justified by the event.204

From the Grit side of the fence, this programme, and indeed the whole Conservative campaign was greeted with derision. Davin's election address, according to the Leader was "the fierce screech of a defeated man; the wild cry of despair...," and it stamped him as unfit for election because "He promises the impossible all along."205 Conservative charges of Liberal corruption were dismissed with these words:

Totally lacking anything in the nature of a presentable policy or programme and unable to dispute the plain fact that instead of ruining the country as was prophesied the Liberal Government has managed the business of the country well, the Davin organs resort to the most despicable methods of conducting a political contest.206

204 Ibid.
205 Regina Leader, Nov. 1, 1900, "Why You Should Not Vote for Mr. Davin."
206 Ibid., Sept. 6, 1900, "Lies and Vituperation."
Nevertheless, the Leader did not hesitate to indulge in similar tactics: the West was referred to as

... the prejudiced sheet established at Regina by railway monopolists and grain combinesters to boom a discredited political tool and slander everything and everybody not saturated with its own partisan notions...

Davin himself was again attacked with the old charges of having by some subterfuge acquired a timber limit in 1882, and with being the tool of the railway magnates and land monopolists.

Similarly, the Standard felt that the following piece of intelligence would be of interest to the electors:

President Shaughnessey of the C.P.R. passed through in his private car a few days ago. During a short stop at the station Nicholas Davin, after glancing around to make sure that he was not seen, slipped into the car and rode to Moose Jaw, returning by the next train. What was the object of that secret conference? Was it to explain to Shaughnessey why Davin denounces the Crow's Nest deal, after supporting it in Parliament? Fie, Nicholas! It looks bad to see a farmer's friend hobnobbing with the railway magnates at a time like this.

In addition, the Leader found Davin's platform style quite intolerable, witness the following report of a meeting in Medicine Hat:

207 Ibid., Aug. 16, 1900, "Cold Storage."

208 Regina West, Oct. 3, 1900, "The Timber Limit Fake."

209 See for example Regina Leader, Nov. 1, 1900, "Why You Should Not Vote for Mr. Davin," and also Regina Standard, Oct. 31, 1900, "Davin and the Townsites."

[Davin's] speech is not reportable. It was one torrent of offensive personal abuse couched in the foulest Billingsgates. Many of his friends felt very sore at his dragging the meeting down into such low guttersnipe talk. Several of the ladies present left the meeting.211

The highlight of the campaign was a series of meetings held at Regina, Swift Current, and Medicine Hat at which Davin and Clifford Sifton, the Liberal Minister of the Interior, shared the platform. When the announcement was made that Davin had accepted the challenge to debate with Sifton, the Saskatchewan Herald commented: "There will be music in the air in Western Assiniboia,"212 but just who called the tune at these meetings seems to have depended on the political colouring of the reporter, for the West claimed that the bouquet presented to Davin at the Regina meeting was larger than the one presented to Sifton, clearly because Davin's reception was warmer,213 while the Leader, on the other hand, took issue with the West's assertion that Davin had carried all three meetings, classifying this claim as "a striking example of the policy of brag and bluster by which apparently Mr. Davin hopes to regain the confidence of the people of West Assiniboia."214 The fact was, according to the Leader, that even Davin's supporters acknowledged that he had never been seen on any platform in the constituency "in so de-
pressed and tame a mood as at the Sifton meetings."215

The meetings followed a similar pattern: Scott spoke briefly and then Sifton opened with an account, buttressed by facts and figures, of the successful Liberal stewardship; Davin followed with his criticism of the government's policies and record; Sifton closed with a rebuttal. Davin's standard attack was to show the weaknesses in the record of the government with respect to the tariff, railways, and land policy, and in addition to argue that the budgetary surpluses represented nothing so much as bad management. He claimed too that he, not Sifton, was the "father of constitutional government in the Territories," since he had advocated each stage of this reform since 1887.216 Sifton, on the other hand, contrasted with telling effect the low-tariff policy of the Liberal party and the high-tariff advocated by the Tories, and he argued that while Davin might be a low-tariff man, his election would simply help to put the high-tariff party in office.217

The question of independence from party control was also debated by both candidates during the campaign. The premise that a member representing a territorial constituency, even though nominated at a party convention and elected on a party platform, must somehow remain independent of the party on issues affecting the North-West, was as much a feature of the 1900 campaign as it had been on previous occasions, although the approach of the two

215 Ibid.
216 See Regina West, Sept. 12, 1900, "Davin and Sifton."
217 Regina Leader, Sept. 13, 1900, "Liberal Meetings."
candidates to this question showed some interesting distinctions. Scott had avowed his independence in his written acceptance of the Liberal nomination:

I feel justified in taking it for granted [he wrote] that I will be expected to act as a supporter of the present Government, but independent and untrammelled by any consideration other than the best interests of this riding and the territories as a whole in particular and the Dominion of Canada in general.218

There was a nice qualification to this declaration, however, for having acknowledged that not all Liberal policies were precise reflections of territorial opinion, Scott went on to claim that:

where the Liberal party's attitude ... is wrong, the Conservative party's attitude is doubly wrong [and] ... where the Liberal leaders are mistaken or deficient, the Conservative leaders are radically wrong.219

Moreover, his views on this question of independence led him to the conclusion that:

For West Assiniboia to send again to the House of Commons a man wearing party shackles as binding as was proven to be the case with our present representative on the School Question in 1896 ... would be a mistake which we hope will not be repeated.220

It would perhaps be fair to observe, however, that a man who wears party-coloured spectacles need never fear the encumbrance of

218 Ibid., June 28, 1900, "Mr. Scott Writes the Liberal Convention Chairman."

219 Ibid.

220 Ibid.
party shackles. Still, in the course of the campaign Scott did indicate to the electors certain of those matters on which he differed with his leaders: at Moose Jaw on the platform with Sifton, for example, he stated his belief that "the present government had not satisfied the people of the North-West in the way of lowering duties,"221 and at Regina Sifton had praised him for his independence, reminding the audience that "it was the pride of the Liberal party that there was room for differences."222

Davin's approach to the question, resolved through some thirteen years of parliamentary experience, was somewhat different. He dealt at some length with the fallacy of the "Independent" candidate, arguing that "the only independent man was the man of independent character and strong brain."223 Labels did not make a man independent; it was the ability of the party man to sway his party that was important. This was obviously the sense in which Davin used the word when he claimed in his election address that "Independence is as conspicuous in my banner today as it was in 1887, in 1891, in 1896...."224 Davin's view of this issue was perhaps closer to the facts of political life; Scott's was likely closer to the sentiments of the electors.

