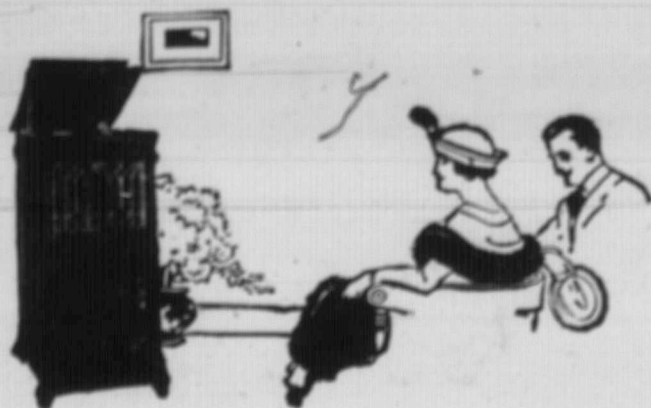




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Great Canadians

Joseph Howe, The Tribune of Nova Scotia

By D. C. Harvey

THE keynote of Joseph Howe's career is struck in the famous libel case of 1835, when as a mere youth he stood alone and undaunted against a "Family Compact," strongly entrenched behind the majesty of the law, and won for himself and his countrymen the right to examine freely their institutions without fear of molestation or violence.

A letter had appeared in the Nova Scotian, of which he was proprietor and editor, accusing the local magistrates of carelessness, inefficiency and corruption. As the magistrates were less anxious to disprove the criticisms than to crush the critic, they prosecuted Howe for libel, choosing a weapon which Sir Peregrine Maitland and the official caste of Upper Canada had wielded in a similar attempt to prevent freedom of speech. Howe sought legal advice, but could find no lawyer to defend him. He then borrowed an armful of books, read law for a week, and finally defended himself in a telling speech of more than six hours in length. The tears rolling down the cheeks of an old man in the courtroom inspired him to greater effort, and, in spite of an adjournment of the court until the following day, he won a favorable verdict—one of the most important in its results, that has ever been given; for as the foreman pronounced the words "Not Guilty," the "Family Compact," heard the death-knell ringing in their ears, and Nova Scotians suddenly discovered the man who was to fight the great constitutional battle for responsible government. But it must never be forgotten that if Howe had lacked his magnificent courage, the voice of criticism would have been hushed in Nova Scotia for a generation at least, while the cause of liberty in British North America would have suffered a disastrous defeat.

In 1836, Howe was elected to the Assembly, and for the next ten years, he fought against privilege in every form. He began by an attack upon the Council which refused to admit the public to its debates; and when the Council haughtily replied that its procedure concerned itself alone, Howe, moved his famous "Twelve Resolutions," in which, amongst other abuses, he pointed out that one-fifth of the population monopolized all the offices in the gift of that body, that two family connections gave five out of its 12 members, and that only the Church of England was recognized in the distribution of office or patronage. In a word, the resolutions opposed every disproportionate influence in religion and justice, education and finance.

The Council ignored 11 of the 12 resolutions adopted by the Assembly, but threatened to withhold supplies unless they withdrew the other resolution to the effect that some members of the Council "sought to protect their own interests and emoluments at the expense of the public." As the failure of supply would have injured the roads and bridges of the province rather than the salaries of the officials, which were paid from revenues uncontrolled by the Assembly, Howe, withdrew all the resolutions, but in doing so he asked that such an address should be presented to the Crown as would reveal the state of the colony, and attain the objects for which he was contending. In this way he managed to accuse the Council before both the local constituencies and the Imperial authorities. At the same time the address to the Crown drew from the Colonial Office a dispatch modifying the constitution to some extent. The Council was divided into two, a Legislative Council of 19 members and an Executive of 12. In the latter the influence of the Church of England was to be diminished, whilst at the same time some of the members were chosen from the House of Assembly, but

no pledge was given that any members of the Executive should always be taken from the Assembly or be responsible to it.

