

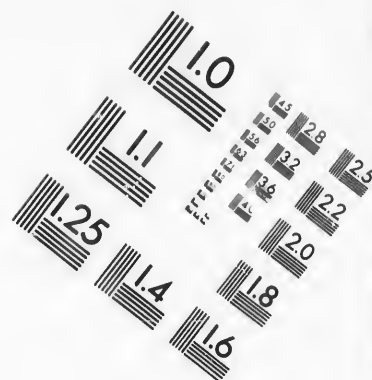
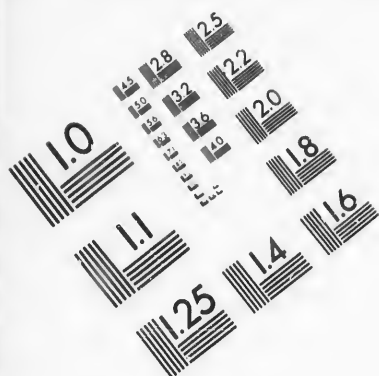
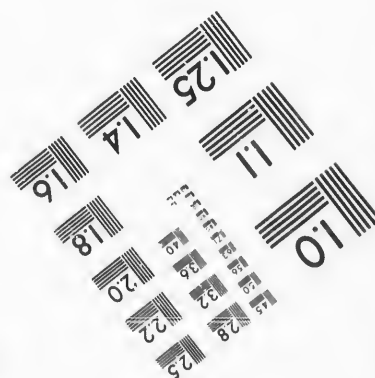
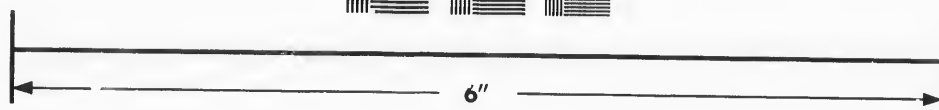
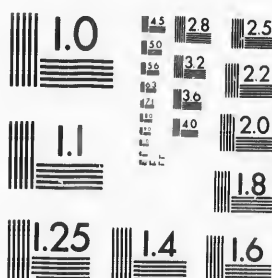


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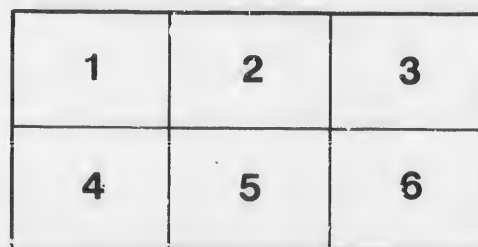
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No 6 1845

INFORMATION FOR THE PEOPLE.

Mr. Howe's Speech.

[The following Speech was delivered in the House of Assembly, on the 13th February, in reply to one made by the Attorney General on the previous day:]

Mr. Chairman:—After the elaborate and extraordinary speech, delivered yesterday by the Attorney General, the Committee will expect from me a prompt and full reply; and I rise to discharge that duty, which I owe to myself, to this House, and to the Country. Before Members can deal with the principles embodied in the Resolutions upon the table, the mass of personal matters thrown before them by the Lieutenant Governor, and his chief adviser, must be swept out of the way. In addressing myself to these, in the first place, the Committee will hear in mind, that while my assailants have had months to prepare the accusation, I have had but a single night to arrange the defence.

When, a few days ago, I found myself denounced and proscribed, in the Documents sent down by the Lieutenant Governor, I felt like a Traveller overtaken by a storm; and who, with the thunder rolling above his head, the lightning flashing in his eye, and the earth trembling beneath his feet, pauses to reflect why the Gods should be angry with him. For a moment he is staggered; but, looking into his own breast, where all is peace and sunshine, he views the storm with indifference, conscious that, however foul the vapors that surround him, the rattling of the elements will but purify the air, and ensure health and safety when their fury is exhausted. When the Attorney General rose here yesterday, and, with all the malignity of a personal foe—all the practised wiles of an experienced advocate, and all the influence of the Government, sought to overwhelm me, I would have doubted the security of my position, but that I remembered, that when the Jewish lawyer Tertullus, with the same insidious art, and the same pure intentions, accused the Apostle before Felix, Paul put him to shame, by a simple narrative, remarkable only for its truth—that Othello, when accused by an intemperate and enraged man, before the Venetian Senate, of "spells and mighty magic," told, even in that angust presence, his own "round unvarnished tale," and torned his accuser out of Court. It is thus that I shall endeavour, sir, to meet and to discomfit my assailants. They have all the advantages which preparation, and patronage, and authority, give them. I have only the answer of a good conscience, and the humble abilities wherewith Providence has endowed me—but I confidently rely on the goodness of my cause, and on the irresistible power of truth.

Sir: a person less familiar than I am with the past history of this Province, finding himself formally denounced by the Lieutenant Governor, would probably sink under what might appear, at first, the startling novelty of the accusation—but, relying upon the integrity and consistency of my past conduct, I am also reminded that this is an old stale trick, often resorted to in former times, by men of small minds, whose monopoly of power could only be preserved, by fomenting personal quarrels between their Queen's Representative and some prominent individual, respected by the Legislature, and confided in by the People. This was the favorite game of a small Party in Halifax, when Sir John Wentworth was brought into contact with Mr. Tonge—when Mr. Robie was brought into collision with Lord Dalhousie. We smile at these things now, but cannot forget them. His Lordship sleeps in an honored grave in his native country, and Mr. Robie has long presided over the Legislative Council—it may be to countenance, if he cannot approve, of the same petty policy which he had

to encounter in early life. Again, sir, in the time of Sir Peregrine Maitland, Mr. Archibald, the present Master of the Rolls, stood in the way of certain parties, personal lights and accusations became again the order of the day—and that gentleman, then and now enjoying the highest reputation for professional and political talents, had to make two voyages to England, to counteract, at home, the criminations sent from this country. The men, sir, who have advised Lord Falkland to proscribe and to denounce me, are the same men, who, in Sir Colin Campbell's time, sent home charges of Republicanism and disaffection against my friend the Member for Yarmouth, (Mr. Huntington), than whom there is not in this Province a person more generally respected by the People. It is true that none of these persons were connected with the Press, and therefore there may have been some difference in the mode of procedure—but the spirit, the animus, was the same; and my countrymen, turning back to the past, will be more disposed to laugh this stale trick off the stage, than to despair of the fortunes of an old friend.

The feature which mainly distinguishes the policy of the Opposition in Nova Scotia, from that of the gentlemen who now surround His Excellency, is this: we hold that the Queen's Representative, responsible to the Colonial Secretary for the due maintenance of the Prerogative—for our obedience to Imperial laws, and for the good government of the country—should yet be held so far above the strife and conflict of party, as to seek only the general good, regardless of likes and dislikes, of personal enmities or predilections. Thus holding a high position, with the balance of parties in his hand, a just and wise Governor would be powerful for all good purposes, and would find Nova Scotians but too happy to rally round and to aid him, when appealed to, against factions on either side. Our opponents, on the other hand, charging upon us an exaggerated application of the principle that the Governor can do no wrong, which we deny, are never so happy as when they can prove him capable of wrong doing, by involving him in personal conflicts with which he has nothing to do, and driving him into the meshes of their own party, by a course of insult, or proscription, of those who, by no Constitutional weapon, could they overpower.