The campaign reached its climax in a blaze of confident but contradictory prediction: "The Flowing Tide is with the

221 Regina West, Sept. 12, 1900, "The Moose Jaw Meeting."
222 Regina Leader, Sept. 13, 1900, "Liberal Meetings."
223 Regina West, Sept. 5, 1900, "Mr. Davin and Independence."
224 Ibid., Oct. 24, 1900, "Address to the Electors."
Liberal Candidate Wherever He Goes; Davin is Defeated Sure!" So read a Leader headline on October 25, and on November 1, the Leader proclaimed: "Walter Scott Will Win." Not to be outdone, the West announced on November 6, the day before the election, "Davin Triumphant," and "A Clean Sweep," predicting that the Territories would go Conservative with large majorities. However, when the acrid smoke of the campaign which had filled the air for several weeks had cleared on polling day, the count showed the decision of the electors to be 2,093 to 1,861 in favour of Scott. The Titan had fallen; Davin had been defeated.

The West was quick to suggest the causes of Davin's defeat; amongst those mentioned most frequently were: good times, corrupt and illegal methods used by the Liberals, large donations to the Liberal campaign by eastern manufacturers who saw Davin as "an enemy to their protected interests," and the lack of support from territorial Conservatives such as Haultain. Later the West reprinted an editorial from the Winnipeg Telegram which showed that one wheel at least had come full cycle:

The manner in which the Mounted Police vote was manipulated shows that it was not without purpose that the Government insisted upon the retirement of Colonel Herchmer and the appointment in his place of a Grit partizan.

Davin himself alluded to these charges of corrupt election practices in a letter to Sir Charles Tupper:

Lest my letter to Ottawa shd have missed you I write to say how much I felt

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226 Ibid., Nov. 14, 1900, "The Election in West Assiniboia."
your defeat in Cape Breton and the defeat of the party which you have led so nobly. You will have learned already by what outrageously illegal violence this constituency has been carried against us.227

These reasons, however, valid as they may be as the initial reaction of the candidate to his defeat, are less than satisfying to the historian, and in fact do less than justice to Davin himself. One of his associates, writing some years later, suggested that in addition to the popularity of Laurier and the tide of prosperity born apparently of Laurier Liberalism, there were other significant factors in the Conservative defeat such as a new population with no personal loyalty to Davin, and a highly efficient political organization in opposition to him.228 Again, there is the factor of Scott, his opponent, and another observer came very close to the mark when he said:

Davin always regarded Scott's acceptance of the Liberal nomination as the act of an ingrate. He was probably indiscreet in his expression of his feelings, for the little prairie town of that day regarded Scott as one of its own and Davin, despite his long residence, as a being from the outside world.229

Two contemporary comments also bear upon the fundamental causes. The editor of the Leader had written a week or so before the election:

227 Davin to Tupper, Nov. 10, 1900, Sir Charles Tupper Papers, 1900, No. 849, P.A.C.


229 Charlesworth, op. cit., pp. 28-29.
This country has grown too big and too fast for Mr. Davin. However much he may have suited the community in embryo, if he did then suit it, he has not advanced with it and does not suit it now. To put the matter roughly, he is played out, ... 230

In conjunction with this observation, the following item from the Edmonton Bulletin is of particular significance:

Sir Chas. Tupper was not of this day. He lived in the past. Canada lives in the present and looks to the future; Sir Charles lived in the days of Confederation. 231

In other words, Davin's defeat represented the end of an era in the North-West Territories. He and his party had given leadership to the country at a time when the young Dominion was groping its way towards nationhood, and when the Territories were taking the first steps towards full participation in Dominion affairs. This was perhaps a time to rely on the paternalism of tradition inherent in the party of the National Policy and the British connection. By 1900, however, conditions were ripe for a bolder pragmatism, for an experimental approach to a national individualism, and the Liberal party, unhampered by the commitments of policy or philosophy, stood ready to lead the Dominion in this next stage of development.

Davin, for all the liberalism of his intellect, was a political and philosophic conservative. He could accept but not justify the tenets of popular democracy; he believed, if not

230 Regina Leader, Oct. 25, 1900, "The Campaign in West Assiniboia. 231 Nov. 12, 1900.
Davin in his Later Years

Original in RCMP Museum
Regina
in the right then at least in the responsibility of an élite
to occupy the high offices of the land; he conceived the role
of government to be not merely to ensure equality in competition,
but inevitably to protect the weak against the strong. He was
by no means a hide-bound Tory, but his instincts were essentially
paternalistic; he did not begrudge progress or fear change, still
he acknowledged a fundamental loyalty to tradition. This was
Davin's conservatism; this was the conservatism which, as the
Leader said, "may have suited the community in embryo"; this was
a conservatism which made Davin, as the Bulletin said of Tupper,
"not of this day"; this was at bottom the reason why in 1900
the electors of Assiniboia West rejected the honourable member
for Dixie.
Davin's defeat in 1900 brought to an end a political career which had spanned almost twenty-five eventful years, for thirteen of which he had represented Assiniboia West in the House of Commons. His own assessment of that career as a Member of Parliament and the representative of a territorial constituency is to be found in part at least in his valedictory published in the Regina West on November 21, 1900:

And now farewell [he wrote]. I thank you all for your kindness and consideration for thirteen, I might say eighteen years, for before we had representation I did the work of a member of Parliament and general adviser. In those days there were grievances to be redressed and wrongs to be righted; we were in the wilderness. There are not many of you to whose business I have not attended. You know, or should know, whether I have spared or cared for myself, or spared any man or body, or government when your interest was opposed. You may be sure that though the intimate relationship between us is no more, you will always be near my heart. I still believed in the North-West when most, if not all, began to doubt; it was my duty to feed the fainting flame of hope; to bid, "Be of good courage"; and it has been my happy fortune to be at your head when we entered into abundant prosperity. Those whom I have watched in doubt, anxiety and care I have lived to see rich, confident and happy, and I pray God you may go forward, ever increasing in the possession of all that truly contributes to well-being and happiness.

There is to be found also in this valedictory an assessment of the causes of his defeat best summarized in the sentence in which he claimed: "Not in the worst days of the Third Empire

1 "To the Electors of Western Assiniboia."
in France was there ever a more flagrant attempt to guillotine electoral opinion."² Finally, there is also in the address an indication of regret at the outcome, a regret which, one suspects, ran far deeper even than Davin cared to acknowledge: "I regret the result," he said, "but not for myself. I would not have severed the tie. It is severed and I am free."³

Whatever the actual causes of Davin's defeat may have been, it is likely that there were many in Assiniboia West who would have agreed with the editor of the Standard when he wrote: "Mr. Davin was defeated four years ago. He is unquestionably defeated now...."⁴ There were probably many too who would have agreed with the editor when he added, in what was for him an uncharacteristic burst of charity: "With all his faults [Davin] is a man of many good parts and will probably be heard from again."⁵ Or perhaps the Brandon Sun reflected western opinion more accurately in these words:

Probably it is a good thing all around that [Davin] is defeated, yet the good-natured, bald-headed, velvet-coated, blarney-covered Irishman will be missed in Ottawa far more than many a better man.⁶