After the Rebellion of 1837, Lord J. Russell, the Colonial Secretary, admitted that the government should be carried on in accordance with the wishes of the people, but still maintained that Responsible Government could only belong to an independent state, and was not consistent with colonial relationships. This speech gave Howe an opportunity to write four open letters to Lord John Russell, in which he spoke the last word on Colonial Government. The letters were published in every Canadian and British paper of note, and were sent in pamphlet form to every member of parliament. It was these letters which convinced the Colonial Office that Canadians were big enough for self-government and that truer loyalty could be found amongst



JOSEPH HOWE.

the champions of responsible government than amongst those who branded all reformers as rebels.

As a result of these letters a circular dispatch was sent to the various governors instructing them not to oppose the wishes of the assemblies except where the honor of the crown or the interests of the Empire were deeply concerned, and adding that the heads of departments should be removed whenever public policy required it.

Sir Colin Campbell, lieutenant-governor of Nova Scotia, refused to present this dispatch to the Assembly. The latter immediately passed a resolution of regret and sent an address to the Crown requesting his recall. Though Howe addressed meetings all over the province in support of this address, his Honor recognized the sincerity of his opposition, and in parting gave him the assurance that he regarded him as a man of honor. His action in this regard contrasts favorably with the local autocrats who "scorned Howe at their feasts and insulted him at their funerals."

Campbell was succeeded by Lord Falkland, who was married to a daughter of William IV. Unfortunately, this marriage did nothing to remove Falkland's worst weakness, which Howe satirized in the "Lord of the Bell-chamber," from which the following lines are taken:—

"It was plain, from the flush that o'er-mantled his cheek,
And the fluster and haste of his stride
That drowned and bewildered, his brain had grown weak
By the blood pumped aloft by his pride."

Falkland tried to form an Executive Council from both parties, with himself as head. Howe accepted a seat, but in 1843 he and Johnston, the Tory leader, quarrelled over the question of education. A private member had brought in a bill for the establishment of one good college, free from sectarian control, open to all denominations and maintained by a common fund. Johnston, as a Baptist, supported the claims of Acadia; but Howe, the great champion of free undenominational schools, made an appeal for the student who should be able "to drink at the pure stream of Science and Philosophy instead of imbibing a sectarian spirit." As a result of the debate, Howe and the Liberal members of the Council resigned. Johnston still stood for non-party government, and as Howe said, "Denounced party to form one of his own."

Falkland supported Johnston and carried on a relentless war in the press. Howe resumed the editorship of the Nova Scotian and poured ridicule upon

Falkland in prose tried to have his the Assembly, me the "Lord of the Bell-chamber" replied that his dear to him as L. "Falkland's name Burke's peerage, except on the hill country and must in the hearts of t.

When Falkland certain criticisms his brother, Howe far stabbing by see a way that no henceforth be safe to say that if were to be libelled Colonial Office in chance of defend some colonist w an much mistakes to horsewhip a lie Falkland was and succeeded by the same time Lord Prime Minister of Colonial Secretary mined to grant a government to the triumph of the election of 1847, complete, and Res had been won with

Howe next turn transportation, w during the battle He was the first America to catch abilities of railway he had advocated railway from Hal 1838 he had been securing a steam Nova Scotia and 1851 he went as a to get Imperial colonial railway Montreal. On his he made the histor to the Canadian that many in this the whistle of the passes of the Roe make the journey Pacific five or s

As Imperial colonial was condi ing the direct rou of the St. John, Ca wick withdrew, the scheme until Howe urged his p ways regardless of and in the face of cured bills in 18 Halifax to Wind further extension westward. To ca he refused the Pr Railway Commissi that the subject attention.

At this time Ho honors, and besou to give him some of his talents. his ideas of Im some of the most delivered on tha delay he was mae sioner, to carry o Reciprocity Treat away on these du mitted Nova Sco Howe opposed Scheme" on two sacrifice of Nov interests, and the change without c But when he fou influence arrayed too loyal to his not to cease his even at the price friends. As a pl unfortunately en Cabinet, and fret for five years whe before his death governor of his died in June, 1873

Though Howe in Halifax, he ca the gratitude and tire peninsula whi dominated for 40 Nova Scotians a communities; he left with a sense of p a personality as c For such an ac better fitted than the advent of ra