The distinction was never more happily or unhappily illustrated, than by the question raised in these Despatches, and by the style of oratory by which we were yesterday entertained. When I look at the nature of the charges exhibited, and the mass of rubbish through which I am compelled to wade, in order to meet them, I cannot but regret for the moment all sense of injury, and lament that my Sovereign's Representative has been brought here before the assembled Parliament, to accuse an individual of writing in the newspapers, and to peril his public character on the point of a pasquinade, or the severity of a lampoon. Sir, though this may be an old Colonial ruse, I search in vain for any parallel in the history of the Mother Country. When I turn from the sorry spectacle which the Representative of my Sovereign is made to exhibit in this arena, with his Attorney General, instead of bringing us a good measure, coming down with an indictment against a joke; to the position which he occupied, when, only fifteen months ago, the humble individual now assailed, shared his confidence and stood by his side, I cannot but

mourn over the folly of his advisers. Then he was the honored Governor of all Nova Scotia—opposition, if strong enough for watchfulness, was powerless to obstruct; and no man, or body of men, trammelled his freedom of action, or could extract the humiliating confession that he could not fill up his Council, or carry out the policy to which he was pledged. Who then heard of public offices left open for many months—two sessions passed without a single measure—seats in Council going begging for a year—propositions to go back to the old Council of 12, to buy up the leaders of the opposition, and grave despatches and speeches founded upon a pasquinade? Sir, when I look back upon the past, and address myself to the labors of this day, in self-defence, I would gladly blot out this disgraceful page from our Provincial history.

I confess I know not how to meet this singular attack with becoming gravity. Horne Tooke commences one of his letters with "Tragedy, Comedy, and Farce; Wilkes, Foote, and Junius, all on one poor Parson, are fearful odds." And surely I may say, a Governor, an Attorney General, and all their adherents, upon one poor Printer, are fearful odds—but as Tooke was a match for his foes, I hope I will be able to give a good account of mine. I trust I shall be able to show, that I bore with exemplary patience much undeserved provocation—that while I was for months only intent on serving and extricating Lord Falkland from his embarrassments, a very different spirit was active on the other side; and that when, for the defence of my principles, and my friends, I took up my pen on the 6th of May, it was not till the officers of his Government, and his intimate associates, had showered lampoons and libels on me for more than four months. If I can prove all this; say more, if I can prove that each several passage of which Lord Falkland complains, subsequent to the 6th of May, was called forth by some gross slander, or irritating squib, published at the time in a paper owned and edited by the Queen's Printer, then, whatever may be the judgment of this Assembly, where power and patronage may secure a small majority, I know what must be the ultimate decision of my countrymen, and of Her Majesty's Government.

After serving Lord Falkland faithfully for three years and a half, during all which time his administration was successful, and supported by powerful majorities in this House, my friends and myself retired, simply because we could not defend what we believed to be an impolitic, and knew would be an unpopular, appointment to the Executive Council. We had no theoretical disputes about general principles—no personal complaints to charge upon his Lordship: we parted as gentlemen should part,—we disposed to remember only what had been pleasant in our intercourse, and his Lordship assuring us "that he would take care that our motives were not misrepresented." This was in December. Hardly had we retired, when his Lordship addressed a Letter to us, and published it in the Newspapers, in which he more than insinuated that we, who had served him faithfully, retired courteously, on a single fact, had forced party Government on him, when we had all consented to remain in a Coalition; and had attempted to wrest the Prerogative out of his hands, when we had ever admitted and defended its firm and independent exercise. Nothing could be more unjust than those two implied accusations—nothing could have been more impolitic than their publication. His Lordship himself thus sounded the key note of defamation, and others were not slow to swell the strain. Every old Tory Merchant or Official, with one foot in the grave, was suddenly galvanised by this shock from the Executive Battery—every aspirant to office, whose claims a just Government might have overlooked, knibbed his pen, and dashed into the Press; and his Lordship's own personal attendants and dependants were the first to aim deadly blows at the characters of men, as loyal, and as observant of the just boundaries of the Constitution, as any scion of his line.

I defy the Attorney General to put his hand upon an article, written by me against Lord Falkland, earlier than the 6th of May. But who gave ample provocation four months before? As early as the 28th of December, a person who had long been a sort of upper servant about Government House, commenced the war in a New York paper, under the signature of Senator. This person, well known as a friend and confidant of the Governor, has often given the people of New York the benefit of state secrets that ought to have been known only to the Governor and his sworn Councillors, before they were revealed in the Province which they most concerned. Let us take up the December letter, evidently written for circulation in Canada, that it might meet the Governor General's eye, and filled with misrepresentation of our conduct and positions. As a specimen of the historical accuracy of this household scribbler, let me take one or two passages. On the arrival of Lord Falkland, he says, "negotiations were opened with Mr. Howe and other leading Reformers, and with the Heads of the Conservative party; and at length, by the exercise of commendable forbearance, and by mutual concessions, a Provincial Administration was formed of the leading gentlemen of both parties in about equal numbers." The drift of all this is to show that great skill was displayed by his Lordship, in forming the Council which carried him through from 1840 to 1843, when it was formed for him by Lord Sydenham; and, as far as I was concerned, he brought out the Queen's command in his pocket to place me in the Council. So far from the numbers being about equal, Scrutator suppresses the fact, that the Liberals, though forming a majority in the House, never had more than three seats in Council out of 10, from the time they entered, till they were driven forth by a reckless attempt to increase and perpetuate the disproportion. Again, the Governor's Physician, wishing to throw the blame of all the differences between Members of Council upon me, attributes to me a series of letters, under the signature of "A Constitutionalist," and states that, in one of these, a reference was made to the debt due for publishing the Christian Messenger, which was the origin of all the troubles. There is not one word of truth in this—no such reference occurs in those letters; and whatever appears in them, Lord Falkland and his Agents should be the last to complain. But I come now, to a passage so meanly false, yet so defamatory, that, coming from such a quarter, would, under all the circumstances, have justified prompt and unsparing retaliation. After referring to the sale of the Nova Scotian by me, and to the pecuniary interest which I still had in the Establishment, Scrutator says:—

"It appears that the Novascotian lost much by this change, and its character and circulation fell off when the public missed the clever articles which were wont to fill its columns. Under these circumstances the ardent editor bethought him—I think in an evil hour—of trying to restore its prosperity, and to hit hard his political enemies at the same time, by infusing some of the former spirit and pungency into the pages of the journal; and, sooth to say, no measured portion of bitterness also. This was done by the insertion of a series of letters, under the signature of 'A Constitutionalist;' which, although never acknowledged by Mr Howe, left no doubt of their authorship in the minds of those acquainted with his style."