Still defeat is never palatable even for the politician who must know that failure as well as success frequently depend

² Ibid.
³ Ibid.
⁴ Regina Standard, Nov. 7, 1900, "After the Battle."
⁵ Ibid.
⁶ Quoted in Earl G. Drake, Regina The Queen City, Toronto, 1955, p. 107.
upon the sometimes inexplicable and volatile whims of an electorate, and in his calmer moments Davin may have remembered, with a certain irony, a comment respecting J.K. McInnis which he had made four years earlier to Walter Scott:

Too many people will swallow anything & give themselves up to the lowest Charlatan -- So much so that any public man who looks for gratitude is a fool. You remember what Cromwell said when the crowds were cheering him -- "they wd cheer in the same way if I was being led to the block." The applause of a man's own self respect -- his honest pride as a man of honour -- or if he be a religious man God's approval -- this is all. It is a sad way of looking [at] it, but it is the true way. I do not feel indignation against -- I have nothing but pity & I am sorry to say contempt for those men for whom I did all in my power & in doing this sacrificed political promotion with as light a heart as I wd fling a weed aside & who at the bidding of cranks turn aside to take for leader as low a type of man as it was ever my fate to know. 7

Yet Davin must have found it difficult to sustain himself with the applause of his own self-respect and "his honest pride as a man of honour," for embedded deep in his own assessment of political events of the last few years was the conviction that he had been the victim of a determined and ruthless conspiracy.

This conviction had been manifest from time to time in the course of debate in the House of Commons, and it had become almost a theme of the editorial campaign conducted on Davin's behalf by the Regina West during the 1900 contest. Whether or not there was in fact a "conspiracy" against Davin cannot now be demonstrated, and indeed, even if a case could be documented,

7 Davin to Scott, Mar. 5, 1896, Scott Papers, A.S.
there would arise the question of distinguishing between legitimate political opposition, the object of which is to defeat an opponent, and a "conspiracy" to bring about the defeat of a particular politician. Similarly, the accusation that Davin was defeated by the machinations of the "Sifton machine" raises the question of determining the point at which an effective and resourceful political organization loses its respectability and acquires the sinister characteristics of a political "machine." Nevertheless, without attempting to define the terms or to determine the validity of the charges, it is sufficient to recognize as a fact Davin's own belief that there had been a "conspiracy" against him and that the Liberal campaign had been conducted somewhat less than fairly by an unscrupulous "machine."

After his defeat, which Hamilton says Davin accepted "gracefully," he devoted his time to literary activities, and produced the manuscript of a novel entitled Dorsal Ray. His professional card as a barrister had appeared for some time in the Regina West, but having been divorced from the practice of law for nearly a quarter of a century, it is unlikely that he

8 Hamilton, op. cit., p. 15.

9 Davin claimed that this novel was a conception of his youth. See Z.M. Hamilton, "Nicholas Flood Davin," unpublished ms in SHS 14, A.S. The novel was never published, but the Hon. W.J. Tupper of Winnipeg, who read the ms, was of the opinion that "it deserved a better fate than to be stillborn from the author's typewriter." See Stubbs, op. cit., p. 15. Various attempts have since been made without success to locate this ms, which, by 1938 had disappeared from the vault of the Tupper law firm in Winnipeg. See correspondence with Mr. R. St. G. Stubbs and with Mr. Alexander Adams of Tupper, Adams & Co., Winnipeg, in possession of the author.
was able to develop an active practice, and there is no indication of any other source of income during this period except perhaps certain editorial work for the West. Politically, so his friends claimed, he was still a force to be reckoned with, for "He had a great following in the country and at any time could have headed a movement that might have shaken the 'Seats of the Mighty' to their foundations." Any criticism of Davin could therefore be interpreted by his friends as further evidence of that conspiracy which they believed had defeated him, and indeed, they were convinced that "the victors [had] entered upon a planned scheme of prosecution [sic] almost incredible in its malignity. [Davin] was daily held up to ridicule in the press, and no attempt was spared to humiliate him." There would appear to be at least some foundation to these charges, for although Davin was still a newsworthy figure and his parliamentary and editorial career still a matter of public record and interest, the Leader particularly seems to have gone out of its way to re-open old quarrels and to remind its readers that Davin had been "a corporation beneficiary and a tool," and had been in the habit of "getting grafts in the

10 Davin had been enrolled as an Advocate of the North-West Territories on Jan. 11, 1886. See Roll of Advocates of the North-West Territories, Law Society of Saskatchewan, Regina. He was made a Queen's Counsellor by the Dominion Government in 1892. See The Canadian Parliamentary Companion, 1897, p. 128. The Parliamentary Guide and Work of General Reference, 1898-9, p. 50, gives the date of his Q.C. as 1890.

11 Hamilton, "Nicholas Flood Davin," loc. cit. This was written some fifty years later.

12 Ibid.
public funds irregularly and illegally."13 Even some nine months after the election the Leader felt the following item worthy of space on the editorial page:

Reported, that Conservatives of Lisgar have asked Mr. Foster to be a candidate. Notable, that offers of a seat have not reached N.F.D. in overwhelming numbers.14

However, the most important single instance supporting the claim that there existed a "planned scheme of persecution," occurred on the occasion of the visit of the Duke and Duchess of Cornwall and York to Regina in early October of 1901. A state luncheon was arranged at Government House to which Mrs. Davin, as president of the Daughters of the Empire, was invited, but Davin himself received no invitation.15 Hector Charlesworth gives an account of this incident in these words:

John Ewan of the Globe and myself met Davin strolling along the muddy main street at a time when every other prominent local resident was at a reception at Government House, Regina then being the capital of the Northwest Territories. We learned that although he was

13 Regina Leader, Jan. 17, 1901, "Badly Treated, Indeed." See also Regina Standard, May 1, 1901, "Talking Back to the Counties."

14 Regina Leader, Aug. 1, 1901.

15 See Hamilton, "Men Important in Early History of Saskatchewan"; see also Regina West, Oct. 2, 1901, "Wanting in Duty and Capacity," and ibid., "The Royal Visit." It appears that the original intention was that no ladies would be invited, but when the plans were changed to include the ladies, a number, like Mrs. Davin, found that their husbands had not been included. While a number of these ladies accepted the invitation, others, amongst whom was Mrs. Davin, sent "flat & politely indignant refusals." See "Visit of their Royal Highnesses to the West," SHS 14, A.S. This is a handwritten document signed by Davin. For the Lieutenant-Governor's version, see Regina Leader, Oct. 10, 1901.
by all odds the most widely-known citizen of Saskatchewan [sic] his name had been dropped from the list of official invitations, though his wife was invited. Lack of accommodation was the excuse given, and Davin laughed as he recounted the episode, but his laugh was not hearty, -- unmistakably sad and bitter, in truth. 

