

manage their own commercial policy (*i*). Lucas remarks (*j*) that Great Britain has now abandoned control over trade and public lands in the case of self-governing colonies. That leaves under control the constitution of the form of government and the regulation of foreign relations. Where is there any claim to regulate the internal affairs of Canada? Did Lord Durham, when pleading for the gift of self-government to the colonies, urge a tightening of the reins of control? On the contrary, he enumerated "the constitution of the form of government, the regulation of foreign relations and of trade with the Mother Country, the other British colonies, and the disposal of the public lands," as the only points on which the Mother Country required control (*k*).

That was the enlightened spirit that led to the Union Act. Is it to be urged that the independence of the colonies had retrograded, had become less verile in 1867 than it had been when Durham wrote?—that Canada required more control then than in 1841? The whole trend of events is against any such contention. There had arisen after Durham's report a new school of thought in the Mother Country that had before it the experiences of the past in colonial management, and the influence of this new school gave us the present colonial system which is the "result of facing an old difficulty in an old way. . . . Fifty years ago (that is, in 1840-1841), English statesmen were confronted with the question how to govern their great dependency, Canada. At a much longer distance from home they saw the Australasian settlements beginning to shew the restiveness of manhood, and declining to be considered any longer as a place of deposit for the refuse of Great Britain. They had two great facts before them: That the places of settlement were far removed from the Mother Country, and, therefore, could not be governed directly; and that these distant countries were settled by Europeans, in Australia entirely by Englishmen. They turned, as Englishmen fortunately do turn, to past experiences; they found in so doing that the old English colonies had thriven under self-government and that the

(*i*) Ibid., Introduction by Lucas, p. xxxi. "In regard to Canada, one may venture to say that its practical commercial independence has been recognized"—Boyd, C., in *Anglo-Canadian Music Publishing Co. v. Suckling* (1889), 17 O.R. 244.

(*j*) Page xlili.

(*k*) Report and Despatches of the Earl of Durham, published by Ridgways, 1839, 207.