The Committee will observe that here is the Governor's peculiar scribe—his confidant—the man, when in June, sends to New York revelations of State policy, only given to us in July, charging upon me the authorship of those Letters—attributing their preparation to mean, mercenary motives—and to me the crime of having destroyed a Government in an attempt to renovate a declining Newspaper. Sir, I bore this foul, and most ungrateful accusation, for months, before I wrote one line in retaliation—I have borne it twelve months, while Lord Falkland and his agents have been defaming me here and in England. I

must now, however, avail myself of the usual Parliamentary permission, and show to this House what was the real origin of "a Constitutionalist's Letters." Whether I did, or did not write them, is beside the question. When Scrutator and his friends throw aside their disguises, it will be time enough to confess my sins—but what was the origin of these Letters? From 1840, when Lord Falkland arrived in this Country, to the summer of 1842, the exclusively loyal people, who are now his very particular friends, had attacked himself, his family, and his Administration. His Lady was coarsely assailed—he was accused of sending his servants to a concert to insult the society of Halifax, and his secretary was faulted with robbing a Pawnbroker's shop to replenish his wardrobe. I regret that I have not the worst of these papers at hand. An extract or two will serve as specimens of the whole—Lord Falkland is described "as a Whig deputy of Lord John Russell, whom a Conservative Colonial Minister is most unaccountably permitting to endanger the very existence of the affection of the Conservatives of Nova Scotia, to the Government of the Queen." "The most respectable portion of the society of this Colony are required by a Whig Governor to submit to every species of annoyance and degradation." "Surely Sir Robert Peel and Lord Stanley cannot think it wise to allow a Whig Governor to destroy the peace, and ultimately stifle the loyalty of this once happy Colony." This was written by the no party men, of a Coalition, in which the Liberals had but a faint representation. His Lordship is styled "a Whig Taskmaster," and those who boast of the Addresses he received last summer, will find great comfort in the following passage—"As to the Addresses to Lord Falkland, they must be viewed as a mere matter of moonshine, since there are lunatics and responsables enough in every village to get up an address to Old Scratch himself." A Correspondent in the same paper says, "such conduct on the part of Her Majesty's Representative has ceased to excite surprise here, as it is quite notorious that his Lordship has determined to blot the sword of truth and the scales of justice from the escutcheon of his government, and to be guided solely by party feeling and prejudice." Thus wrote the party now in power, of the man they are sustaining in a vain attempt to crush an enemy for a political lamp—this was the style of remonstrance against an Administration, that, sustained by a liberal majority, had but three Liberals in the Council. But, hear what was said of the Count de Barruel, the Governor's Secretary, a gentleman of classical attainments, polished manners, and guarded circumspection:

"I have seen the Count since his return from his tour to the West. You would not know him if he goes your way, by my former description of his habiliments. His late visit to the clothes shop has changed his outward man altogether entirely, as Pat says; but you will still recognise him by the swagger which I endeavoured to describe on a former occasion."

All these passages are from a single paper. I could pile up as many, breathing the same spirit, and evincing the same delicacy, as would weigh down a fifty six. Thus it was that the loyal men, who are my denouncers, spoke of a Nobleman, around whose brow the royal halo was as plainly distinguished in 1842 as it is in '45. So fierce and incessant had been this storm of invective, for twenty months prior to the preparation of the 'Constitutionalist's Letters,' that the Conservatives boasted that the Government was written down; and Lord Falkland deemed it proper to call the attention of the Council to the state of the Opposition Press, and to urge that some of the Members should enter the arena, and defend him and themselves. On one or two occasions, he called upon the Hon. and learned Speaker, then the youngest Member of the Council, to take up his pen and defend the Government. The Speaker, I believe, declined; but out of the feeling displayed by the Lieutenant Governor, arose the letters of "A Constitution-

alist," which were written, not for the mercenary and mean motive attributed, but to abate the nuisance of which his Lordship complained. How must I have felt, then, shortly after the retirements from the Council, to find myself openly charged with the composition of these letters, by a hanger-on about Government House, and mean, mercenary motives, attributed to the writer? Sir, if feelings have been aroused, and arrows pointed, those from the Government quiver, sent with deadly aim, were first discharged. Scrutator, in this very letter, attributes all the difficulties to my "ambition"—"I could bear no rival near the throne," yet I went to the aid of the throne under most trying circumstances, and faithfully discharged my duty until driven forth by manifest injustice. One truth Scrutator tells—"between the families of the Councillors and his Lordship's, a cordial friendship had subsisted," but he forgets to tell how that was severed by rudeness, which no gentleman can defend.

The Attorney General complained the other day, that the Halifax newspapers commented on the negotiations of July,—Why should they not, when the whole policy of the Government was disclosed by Lord Falkland's friend on the 24th of June? But, Sir, I have wasted time enough with this scribbler, having shown that he commenced the war with violating confidence—telling gross falsehoods—preferring mean charges, and misrepresenting my public conduct. They began the system of which they now complain—one which, if serious notice is to be taken in grave despatches, will ultimately result in trying a Government, not by a good measure, but by a good article—not by the wisdom of its appointments, but by the pungency of a joke. As Scrutator sometimes says a good word of me, I will not dismiss him without bearing testimony to his merits. In an ancient city, where a funeral oration was regarded as a decent ceremony on the burial of the dead, a body lay for a while above ground, because nobody could remember any good of the deceased. At last the Barber was got to bear testimony "that he had a very easy beard to shave." Of Scrutator, I may say, that I believe, whatever his demerits may be, he is a very good fisherman, but I have one piece of advice to temper the praise, let him hereafter attend to his professional duties, and not be so fond of fishing in troubled waters.

In passing along, I may notice, that although it is now said that I stand in the way of a fair adjustment, in the Christian Messenger, the Attorney General's organ, it was proclaimed, just after the retirements, "that the breach was irreparable." It was not so then—it is so now, but those who thus prophesied, have done their best to verify the prediction.