It seems difficult to believe that this was a mere oversight or that accommodation was quite so limited; on the contrary, the incident has the earmarks of a calculated snub, but whatever the reason there seems to be no doubt that Davin was deeply wounded.

A few days after this incident, on October 8, 1901, Davin left Regina for Winnipeg on a business trip. He was expected back on October 14, but he later wired Mrs. Davin that he would be delayed until the 16th. When he did not return then, Mrs. Davin became somewhat concerned and regularly met the Winnipeg train. Davin had left Regina in good spirits, and friends who saw him in Winnipeg reported that he was as buoyant as ever, but beneath this buoyancy his close associates could detect a certain despondency.

On Friday, October 18, Davin bought a revolver from Ashdown's hardware, but being unfamiliar with firearms, he managed to jamb the mechanism. When he returned the weapon to the store a few hours later, the clerk did not attempt repairs, but simply took the revolver and refunded the purchase price saying, "Mr. Davin, you do not want this revolver today." Later in the day he purchased a .32 calibre revolver at Baskerville's hardware,

16 op. cit., p. 29.

17 The following account is based on reports in Regina West, Oct. 23, 1901, "Mr. Davin's Tragic Death," and Regina Leader, Oct. 24, 1901, "Death of Mr. Davin."
remarking that the weapon was intended for shooting cats. He then took a taxi back to his hotel, and asked the driver to wait while he packed his bags, but the driver waited in vain for his passenger, for when the porter went up to Davin's rooms for the luggage he found him lying on the bed, the revolver clutched in his right hand, and a bullet hole in his head. Amongst his personal belongings was $6.80 in cash and an unopened letter from his wife which the bell boy had delivered to him that same afternoon. The last person to see Davin alive was a chambermaid who, from the window of a room facing his, saw him about 3:50 p.m. standing at the window tapping the revolver against the sash. Under the circumstances, the coroner deemed an inquest unnecessary. The citizens of Regina learned of the tragedy shortly after 5:00 p.m. when a rush telegram was received which read: "N.F. Davin committed suicide by shooting himself late this afternoon in his room at the Clarendon hotel."

The Regina West attempted to reconstruct the final scene as follows:

It is not difficult to fill in the gaps between known facts and to satisfy our minds as to the state of mind in which Mr. Davin was. We see him arranging to come home, then hesitating and remaining, evidently struggling with himself as to what to do. We see him, too, sitting in his room pondering over conditions, reviewing his life, the pictures of home before him, the unopened letter coming as it did as a last affectionate appeal from a wife to whom he was devotedly attached, resisting the impulse to open it, casting aside the thoughts of the fearfulness of what he was doing he turned the weapon-death upon himself. The depression under which he was suffering must have been very great, but no greater than the cause of it.
Davin was buried in Beechwood Cemetery in Ottawa on October 22, 1901. In December the *West* announced that a committee had been formed to raise funds to erect a memorial, and a subscription list was opened. On July 2, 1903, the monument, designed by W.S. Allward, was unveiled by Sir Charles Tupper at a ceremony which included an address by Professor Clark of Trinity University, Toronto, and for which a memorial ode had been written by W. Wilfred Campbell. The monument, according to the inscription, had been erected by Davin's parliamentary associates and other friends as a lasting proof of the esteem and affection which they entertained for one whose character was strongly marked by sincerity and fearlessness; whose mind by vivacity and clearness of comprehension; and whose classical scholarship and wide culture united to his brilliant oratory and singular wit, made him eminent in debate and delightful in society.

Davin himself left no explanation for his act of self-violence, and any conclusions drawn at the time or later must therefore be merely speculative, but a variety of reasons were advanced each of which may have had a certain validity: a former parliamentary associate suggested that it was "acute despondency brought on by financial embarrassment"; some medical friends were of the opinion that the rash act had been due to a mental imbalance resulting from a fall some ten days earlier which had caused Davin to strike his head upon a box; the *West*

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19 *Regina Leader*, Oct. 24, 1901, "Death of Mr. Davin."

20 *Regina West*, Oct. 30, 1901, "The Last Sad Rites."
Davin's Monument in Beechwood Cemetery
Ottawa

Original by Earl G. Drake
expressed the view that the "bitterly personal" opposition which was "often utterly false and unfounded" had hounded him with charges which contained "not a scintilla of truth," thereby "hastening his end"; 21 Mrs. Davin emphatically denied that political, financial, domestic, or business worries had anything to do with her husband's death which she attributed solely to the fall. 22 The Leader felt it necessary to refute the suggestions that Davin had been hounded to death by bitter personal attacks; on the contrary, the Leader claimed, "it was rebuffs from within the Conservative party which affected Mr. Davin more than his overturn by the Liberals." 23 An item on this subject in the Toronto Telegram read in part:

If Nicholas Flood Davin had preferred principle to party the record of having voted against coercion [in 1896] would have saved him from defeat in West Assiniboia [in 1900], and he would have never tired of life when life meant the continued enjoyment of a seat in Parliament. 24

It would seem, however, that any valid explanation of Davin's last act must of necessity take into some account his political defeat and his sense of persecution, for he had never been a wealthy man and it is unlikely that a temporary financial setback would lead him to such extreme measures, and furthermore, suicides need not, as a rule, be preceded by a blow on the head.

21 Ibid., Oct. 23, 1901, "Mr. Davin's Death."
22 Regina Leader, Nov. 7, 1901, "The Newspaper Ghouls."
23 Ibid.
24 As quoted in Regina Standard, Nov. 13, 1900, "Ruined by Party."
Rather, the despondency which led to his death may have resulted from a strong sense of isolation from humanity which, to a man of Davin's sensitive nature, could be worse than death itself. We learn from Hector Charlesworth, for example, that Davin was a vain man, although "his vanity was not unjustified by his talents, and he was manifestly grateful for the smallest attention he might receive from the press." However, criticism unrelieved by at least a modicum of adulation was not the sort of attention he craved. Davin, it would seem, needed an audience for his scholarship and a platform for his rhetoric; he lost the one with the sale of the Leader in 1895-96; he lost the other with his electoral defeat in 1900. He could have sensed too that for him the West could never become what the Leader had been in western journalism, and that in 1901 at the age of 58, against an opponent who was only 34, he had little hope of re-entering politics. Moreover, he may have still held to the view he had expressed some years earlier in an essay prepared for the Osgoode Legal and Literary Society: "The present belongs to the older men," he had written, "and may it long belong to them. But the future is for the young." By the fall of 1901, then, it might well have appeared to Davin that the present had slipped through his fingers, and the future was beyond his grasp. Thus, defeated by his opponents, and apparently to some extent rejected even by his friends, for although a party man he had

26 N.F. Davin, Great Speeches, Toronto, 1881, p. 16.
never been an easy follower, and surrounded by an atmosphere of bitter partisanship, Davin could have felt, with Hamlet:

How weary, stale, flat, and unprofitable
Seem to me all the uses of this world.