I have said that Lord Falkland's own letter, insinuating that we had attempted to force Party Government, and wrest the prerogative from him, was a breach of his own pledge to us when we retired—that it sounded the key-note of defamation. I have shown how instantaneously one of his suite followed up that authoritative assault upon our characters, by gross perversions of fact, and the ascription of unworthy motives—that the Attorney General's organ did the same. You will bear in mind, that all this took place in December and January,—the retaliation," of which I am accused, not having commenced till the following May. I have referred to the effect which Lord Falkland's insinuations had upon our enemies in the Capital,—every man whose path I had crossed in a life of public labor—every man who envied the talents and independence of my learned friend from Cape Breton, or felt rebuked by the unobtrusive virtues of my hon. friend for Halifax, caught up the cry thus raised at Government House, and saw, with true Tory tint, that his Lordship had furnished excellent materials for a row. We all know what followed—they dared not call a public meeting, but they got up a private one at the Hotel, and a jolly time they had of it, glorifying each other, and passing addresses and resolutions. At this meeting appeared almost all the old

enemies of the new system of Colonial Government—all those who had secretly and openly opposed Lord Falkland's Administration, while there was a single Liberal in it—who hated the Coalition, because it was not a 'Party Government,' and who raised the cry of No-party, that their own might once more monopolize power. For what purpose these people met, or what set them on, we need not stop to enquire. In their address, they refer to the "firmness and determination displayed by the Governor General, in maintaining the Royal Prerogative from recent attacks made on it by a party in the Canadas, whose objects appear calculated to produce present evil, and the ultimate dismemberment of that valuable portion of the Empire." "We have long," say they, "watched with deep anxiety, the movements of a party, who, under the specious pretext of increasing the privileges of the people, have endeavoured to undermine the Royal authority." They compliment the Lieutenant Governor on his determination to "preserve her Majesty's subjects from the evils of a party government," and hope the day will be distant, when they will see the prerogatives of the Crown usurped by designing men." Here were Lord Falkland's own insinuations, caught up and embodied in grave addresses, coupled with a bold aspersion of our loyalty, signed by members of his Executive Council, and sent forward with great complacency in January; yet these very men now profess to be horrified, because in May I took up my pen to guard reputations thus wantonly assailed. Why, Sir, had I owed nothing to myself—to my children—I should have been indeed a craven, to permit such calumnies to attach to my hon. friend Mr. McNab, than whom the realm of England does not contain a man more devotedly attached to British Institutions—or to my friend Mr. Uniacke, whose ten years' services to his Sovereign, as a steady supporter of her Government in this Assembly, surely merited from her Representative a different return. Sir, when I look back at the wise sayings of the sages who met at the Hotel, and contrast them with the acts of the Administration, I cannot but smile: they denounced "a party government," but have had one ever since—they were so careful of the prerogatives of the Crown! yet have brought their Sovereign's Representative before Parliament and the Country, whining over a lampoon, and making war upon a joke.

Let me now direct the attention of the Committee to another foul stream of defamation, turned by the Government upon the heads of the Ex-Councillors, months before one of those articles was written, for which I am to be proscribed. On the 3rd of February, the person who a few months after was rewarded by Lord Falkland with the office of Queen's Printer, and who has for twelve months slandered and defamed the Liberals, published an article, the object of which was to propagate the belief that there was an extensive conspiracy organized in British America. I will trouble the Committee with a single extract:—

"As a sincere friend of the people;—a friend of practical things, I would enquire what is the use of transmitting rebellious information to peaceable citizens, or of keeping a political party in the council denounced by the Governors; denounced in popular meetings of loyal subjects;—denounced by that portion of faithful writers, a party of rebels against the prerogative of the Crown! There are, doubtless, a number of rebel scribbles in these Provinces, working subtly hand in hand, with a phalanx of republican loafers in the States, in order to prepare the separation of these Provinces from the Mother Country. La Fontaine, and his partners in rebellion here and there—are undoubtedly men without honour or shame, who are trying to fish in muddy waters public situations, and sinecures for themselves, their relatives, friends, and so forth; for in midst of teditious movements the worst of mortals can increase in power and rise up to honor. That is the way the Printer Franklin made himself a big rascal among his fellow rebel companions."

On the 8th February, the very day on which the House met, and three months before I resumed my connexion with the Press, or published an article of which the Attorney General complains, Lord Falkland's friend and Printer gave to the world a defamatory lampoon, purporting to be a letter from Mr. Papineau, the Canadian exile, to Mr. Howe, in which, assuming the former to be a rebel, he addresses the latter after this fashion:—"Our former political intimacy, the similarity of our principles, and identity of our objects, &c." Yet the men who wrote these libels, are to be held guiltless, and I am to be proscribed for not sitting quietly under accusations of treason, and kissing the hand that directed the line of fire, and paid for the missiles that rattled round my head. It was nothing to accuse me of treason, but it was a crime for me to declare that no one knew better than Lord Falkland that the charge was false—it is a trifle to damn a Nova Scotian's character, but an unpardonable offence to hint that a not-aman wears a shirt.

The learned Attorney General, with his characteristic fairness, has passed over all these provocations, and has reasoned as though the liberals had commenced an unhallowed war upon Her Majesty's Representatives. Surely, surely, the learned and pious Crown officer, who professes to be horror stricken at my "coarse ribaldry," and "breaches of decency and good manners," cannot have forgotten the bundle of lampoons, that issued from the Government Press from February to April, under the signature of "Punch," and which I hold in my hand. "Coarse ribaldry," "breaches of decency and good manners," and reckless falsehoods, are the staple of these productions, showered by Lord Falkland's official servant upon the heads of the very men who had served and sustained him honorably for upwards of three years, and who retired from the royal closet with the assurance "that they should not be misrepresented." But then, the Attorney General finds it convenient to forget the four months defamation by which it was hoped we might be overwhelmed—he can chuckle over lampoons and pasquinades, when they appear in the Government Press—indecent is a virtue, when it raises a laugh at an enemy's expense, and a falsehood is no longer a falsehood, when it makes in favor of his own side. [Mr. Howe here referred to the papers, and read gross personal attacks on Mr. Uniacke, Mr. Doyle, Mr. McLellan, Mr. Benjamin, and Mr. Power, the "ribaldry" being "coarse" enough, and the wit scarcely atoning for the malevolent vulgarity. We omit the passages, that our report may be kept within ordinary limits.] After reviewing these papers, Mr. Howe said that he really felt for the Noblerman at the head of the Government, who, having been induced to countenance, and patronise, and pay for this miserable trash, aimed at old and faithful Councillors, whose only crime was that they had conducted his government triumphantly for three years, had been brought down to Parliament to prefer grave charges against an individual who had thrown a few paper pellets in return.

This system of Executive defamation, said Mr. H. continued for four months, and the Liberals treated it with indifference. From December till May, the fire was incessant, when, on the 6th of that month, I resumed my old Editorial chair, and opened fire upon the enemy. All that I have read to the House appeared in the Government Press prior to that date; but something more had appeared. The learned Attorney General, who now complains of the Press garbling public documents—who professes such anxiety to give the public full information, cannot have forgotten the few lines extracted from a Despatch, and published by Lord Falkland in the Royal Gazette, on the 29th of February, two months before I wrote a line of which he here complains. Sir, we never complained of Lord Stanley referring to "pretensions," that we never advanced, and which this House afterwards negatived by unanimous vote. His Lordship formed his opinion on the