And with the Prince of Denmark he could have asked the timeless question, knowing, probably by heart, those lines in which Hamlet had suggested a final solution:

For who would bear the whips and scorns of time,
Th' oppressor's wrong, the proud man's contumely,
The pangs of despis'd love, the law's delay,
The insolence of office, and the spurns
That patient merit of th' unworthy takes,
When he himself might his quietus make
With a bare bodkin?

Davin's death was noted editorially throughout the country. In Regina, the West claimed that he had been "much more of a statesman than a politician," and went on to list among his statesmanlike accomplishments the improvement of the land laws, reforms pertaining to the Mounted Police, the Indian industrial school system, the dairy industry, and the very existence of the North-West Territories, and of his career in general the West suggested:

... his adherence to what he considered right in preference to the more doubtful course has been strangely misinterpreted by a portion of the community. As a statesman he conceived it to be his duty to safeguard the interest of his constituents irrespective of the personal effect his course might have.27

The Regina Leader commented:

He was an unbending partisan, but subservi-ence was a role bitterly distasteful to him. Until 1896 his record as a Parlia-

mentarian gave him a right to claim

27 Regina West, Oct. 23, 1901, "Mr. Davin's Death."
independence. Party pressure then caused him to take a course upon the Manitoba school question contrary to that dictated by his own judgement.28

The Regina Standard "cast its sprig of evergreen" on Davin's grave in a short account on the back page.29

Beyond the capital, other territorial papers paid their tributes. The editor of the Calgary Herald wrote:

His life was inseparably bound up in the West and he himself used to say with that vanity we of commoner clay would sometimes cavil at, but which was born of the knowledge of true purpose "the history of the west can never be written without being closely associated with my name."

.... Time and again he showed that he was actuated by no base ambition by placing himself at variance with his party. Once it is well known he sacrificed his chances for cabinet position by taking what he considered the right course.30

The Edmonton Bulletin acknowledged that "Possibly his way was not always the best way, but it was the best way as he saw and understood it to the limit of his ability."31 The Saskatchewan Herald claimed:

He is best known throughout the Territories ... as a painstaking and aggressive member of Parliament where the interests of the settler were involved. It is to him more than anyone else is due the possession of many of the privileges they enjoy; and in battling for them he often incurred the displeasure of the Government of the day, who too often tried to

28 Oct. 24, 1901, "Nicholas Flood Davin."
29 See Oct. 23, 1901, "Mr. Davin is Dead."
30 As quoted in Regina West, Oct. 30, 1901, "The Last Sad Rites."
31 Oct. 21, 1901, "N.F. Davin Dead."
govern the Territories by the obscure light confined within the four walls of the office in the capital. 32

In Winnipeg, the Free Press commented:

He was a man fashioned on no ordinary model. His bonhomie, his high spirits, the brilliance of his conversation, his exceptional talents as writer and speaker, and above all a certain indefinable Celtic atmosphere of gayety and buoyancy which enveloped him, made his conquest of the Canadian people an easy one when he came among us first thirty years ago. 33

The Tribune paid a temperate tribute:

We never regarded him as an admirable public man. We never praised him as such during his life, and consistency forbids us to do so now that he is gone.... There was much about Mr. Davin that could honestly be praised. He was bright, breezy, witty, and at times even brilliant. He had a warm Irish personality that was difficult to resist. With his varied talents and excellent literary attainments, coupled with the untiring energy which he undoubtedly possessed, there was no position in the gift of the Canadian people to which he might not have successfully aspired, had he only been gifted with sounder judgment. 34

The Morning Telegram of Winnipeg added:

In the world of hard facts the exceptional natures never find perfect adjustment. It is this struggle between the individual human being and the general conditions of the world that forms the great theme of Greek tragedy and, indeed, of all tragedy. There was much of this tragedy about Mr. Davin's life.... The end was but its culmination. 35

32 Oct. 23, 1901, "Nicholas Flood Davin."


34 Winnipeg Tribune, Oct. 19, 1901.

35 As quoted in Regina West, Oct. 30, 1901, "The Last Sad Rites."
From the eastern provinces came observations on Davin and his career such as this from the *Toronto Globe*: "... opponents could always feel that beneath the sweeping torrent of rhetoric there was an undercurrent of good nature and human sympathy..."  

The *Montreal Gazette* referred to his "curiously interesting life," and expressed the opinion that he had been brilliant but ineffective." The *Montreal Herald* contended: "That steadiness and reliability which are the chief [qualities which inspire confidence] he lacked ... and when political adversity came he was unable to stand up to it."  

On the other hand, the *St. John Sun* pointed out that:

> In fighting this battle [for the people of the West] he served the whole country and the empire well. In making his protest against the official methods of his own leader he may have made enemies but he also made friends.

The *Mail and Empire* claimed that "Eloquence was his only weapon; reason was the only shield he carried"; and again: "Deception was not in his line; trickery was beneath him"; and continuing:

> Mr. Davin's frankness, his high ideal of public duty, carried him into parliament three times; but in the end they failed him. Other methods had been introduced.

Yet these comments, whether of fulsome praise or restrained tribute, were but the observations of contemporaries who had

36 As quoted in *Regina Leader*, Oct. 24, 1901, "Death of Mr. Davin."

37 Ibid.

38 Ibid.

39 As quoted in *Regina West*, Oct. 30, 1901, "The Last Sad Rites."

40 Ibid.
watched Davin's career from one side or the other of the political battle lines of the day. While they provide a measure of the impact he had made on Canadian public life, they are valid assessments of his career only after due allowance has been made for the historical myopia of the observers. The principle has been expressed poetically in lines quoted by Dafoe in his study of Laurier:

Ne'er of the living can the living judge,  
Too blind the affection or too fresh the grudge.

This principle was never more clearly demonstrated than in the case of Nicholas Flood Davin, for not only had he been a controversial public figure, but being a man of strong opinion and forceful expression, with a flamboyance of dress, mannerism, and intellect, he could not have been an easy man to know. Characteristics which one observer might admire could easily repel another while both might fall short of detecting beneath the arresting surface the true nature of the man. This is not, of course, to say that these contemporary judgements were faulty or inaccurate, but only that no single observation could adequately describe Davin's character or assess his career. It is rather through a synthesis of such judgements that one can hope to gain an understanding of Davin's nature and an appreciation of his role in the public life of his day. In making such a synthesis, the historian has the advantage of a remote perspective, for if time does not heal all wounds, it can at least assist in reducing the trivia of controversy to reasonable proportions, and in classifying in some order of magnitude the strengths and weaknesses of Davin's character and the failures and accomplish-
ments of his career.