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Mr. H. con- cated it with e fire was in- umed my old enemy. All Government had appeared. complaints of the of thesea such cannot have hatched, and pub- ette, on the ate a line of complained of at we never negated by opinion on the

exparte case sent from this country, and he was bound to believe and sustain his own officer—to give him every fair chance to recover his position. But we had a right to complain, that a defamatory Despatch was written to Lord Stanley—refused to Parliament—his Lordship's answer also withheld—and three lines extracted from it, and published in the newspapers, conveying a censure we had never deserved, and accusing us of 'pretensions,' which, if Lord Stanley had had the whole case before him, he would have seen we had never advanced. For more than two months Messrs Uniacke, McNab, and myself, had cherished the most friendly feelings towards Lord Falkland—had treated him with the courteous observance due to his high station: had attributed to others, and not to him, the slanders which assailed us. Before the House met, Mr. McNab had offered to withdraw his claims, to rescue His Lordship from difficulties—down to the very day on which this stab was given by his own hand, I had but one thought, how I could evert the evil I saw clouding the horizon, and rescue, by any personal sacrifice, the man whose temperance and whose advisers I knew too well, not to anticipate the mischief which we have now to contemplate with so much vain regret. The moment that extract appeared, I felt as a man might feel, on finding a friend's knife between his ribs, on whose welfare he was meditating, and for whom he recently he was prepared to suffer much—the old ties were severed by a stroke; and these who advised it did more mischief to the nobleman they misled, than their lives, devoted to his service, could repair. It was followed up by another—by a personal insult—which no gentleman ought to offer, and which no gentleman very patiently receives. From this period my feelings towards Lord Falkland were changed; but though I addressed them once or twice in the Assembly, it was not till one or two months later, during all which time the system of newspaper defamation continued, that I resumed my connexion with the Press, and published some of the articles which have been drawn into this debate.

In approaching the charges which the Att'y. General has brought before this Committee, I am constrained to say, that if he does not draw up his criminal with more care than he does his political Indictments, there must be strange blundering in our Court. Will it be believed that the first three passages he read, and upon which he favored us with an attack, appeared in the Novascotian on the 29th of April, when my connexion with that paper only commenced on the 6th of May. [Mr. Howe here referred to and read the passages, having reference to Lord Falkland's "political facetiae"—his "attempting to bow every body to his will, and being constrained to bow to the will of others"—his "appointment of Mr. Dewolf to the Excise, &c."] The Parsee, said Mr. H. were constrained to attach their names to the arrows they shot; and I, during my public life, have generally done the same, though at every step I have had to meet cowardly assailants, shooting from every variety of cover. If I am to be charged, without proof, of writing what I do not acknowledge, I may gather from the Press which supports him, a goodly array of paragraphs to attribute to the Atty. General. But passing over the paper in April, let me come to the Poetree of the 20th of May—to "the Lord of the Bedchamber," which I am free to acknowledge appeared in the Novascotian after I resumed the Editorial Chair. The Committee will remember that before this Pasquinade was published, I and my friends had been ridiculed and defamed in the Government Organs for nearly five months—that we had stood this fire with infinite forbearance and composure—that the Despatch had been published—that the Speaker of this House had been debarred the usual official courtesies, due to his rank, and never, for half a century, omitted; after all this had been done, and no pains spared to make the quarrel personal—is it strange that we should have determined to retaliate, to show our opponents the blunder they had committed by forcing the Queen's Representative into the

political arena—to let them see there were some wit and humour on the opposite side; and that if they monopolized political power, they were not to have a monopoly of the legitimate manufacture of political pasquinade. The Lord of the Bedchamber describes the perplexities and conflicting feelings of the Governor and his Advisers, during the fourteen days debate on the Address, in the winter Session. If the writer has gone too far, let Gentlemen bear in mind the extent of the provocation. Let it not be said that Lord Falkland and his Advisers were not answerable for what appeared in the Morning Post—that paper was edited and owned by the Printer of the Gazette. The Government had the command and the direction of both. If a person kept a Bachel, and a Boarding House, under the same roof, and if the former was a nuisance to the neighbourhood, could those who frequented, and patronized, and encouraged the Proprietor, plead that they were only accountable for what was done in a single suite of apartments? I think not—and, acting on this principle, I have claimed my right to hold the Lieut. Governor personally responsible for all the defamation published by the Organs of his Government—by his paid official Servant. I may have been right or wrong, but I fearlessly avow the fact. Mr. Howe here referred to and read the Poem,* complained of

*The Lord of the Bed-Chamber.

PYTTE THE FIRST.

The Lord of the Bed-Chamber sat in his shirt,
(And D—dy the plant was there.)

And his feelings appeared to be very much hurt,
And his brow overclouded with care.

It was plain, from the flush that o'ermantled his cheek,
And the fluster and haste of his stride,
That, drows'd and bewildered, his brain had grown weak,
From the blood pump'd aloft by his pride.

'No answer!—the scoundrels, how dare they delay!
'Do they think that a man who's a Peer,
'Can thus be kept feverish, day after day,
'In the hope that their Speaker'll appear.

The Goths!—has not J—, 'my leader,' so cute,
'Stood up in his place, and declared
'That, whenever it happens my humor to suit,
'To do justice to all I'm prepared?

'How dare they delay, when a Peer of the Realm,
'And a Lord of the Bedchamber too,
'To govern them all has been placed at the helm,
'And to order them just what to do.

'Go D—dy,—go D—dy, and tell them from me,
'That like Oliver Crom. I'll come down,
'My Orderly Sergeant mace-bearer shall he,
'And kick them all out of the town.

Then D—dy the plant looked puzzled and grim,
And he made a salain with his head,
But ventured to hint, that it might not, for him,
Be quite safe to repeat, what was said.

'They've got some odd notions, the obstinate crew,
'That we are their servants—and they too
'A Sergeant have got, and a stout fellow too,
'Who their orders will strictly obey.

'Besides, though the Leader and I have averred
'That justice they soon shall receive,
'Tis rather unucky, that never a word
'That we say will the fellows believe.

'Their satire and arguments freely they pour,
'In their numbers and talents they glory,
'And your Bedchamber title they'll care for no more
'Than they did for my Bedchamber story.

Then the Lord of the Bedchamber stamped and he swore,
And D—dy look'd pale as a sheet,
And was quietly edging away to the door,
In the hopes to effect his retreat.

'How now,' cries his Lordship, 'deserted' by you,
'I hope you don't mean 'to retire';
'Sit down, sir, and tell me at once what to do,
'For my blood and my brain are on fire.

Then D—dy, bewildered, slunk back to his chair,
And protested he'd fight till he died;
But he looked like a beautiful east of Despair,
With the Angel of Wrath by his side.

by the Atty. General; He kept the House laughing for ten minutes with ludicrous commentaries. The Atty. General had bitterly complained of the opening line:

"The Lord of the Bedchamber sat in his shirt,"

Mr Howe said that it was the first time he had suspected that to hint that Noblemen wore shirts, was a grave offence, to be prosecuted, in the high Court of Parliament, by an Attorney General. Had the Author said that the Lord of the Bedchamber had no shirt, or that he stuck through his pantaloons, there might have been good ground of complaint. There was a little Poem of Hood's, that began thus—

"With fingers weary and worn,
With eyelids heavy and red,
A woman sat in unwomanly rage,
Plying her needle and thread.
Stitch! Stitch! Stitch!
In poverty, hunger and dirt,
And still, with a voice of dolorous pitch,
She sang "the Song of the Shirt."

The Author of these lines has recently been pensioned and I have no doubt, whenever our "Song of the Shirt" is brought to the notice of Her Gracious Majesty, which it must be, now that it has become an important State Paper, she will be equally mindful of the merits of the Author.

I come now to the Paper of the 10th of June, and mean to fulfill the pledge with which I set out, by showing that every article in the Nova Scotian, to which the Attorney General takes exception, was called for by an insidious defamatory publication, put forth by the official servant of the Government. This, which I confess I wrote, is an answer to a long one, in the Executive Organ of the 30th May. That is coarse and brutal throughout: it accuses me of wishing to be "at the head of a tyrannical and oppressive Government." It reiterates the monstrous falsehood—a thousand times repeated—that I demanded leave of the Lieutenant Governor "to let me form a Party Government," when I never proposed to him to form any Council, either before or after the Elections, in which the Conservatives were not to have had four or five seats. As a specimen of the high compliments paid to the Opposition, it is only necessary to say that they are styled "a band of Brigands." Was it to be expected, then, that I should put the buttons on the foils, in defending my friends and calm and good humoured argument, the Attorney General has selected a single passage—and that, taken in connection with the line of reasoning I have pursued, and the article to which it was an answer, carries with it its own justification:

"Suppose," and his voice half recovered its tone,
"You ask them to dinner," he cried,
"And when you can get them aloof and alone.
"Let threats and persuasion be tried.
"If you swear you'll dissolve you may frighten a few,
"You may wheedle and coax a few more,
"If the old ones look knowing, stick close to the new,
"And wo yet opposition may floor.
"For a month I have labored divisions to sow,
"And S—y has lled like a Turk,
"And M—r has feasted, and J— you know
"Is nearly knocked up with hard work.
"But still, in close column, they stand and they fight,
"And the country is getting on fire,
"And the County of Hants sent a squadron last night,
"To ask W— at once to retire."
"I'll do it, my D—dy—I'll do it this night,
"Party Government! still I eschew,
"But if a few parties will set you all right,
"I'll give them, and you may come too.

The Romans, of old, when to battle they press'd,
Consulted the entrails, 'tis said,
And arguments, if to the stomach addressed,
May do more than when aimed at the head.

JUDY.

"We shall now only say a word or two as to the 'personal attacks' which we are accused of making 'on Her Majesty's Representative,' and on this subject we shall speak out plainly and distinctly. When a Governor defends so far as to publicly accuse men who have served him faithfully, of attempting to 'wrest the Prerogative,' because they differ in opinion with him, and retire from his Council—when he accuses them of 'pretensions' when they counsel him fearlessly, as they are sworn to do—when he refuses to the Speaker of the Assembly the official courtesy which are his due, because that officer acts independently in the discharge of his public duty; and seeks to curb, by a boyish pettishness of resentment, all freedom of action and sentiment in politics, he places himself upon a much lower level than the Liberals of Nova Scotia think a Governor should always occupy. For our part we have no hesitation in saying, that he no longer represents, but that he mis-represents our Sovereign; and, so far as we are personally concerned, we would not allow the proudest in Nova Scotia, without letting him feel that there was at least one person in the Province a little prouder than himself, and quite conscious that

"The rank is but the guinea stamp—
A man's a man for o' that."

As to the statement that His Lordship "had written himself down," the opinion is very current, among those who have examined the letters, speeches, and State papers, which have been issued from the Executive during the past year; but it is well known that we hold his advisers responsible for these, and that when we speak of the Governor, in those political essays, we but refer to and criticize the acts of his Executive Council. If they knew their duty, they would apply to themselves every attack, every joke, every sarcasm, without thrusting the Queen's Representative into the front of the battle, to receive the shots, and return the fire.

Let me now direct your attention to the paper of the 15th July, and ask again what drew forth the article which it contains? The answer is—another gross libel on the retired Councillors, in the Government Organ. Sir Charles Metcalfe had written to Lord Stanley:

"I am required to give myself up entirely to the Council; to submit absolutely to their dictation; to have no judgment of my own; to bestow the patronage of the Government exclusively on their partisans; to proscribely their opponents; and to make some public and unequivocal declaration of my adhesion to these conditions, involving the complete nullification of Her Majesty's Government."

Lord Falkland's Official Scribe, commenting on this passage, had said:

"This is what Sir Charles Metcalfe is required to do by his opponents—this is what Lord Falkland is required to do by his opponents—the enemies of justice to all parties, and to constitutional freedom. Is this disputed?"

What was my answer? The passage garbled and complained of by the Attorney General. The Committee will pardon me for quoting the whole:

"So, then, Lord Falkland has been required by Uniscke, Howe, and McNab, 'to submit absolutely to their dictation—to have no judgment of his own—to bestow the patronage of Government exclusively on their partisans—to proscribely their opponents—and to make some public and unequivocal declaration of his adhesion to these conditions, involving a complete nullification of Her Majesty's Government.'"

"Surely, surely, Lord Falkland cannot wonder that these gentlemen, and their friends, are not very measured in their expressions, when his paid Official servant, the mouth-piece of his Government, puts forth such barefaced lies as these. The epithet may be strong, but it is the right one

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to use in such a case. In the name of the Ex Councillors on the house-tops—before Lord Falkland's face—aye, in the presence of the Queen herself—wherever and whenever this charge is brought against JAMES McNAN, JAMES B. UNACKE, and JOSEPH HOWE, to our dying day we will pronounce it a base, black falsehood, without shadow of foundation,—yes, and add, that no man knows better that it is so, than the problem who thus instructs or permits his underling to defame men, whom the plain unvarnished truth could not injure."

Was this language too strong? What was the charge? Treason—disloyalty—utter prostration of the Royal authority; and "base, black falsehood," was the only term to apply to such a slander.

Let me quote the proof that it was so, which the Attorney General conveniently forgot to give:—

"Now what are the facts? We speak of our own personal share in this charge, and of our own experience. Will the public believe, that in three years and a half, but one appointment was made, by our advice, to which Lord Falkland evinced the slightest repugnance, and that that was the re-appointment of an old servant? Will they believe that in every other, for reasons deemed satisfactory to 'his own judgment,' he gave a cheerful and full concurrence, and that these amounted to hundreds?"

"Will the country believe, that, in every act of Administration, throughout the whole period that those gentlemen thus defamed, were members of Lord Falkland's Council, a most respectful deference was paid to his Lordship's feelings and opinions,—that, in no one instance, was anything pressed upon him to which he entertained a decided and strong objection."