Much of the controversy surrounding Davin arose from that suspicion of partyism which had been a characteristic of North-West politics from the beginning. In the settlers' view, western interests could not be entrusted to the political parties alone, and therefore a certain independence was demanded of territorial representatives. Thus, to his detractors, Davin was but a tool of the party he served, while to his supporters his career demonstrated an unexampled independence from party control. There is, however, a fundamental error in attempting to assess a politician as a representative of people or of party, for the two aspects cannot be differentiated. Walter Bagehot has laid down the proposition that "party organization is the vital principle of representative government," and it follows that in the British system people are represented through parties, the classic definitions of which allow for a variety of opinion over and above a set of common principles. Davin was by all assessments a party man, but because of this he was no less a representative of the North-West Territories since his conception of political independence was founded on the belief that a man of independent mind had both the right and the duty to press his views on his party and on the House as the circumstances of the case demanded. This Davin did, and his record abounds with instances in which he pleaded the cause of the North-West settler in the privacy of a party conclave as well as on the floor of the House where, in certain circumstances, he was prepared to

Yet the implementation of this concept of independence within party requires a fine sense of balance and timing, for in accepting the party principle of parliamentary government, one must also accept the principle of obedience to leaders, for without the latter, the former falls to the ground. This need not imply a slavish subservience, for it is possible within broad limits for a party man whose views on certain issues may be at variance with those of his leaders to give consideration to those circumstances in which he can, on occasion, vote against his party or abstain. Such consideration cannot, of course, be reduced to a set of rules, and must take into account the reaction of both the party and the constituency in each particular circumstance. Thus, if Davin's relationships with party or constituency are to be subjected to criticism, that criticism cannot be formulated either in terms of subservience to party or disloyalty to leaders. If Davin is to be criticized at all for his conduct in this area it should be because his view of the relationship of the member to his party and to his constituency, while valid in a more mature parliamentary democracy, represented a somewhat advanced and subtle theory of politics which could not be accepted as a convention of parliamentary government in the Canada of his day.

In this same context of partyism Davin was also charged from time to time with being a self-seeking partisan motivated solely by a desire to satisfy his boundless ambition through his political connections. That he was ambitious seems beyond dispute; that he regarded his political service as entitling
him to consideration from his party is a matter of record; that he considered his talents warranted his elevation to ministerial rank is implicit in his conduct in the House on various occasions and in his correspondence with Scott during the 1896 crisis. However, to regard Davin's ambition in itself as unworthy is to ignore the fact that in other circumstances ambition is a respected North American virtue. To castigate Davin for seeking political rewards is to overlook those many occasions on which others less able have been regarded as more worthy. Indeed, it could be argued that Davin's claims to political preferment, obvious as they may have seemed to outsiders and to himself, did not rank high with the hierarchy of the Conservative party, for while it is true that he was commissioned to undertake a study of Indian education and was later appointed secretary to two Royal Commissions, these could by no means be regarded as juicy political plums, and Davin was particularly well qualified for the duties involved. On the other hand, his request for the lieutenant-governorship of the North-West Territories was in fact rejected despite what would appear to be his substantial record of service to the party, to Parliament, and to the North-West. While Thompson's reasons for rejecting this request are not a matter of record, it is difficult to imagine a man of Davin's volatile nature occupying the vice-regal throne in the Territories or anywhere else, and it is therefore reasonable to assume that Davin's claim to patronage carried little weight with his party leaders.

Similarly, his failure to achieve cabinet rank is another indication that although he may have had an ambition for high
office, his methods of seeking it were totally ineffective. Considerations of regional representation alone would have given Davin a strong claim to a portfolio, particularly that of the Department of the Interior, but that portfolio passed from White to Dewdney to Daly and to Hugh John Macdonald between 1887 and 1896, and Davin remained on the back benches. That successive prime ministers from Macdonald to Tupper could ignore Davin's obvious talents and his North-West residence as in themselves adequate qualifications for cabinet rank suggests that he was not so intent to climb the political ladder as his opponents claimed, for surely the office-seeker would have found the means to capitalize on his advantages even if at the same time he was forced to subdue whatever characteristics tended periodically to embarrass his leaders. However, his failure to achieve a place in the cabinet gave his opponents the opportunity to declare that "the verdict upon Mr. Davin's unfitness has been pronounced time and again by his own leaders," and it is altogether likely that these taunts touched a sore spot in Davin's vanity. Yet there are in fact many good reasons why a prime minister would choose not to appoint Davin to the cabinet, for Davin's individuality could not have escaped even the most casual parliamentary observer, and had he entered a ministry this individuality alone would have become a source of uncertainty amongst his colleagues and frustration in the pursuit of his own duty. In other words, Davin would have found the yoke of cabinet responsibility an exceedingly oppressive burden; to

42 Regina Leader, Aug. 23, 1900, "'An Admirer of Sifton.'"
ignore it would be to renounce those principles of parliamentary government in which he believed; to accept it would have been
to deny everything that made him a unique parliamentary personality. Furthermore, it seems obvious that Davin's particular
talents were not those essential for the head of a department of the executive branch of government. His forte was not in
reconciling conflicting ideas, in seeking compromises between the ideal and the practical, or in devising the detailed methods
and techniques by which policy is translated into programme. On the contrary, Davin was an advocate; his contemplative mind
seized on ideas and principles to which he gave expression in his brilliant eloquence and defended with his classic logic;
but he had none of those pedestrian talents so essential if ideas are to be transformed into acts.

Thus it is clear that Davin was unsuited for ministerial rank, but it does not follow that he was therefore unfit to
represent the people of Assiniboia West in the Parliament of Canada. It is, on the other hand, entirely possible that
Assiniboia West was more effectively represented than had the member been a cabinet Minister, for it is a fact that a back-
bencher, free from the time-consuming details of administration and the restrictions of ministerial responsibility, can, other
things being equal, devote himself more wholeheartedly to serving his constituents than can the Minister with all his apparent
power and prestige. Again, it is a mistake to assume that every Member of Parliament should carry in his briefcase an unsigned
commission as a Minister of the Crown, for the legislative function is every bit as important as the executive, and conse-
quently, the draining of talent into the ministerial ranks eventually weakens the whole parliamentary system. Fortunate is the Parliament that can boast of a strong core of legislators amongst its private members.

It is rather strange, however, that there seems to have been no talk of the possibility of Davin's appointment to the Senate, for assuming that he had grown old in the service of his country and his party, a senatorship would not have been an unsuitable reward, and there is no doubt that Davin could have become an ornament of the second chamber. Furthermore, if a Conservative government had at times found him to be something of an irritant, his promotion would both remove and reward the cause of the irritation in a manner sanctified by ample precedent. Could it be, perhaps, that Davin's individuality, his sense of independence within the party, had been carried to such an extent that the party leaders regarded him as a *persona non grata* for whom any reward, be it a lieutenant-governorship, a cabinet post, or a seat in the Senate was quite unthinkable? This of course is speculation, but it is not beyond the realm of possibility, and it would help to explain that rejection by the Conservative leadership which Scott suggested as the main reason for Davin's suicide. It would, of course, also tend to support the view that Davin was in the long run much more a man of the people he represented than of the party he supported.