I come now to another of those satirical poems, which the Attorney General declares is 'so indecent' that it cannot be read; and really, if it were not for wasting your time, Mr Chairman, with such trifles, I would read the whole of it, and let the Committee judge of the text and the commentator. It is a letter, in humorous versa, supposed to be written by Lord Falkland to Lord Stanley—it appeared in *The Novascotian* on the 20th November, but the Committee will bear in mind, that it was provoked by two letters of the same description, published at my expense, by the official Printer, just ten days before. It commen-

ces—
My Lord, by this Mail, which I have not detained,
A few lines, marked "private," to write I'm constrained.

This was only a fair hit at the Government, for the detention of all the correspondence of the Lower Provinces, because the Governor's advisers were too careless, or too stupid, to write in time an official letter to the officer in charge of the Steamer. We have asked for the correspondence on this subject—it has been refused. When it is necessary to denounce a lampoon, or deprive Her Majesty's lieges of the innocent privilege of laughing, we have grave despatches in abundance—when thousands of letters, and hundreds of thousands of pounds, in orders for insurance, and Bills of Exchange, are detained here a fortnight, by gross ignorance or dereliction of duty, information is denied. But to proceed with the poetry.

In my public Despatch, my position, en beau,
I set off to the greatest advantage, you know;
When you read it, you'll think I have nothing to borrow,
But am driving Bluenoses, like poultry, before me,
I am sorry to own, but the fact must be stated,
The game is all up, and I'm fairly check-mated.
The Poacher in Casquer, with goose in his breeches,
Was betrayed by the neck peeping through the loose stitches;
And I must acknowledge, unfortunate sinner,
As my griefs are enlarging, my breeches get thinner;
And I feel, if I do not soon make a clean breast,
That, from what you observe, you will guess at the rest.

I fear that this allusion to his Excellency's breeches, is regarded by the Government with as much alarm, as the former reference to the startling fact of his wearing a shirt.

But while talking of these, it is said, in some ruction,
That Rome, by their cackling, was saved from destruction—
The luck of the Roman runs not in my line,
For I am destroyed by the cackling of mine!

When this was written, lightly as I estimated the discretion of Lord Falkland's advisers, I did not think they were such geese as to come cackling to the Assembly over such eggs as these. There are other passages, perhaps a little broad, but surely not half so bad, as dozens that are to be found in Shakespeare, Swift, Sterne, Pindar, or Hanbury Williams's Political Pasquinades, all of which, I doubt not, are to be found on the Attorney General's bookshelves. If this squib is to be condemned, let Judge Slick, whose volumes abound in broad humour, preside at the trial, and I doubt if the Crown Officers can obtain a verdict.

Mr Howe next read and reviewed the article of the 2d of December, which he proved was, like all the others, called forth by a violent and scurrilous attack on himself and the Speaker of the Assembly.

I have now gone through all the articles on which this solemn Executive proscription is founded, and I may say at the end of this review, as I said at the beginning, that I mourn over the spectacle which the Governor of my country presents, coming down to Parliament with a case, at which Lord Stanley and every Clerk in Downing Street would laugh, if the pleadings on both sides were before them. Novascotians were wont to occupy high ground, for steady loyalty—for firm adherence to principle—for acute circumspection in the management of their affairs, but I doubt if this solemn impeachment of a political Newspaper—this war upon the satiric muse, will elevate us much, either at home or abroad. Before passing from these topics, in justice to myself, I must make one or two observations. That I know what is due to my Sovereign's Representative, when the dignity of his high station is adequately sustained—when political warfare is conducted within the boundaries of the Constitution—when personal feelings are not outraged, and public principle is not sought to be crushed by Executive defamation, the members of his Committee, and the people of this Province, know right well. From 1836 to 1840, at the head of a majority in this Assembly, and with a Press at my command, I conducted an opposition to Sir Colin Campbell's Administration, and never wrote a line, or uttered a syllable, personally offensive to that gallant old Soldier. Why? Because he treated the members of the Opposition like gentlemen, and because, by the men who sustained him under the leadership of my learned friend from Cape Breton, and those who differed with them on principle, all the courteous observances of chivalrous warfare were maintained—we saluted each other as the first volley was fired, and drank at the same stream when the battle was over. For a more barbarous style of warfare which has come lately into vogue, the Opposition are not to blame, they but follow the mode set by his Lordship's advisers. I regret the change, for I well remember, when standing in the crowd at Lord Falkland's first Levee, Sir Colin Campbell thus addressed me, "Mr. Howe, there is my hand, we fought it out bravely, for each thought he was right—you treated me like a gentleman, and I cherish no unkind feeling." Such are the terms upon which British Governors and British Colonists should part—it will be always so, when those who represent the Sovereign respect themselves, and respect the feelings and the rights of others.

But it is said I praised Lord Falkland in 1842. I did—he had then done nothing undeserving of commendation—I spoke as I felt. I speak now as I feel, with two years of added experience; and after, misled by bad advisers, he has committed innumerable blunders. If I praised him in 1842, the Attorney General's friend hissed him—surely there is as much inconsistency in the one case as in the other. Members of Council lauded my magnanimity in 1842, who are now parties to this miserable proscription.—

The papers that sustain his Lordship in 1843, teemed with scurrilous invective in 1842. What has produced the change? Am I the only inconsistent party of the whole? Neither are inconsistent—his Lordship has forfeited the confidence of his old friends by the very policy which has delighted his old enemies. Circumstances develop character often very rapidly.—Saul was the same Saul after he had launched his javelin at David that he was before. A trifle had touched his vanity, and aroused his pride. Yet David could hardly be expected to feel or speak of him as he felt and spoke before his life was menaced. The Moor is the same man in the fifth that he is in the first act of the Play—but his whole character has been changed—the wily Iago has poured a leprous distilment into his ear, has so practiced on his noble nature, that he rants like a maniac, and destroys the wife of his bosom in his rage. A man may have praised a fine horse, that he would hardly know again, when driven frantic, and down, by a nettled to his tail. Sir, I have always done Lord Falkland justice—I will do him justice now, though he has taken the Sovereign's name in vain, and prostituted her authority, to crush me. He knows me well—I know him, perhaps, better than he does himself. He has many high qualities of head and heart; but, as a noble poet said of his relative, a "host of passions;" and by playing upon and inflaming these, the men who surround him, have, in one short year, led him from blunder to blunder, until the spectacle of degradation is completed by this personal squabble, exciting the compassion even of the individual he would destroy.

Though the reference to the new appointment to the Exchequer Office appeared in the paper with which I had no connection, the Attorney General has thought proper to attribute it to me, and boasts that he will justify the appointment by its fruits. Sir, I neither complain of the appointment, nor doubt that the duties have been properly discharged; but, if the Attorney General wishes to discuss the past or present management of the Office, when the papers are printed and on the table, I am ready to meet him—and I think it will then appear, that if the tree has yielded fruit abundantly, my hon. friend from Yarmouth, the Speaker, and others, who dug around the roots, and applied the manure, are entitled to a share of the praise.