In the final analysis, however, it is in Parliament that the questions of people and party and preferment must be resolved, for Parliament is the central factor of Davin's political career, and he was above all else a House-of-Commons man. Time
and again his conduct in the House was a demonstration of those principles of parliamentary government propounded with such clarity by Walter Bagehot whose writings on this subject reflect the mid-Nineteenth-Century ideal of British government. It is clear, for example, that Davin was conscious of his responsibilities as a member of an electoral chamber, and on various occasions he was prepared to weigh an issue in the balance of party discipline as against the sovereignty of Parliament. From the comments of his contemporaries alone it is also clear that he was ever prepared to lend his eloquence to the expression of the mind of the people. Nor did he hesitate "to teach the nation what it ought to know," or to make the country hear "what otherwise [it] should not."

It is therefore as a parliamentarian that Davin has a claim to a place in the political history of Canada. Others have perhaps made a deeper imprint on the pages of our history because they have thought more deeply, seen more clearly, acted more vigorously, and risen higher on the ladder of political success. Yet such success alone can be a misleading measure of a man's stature, and the verdict of posterity need not be written in terms of success or failure. Thus, it is of little moment now to render judgement on Davin with respect to second homesteads, the Mounted Police, the Manitoba School Question, his political ambitions, or his ultimate defeat. What does matter is that he contributed his talents to the issues of the day; that he lent his energy, his eloquence, his wisdom, and his experience to

43 See Bagehot, op. cit., Chapter V.
the noble task of government; that he participated in an ex-
pression of the general will; and that he sought, through
Parliament, to build a nation. If he was not a Macdonald, a
Thompson, a Tupper, or a Laurier, he was yet part of that
parliamentary culture that breeds the great men, and as such
he shares their brilliance, for parliamentary government depends
as much upon the institution as upon the individual.

It is in the parliamentary environment then that Davin must
be judged, and it is here he reaches his full stature, for he
was a voice, not a vote, a mind, not an echo, a Member of
Parliament in the very best traditions of the institution. It
was here too that his weaknesses were apparent, for his under-
standing of Parliament arose from an intellectual appreciation
of the symmetry and perfection of the parliamentary theory, and
he had no gift for the accompanying arts of management and man-
oeuvre, of manipulation and hard-nosed politicking. Parliament
is, after all, a human institution, and it reflects human cunn-
ing as well as human intellect. Davin's intellectual appreciation
of the parliamentary theory was not balanced by an equally sen-
sitive appreciation of politics as the art of the possible.
Nevertheless, his star flashed brilliantly from time to time on
the Canadian parliamentary world as it did on the world of
Canadian letters and journalism, and these flashes were no less
illuminating if, as he himself said of his poetry, his little
star was eventually "lost in the blaze of others." His death
was a personal tragedy, yet it was symbolic of that national
tragedy of which he was a part — the bitterness, hatred, strife,
rancour, and indifference which characterized the reaction of small minds to great events. However, the real tragedy of Davin's career was not the manner of his death, it was not his political defeat, nor was it his failure to appreciate fully the realities of political life or to achieve high office. The real tragedy was, that notwithstanding his many defects of character, there were so few like him, and consequently "a world of hope" lies buried in "a single grave."
APPENDIX

The following tribute to Sir John A. Macdonald, delivered by Davin in the House of Commons on the occasion of the announcement of the death of the Prime Minister, and found at columns 887 and 888 of the House of Commons Debates for June 8, 1891, is an example of Davin's oratorical style.

Mr. DAVIN. I think, Sir, it would be unbecoming, if I may venture to say so, that I should remain silent on this occasion, and that no expression of feeling from the House of Commons at such a time as this, because it so happens that for some years I was brought closely into contact with him whom we mourn at this time, and I was able to see into those features of his character which were probably of as much value to the world and as much the secret of his strength as the great abilities which struck the superficial observer.

Mr. Speaker, the man whom we mourn here to-day was emphatically a great man. When I came to Canada first, his friends, misjudging that they might have formed a provincial conception of Sir John A. Macdonald, used to come to me and ask how he would compare with the great men in England. I said he could stand up to the greatest of them, and when I knew him intimately and was brought closely in contact with him, I became more and more convinced that, far from doubting whether he could stand up to the greatest of them, few of them had the varied qualities, the extraordinarily varied and complex qualities, that are necessary to make a political leader such as was Sir John Macdonald.

Ranging over the field of history, and recalling the names of the men who have reached those heights which it takes a lifetime to climb, it is hardly possible to find one who has possessed the diverse qualities of the great man who the other day was laying in this House. You may find great power of intellect, great powers of statesmanship, far-reaching views, great powers of oratory, but where will you find, conjoined with all these, that incomparable, that genial humour, that politeness which never fails, that delicate consideration for the feelings of others, that exquisite urbanity, that distinguished Sir John Macdonald—that ever and anon played, the light and shade of a rich and abounding nature—

"Le bon sens ironic et la grace qui rit."

Sir, the measure of his great abilities are the difficulties that he overcame. I remember, when I first visited these buildings, some twenty years ago, a gentleman then occupying one of the highest positions in the Government, said, to my surprise, when I admired the buildings: "But what an expense, what a waste of money." Now we find they are hardly equal to their needs; and the fact is, these very buildings emphasize the imperial cast of mind of the great man who is gone. I remember the first time I had a conversation with him, some seventeen or eighteen years ago, he drew a sketch of the British possessions confederated together, and then, in his own emphatic way, he said, "That is the time when I would like to lead." In truth, he was not only a Canadian, but an Imperial statesman, and the brightest gem in the British Crown was polished and set by his hand. Thrice in his great career he accomplished events such as give tone, and colour, and form to history, and affect the relative position of nations. I have read somewhere that a child who planted a tree, which ultimately shaded his old age, and with the dew of evening watered his grave. Sir John Macdonald is in that position, because he found Canada a petty province and he leaves it something like an empire. At this moment a nation more important than the nation over which Elizabeth ruled, weeps the loss of a statesman who built it up. As I have said, it does seem to me that the qualities most startling in that remarkable man were the kindness of heart and that alchemical power which transmuted all that came near him into gold—which made of every foe that came within its influence either a friend or a devotee. And when we think of his loss, we mourn, not merely the statesman who directed the affairs of the country, but the friend; and not only do we that knew him thus mourn, but even those not personally acquainted with him, for he had that power, which only belongs to the highest genius, of making men who never saw him feel the extraordinary charm of his personality. We may build statues to him in those grounds, monuments will arise to him in Kingston, but the real, the grandest monument to Sir John Macdonald will be the love that Canada feels it her privilege to cherish for so great a personality. But even should we never erect a statue to his memory, humanity would keep his memory green, for he belonged to that rare group of men who enchain the memory of mankind. Sir, language was addressed to a great countryman of his, a great Scotchnum—not a statesman, but belonging to another order of activity—which might well be applied to the great statesman we mourn:

"Dead heroes in marble from memory fade,
But warm hearts shall weep where thine ashes are laid,
And earth's proud priestesses like phantoms flit by
But they'ret of the priesthood that never can die."

Motion agreed to.
A NOTE ON SOURCES

The principal sources used in the preparation of this study are the Debates of the House of Commons and the newspapers of the North-West Territories. These have been supplemented by other government records, both federal and territorial, by other contemporary newspapers, and by the personal papers of certain of Davin's colleagues and associates. Secondary sources dealing with the period in general, specific events, and Davin himself have also been consulted.

I Government Records

While the Debates of the House of Commons are the chief source of material on Davin's parliamentary activities, they and the Debates of the Senate also contain material relevant to the grant of federal representation to the North-West Territories. In addition, memorials on this question and other grievances of the North-West settler were examined in the Journals of the Council of the North-West Territories. The Dominion statutes and sessional papers, as well as the census returns were also consulted and the footnotes indicate those instances in which information obtained therefrom has been used.

II Newspapers

The territorial newspapers were valuable sources of information; those consulted are listed herewith in the order in which they commenced publication:
Of these, the Regina papers, the Edmonton Bulletin, and the Saskatchewan Herald have been most useful. All are held in the original or on microfilm in the Archives of Saskatchewan.

Newspapers outside the Territories were also consulted: the Winnipeg Tribune and the Winnipeg Free Press in the Public Archives of Manitoba were examined for reports on Davin's suicide; a run of J.W. Bengough's Grip (Toronto) held in the Saskatchewan Legislative Library yielded a number of interesting cartoons of Davin; the Toronto Mail, consulted casually in the Toronto Public Library as time and circumstances permitted, provided certain information respecting Davin's activities in the 1878 campaign. Although limited use has been made of other than the territorial newspapers, it is apparent that the eastern press took more than a passing interest in Davin's career. Consequently, the leading eastern papers and periodicals must eventually be consulted in order properly to appraise Davin's contribution to Canadian public life.

III Personal Papers and Private Records

It is unfortunate that there are no Davin papers as such in existence, but the papers of certain of his contemporaries
contain a considerable number of his letters. The Sir John Thompson Papers in the Public Archives of Canada were examined and found to be a particularly fruitful source of Davin material. Copies were made of the more important Davin items in these papers, and the copies are now available in the Archives of Saskatchewan. Professor Norman Ward of the University of Saskatchewan, Saskatoon, has kindly provided the Archives of Saskatchewan with copies of Davin items from the Sir John A. Macdonald Papers in the Public Archives of Canada. My own cursory examination of the Macdonald Papers revealed little of significance beyond this. Reference was also made to the Sir Clifford Sifton Papers in the Public Archives of Canada and to the Scott Papers in the Archives of Saskatchewan, both of which collections contain significant material relevant to Davin's participation in the Manitoba school controversy, the sale of the Regina Leader, and the election of 1896. The T.C. Patteson Papers in the Ontario Archives yielded one letter related to this study, as did the small collection of Sir Charles Tupper material in the Public Archives of Canada.

The Archives of Saskatchewan have on microfilm the Regina District Liberal-Conservative Association Minute Book for the period 1886 to 1896. While this appears to be far from a complete record of the transactions of the association, it does contain some items of interest with respect to the development of political organization in the North-West Territories.

The precise date upon which Davin was admitted to the Ontario Bar was determined by examining the Rolls and the Journals
of the Law Society of Upper Canada, both in the custody of the Librarian at Osgoode Hall, Toronto. The date upon which he was enrolled as an Advocate of the North-West Territories was obtained from The Roll of Advocates of the North-West Territories in the custody of the Secretary of the Saskatchewan Law Society.

IV Books and Articles Relating to the Period

Of the secondary sources consulted on the general period of this study and for accounts of particular issues, the more important are listed below. A few yielded specific information on Davin. Footnote references acknowledge the source of material obtained directly from these sources.

Black, N.F., History of Saskatchewan and the North West Territories, 2 Vols., Regina, Saskatchewan Historical Publishers, 1913.


Regina The Queen City, Toronto, McLelland & Stewart Ltd., 1955.


McDiarmid, Orville John, Commercial Policy in the Canadian Economy, Cambridge, Massachusetts, Harvard University Press, 1946.


V Books and Articles Relating to Davin

Published material on Davin is very limited, what exists being mainly reminiscences. The following list contains the major published material and two unpublished items relating directly to Davin's career. Footnote citations indicate information drawn from these sources.


"Men Important in Early History of Saskatchewan," unpublished ms in A.S.


Higinbotham, John D., *When the West was Young*, Toronto, The Ryerson Press, 1933.


Special mention should be made of Stubbs' chapter on Davin in his *Lawyers and Laymen of Western Canada*, the only comprehensive biographical sketch of Davin in existence. In its preparation Mr. Stubbs consulted men who had had personal knowledge of Davin, and his work is therefore a most valuable contribution. Later writers have relied heavily on Stubbs' work which should be consulted in preference, for example, to Grant MacEwan's chapter on Davin in his *Fifty Mighty Men* which is not included in the above list for that reason. Similarly, Albert R. Hassard's article on Davin in his series entitled "Great Canadian Orators" which appeared in *The Canadian Magazine*, October, 1919, is studded with inaccuracies and therefore is quite unreliable.

VI Davin's Works

Lists of Davin's works are to be found in Bruce Peel's *A Bibliography of the Prairie Provinces to 1953*, Toronto, University Press, 1956, and *The British Museum General Catalogue of Printed Books*, Vol. XLIX, London, 1952. However, while these supplement each other to a certain extent, neither represents a comprehensive
Davin bibliography, which can be compiled only after an extensive examination of contemporary periodicals. Those Davin works listed below bear some relation to this study, and the footnotes indicate material drawn from this source.


*Culture and Practical Power*, Ottawa, W.T. Mason, Book and Job Printer, 1890.

*Homes for Millions*, Ottawa, Queen's Printer, 1891.


*The British Empire*, Winnipeg, Nor-Wester Office, 1897.

*Strathcona Horse*, Ottawa, James Hope & Sons, 1900.

*In Memory of the Queen*, Regina, The West Company Limited, 1901.

"Canada and the United States," unpublished ms in A.S.

**VII Miscellaneous**

The Archives of Saskatchewan has a small file of Davin material consisting mainly of newspaper clippings and a few letters and other documents, its most useful contents being correspondence between the Provincial Archivist and Mr. T.P. O'Neill of the National Library of Ireland, Dublin. There is also a small collection of correspondence between the Secretary of the Saskatchewan Historical Society and Mrs. Elizabeth (Davin) Cunningham.