Sir, I have now got out of the newspapers brought here by the Attorney General, and turn to the Despatches and documents laid on the table of the House by command of His Excellency the Lieutenant Governor. Though some of these, in accuracy and dignity of style, are below the ordinary level of newspaper compositions, yet they wear the form of public documents—with which alone, and not with squibs and lampoons, a Legislator should deal. The letter of the 24th of February, handed to the retired Councilors by Mr. Dodd, has been read to the House, and is a singular composition. Lord Falkland is made to say, that his "sole object is to do equal justice to all Parties," yet the Leaders of the Liberal Party were driven out by an act of gross injustice; and in this letter, written after the whole influence of Government could only secure a bare majority of one, the terms offered would have placed them in a powerless and contemptible minority at the Council Board. We might have gone back, after accepting the terms and conditions of the letter—but if we had, our characters would have been wrecked, and we would have had as much influence as three red herrings. His Excellency is also induced to assume great credit for taking "the initiative step," in this negotiation. Why, who should have taken it?—who could have taken it, but His Excellency. Suppose an English statesman were to take the "initiative step," and thrusting himself into the Royal closet, desire leave to form a Cabinet. Would he not be kicked out? Suppose we, having retired, had gone up, before any negotiations had been opened with us, and offered a programme of a Council, what would His Lordship have said? Sir, the "initiative step," in forming a Go-

vernment, must be taken by the Sovereign, or her Representative—and to boast of taking it, is about as wise as it would be for a gentleman, in asking a lady's hand, to desire her to behold the highest proof of his affection in the fact of his "taking the initiative step."

Then we are told that His Excellency is apprehensive that the public good will be sacrificed "at the shrine of party conflict." When Mr. Almon was appointed, it was to prevent the introduction of "Party Government," and to "allay Party feeling." It has, as we warned His Excellency, established Party Government, and exasperated parties, without being approved even by those who have been induced to sanction it by the pressure of Executive influence. I know not how British Institutions are to be worked in this or any other country, without Party feelings and attachments—and surely the nobleman at the head of the Government should regard these necessary evils with indulgence, seeing that he belongs to a Party that convulsed all England to carry a public measure, and gave Bristol for two days into the hands of a lawless mob. But if we examine this story of "justice to all parties" a little closer, throwing all Lord Falkland's projects for the formation of a Government together, and what do we find?—that the old Tory Party would have had 20 seats in Council, and the tried friends of the New System 12—that in no one proposition were the Liberals to have had justice. Look to the appointments throughout the year: every office of emolument given to their own Party—five Magistrates commissioned in this County, four of them on the same side. But mark the stipulations demanded of us: the Attorney General, who set the example of agitation in 1843, required us to promise that we would not agitate the country—all our measures were to be "postponed till those emanating from the Executive" were a spiced of. Why, sir, we have waited two entire sessions, and not a single measure has been produced. Others would, then, have been indefinitely postponed. But we were to be "guided in certain matters" by those whom we knew were no safe guides—we were "to state our concurrence on matters of importance" very faintly shadowed forth—to give "a direct renunciation of a doctrine" which was utter nonsense, and a "frank recognition of the Governor's right" to select a mixed medley of men from all sides, holding no opinions in common, to sit in his Executive Council. Truly, if we had accepted seats on such terms, we should have earned the contempt and execration of every man in Nova Scotia. These stipulations either meant something, or they meant nothing; if they meant nothing, they should not have been made—if they meant anything, it was the object and mean surrender of every valuable principle that we had contended for all our lives. But, it is said, we might have affirmed or denied them. We did deny them; but we feared that the object was—if we affirmed them to entrap, and if we denied them to misrepresent us. What occurred? This very letter was sent to the Colonial Secretary, and published to the world, as evidence of our heterodox opinions—our plain frank answer being studiously withheld. We were in the situation of gentlemen invited to a dinner, but required to pledge ourselves that we would neither pick our teeth with the forks, nor spit on the drawing room fender. The offensive language of the invitation precluded the possibility of its acceptance. We respectfully declined:—but where is our answer?—we wrote one—where is it? Why was it not sent to the Colonial Secretary? For the best of all possible reasons—because, if it had been, it would have been no longer possible to misrepresent the moderation and constitutionality of our opinions. (Mr. Dodd here explained, that he was only empowered by Lord Falkland to require a simple "yes" or "no.") I did not so understand it when the letter was delivered—I did understand that the learned gentleman had no authority to enter into a general negotiation, to propose, or to accept other terms. The best proof that we did not consider ourselves debarred from giving

Sovereign, or her Representative, is about as wise as it is asking a lady's hand, to prove of his affection in a positive step."

His Excellency is apprehensive of "at the shrine of the nation was appointed, it was a Party Government," and as we warned His Excellency, and exasperated even by those who have the pressure of Executive Institutions are to be country, without Party feeling, the nobleman at the head of these necessary evils with a Party that convulses the measure, and gave Bristol a lawless mob. But if we all parties a little closer, the objects for the formation of that do we find?—that the 20 seats in Council, and system 12—that in no one have had justice. Look to a year: every office of our Party—five Magistrates, four of them on the relations demanded of us: an example of agitation in that we would not agitate to be "postponed till later" was a spiced of our sessions, and not a Others would, than, But we were to be those whom we knew were our concurrence on matters shadowed forth—to give "e" which was utter nonsense of the Governor's right" on all sides, holding no is Executive Council.

On such terms, we should creation of every man in either meant something, at nothing, they should anything, it was the valuable principle that was. But, it is said, was. We did deny them to. If we affirmed them to represent us. What is sent to the Colonial Secretary, as evidence of our answer being studious-ation of gentlemen in-ation ourselves that we forks, nor spit on the language of the invil- is acceptance. We is our answer?—we is not sent to the Co- all possible reasons—een no longer possi- and constitutionality of explained, that he was d to require a simple erstand it when the let- that the learned gen- to a general negocia- terms. The best proof debarred from giving

the reasons of our refusal, is, that a letter was drafted, copied, and handed to that gentleman. It is said it was not shown to Lord Falkland—why? The Committee will guess the reasons when they hear the letter. Mr. Howe then produced and read the following letter:

Halifax, 27th Feb., 1844

SIR—

We have maturely weighed the proposition made to us in the letter from the Lieut. Governor, put into our hands yesterday, and our deliberate judgment is that we ought not, under present circumstances, to join the existing Council, upon the terms proposed; and that, if we did, instead of permanence and tranquillity being the result, we should but expose ourselves to a loss of confidence and influence in the House and in the Country, without bringing any real strength to the Government. It is not necessary for us to state at large the grounds upon which this opinion has been formed, as we are reluctant to seem to trench, in the slightest degree, upon the independent exercise of the Prerogative. We have not only no desire "to sacrifice the general good at the shrine of party conflict," but may add, that it would give us great pleasure to be able, with consistency and honor, to give his Excellency the Lieutenant Governor our best assistance in the conduct of the Administration, provided such change were made as would obviate the appearance of a party triumph, wounding to our feelings, and distasteful to those whose feelings and interests we represent.

With regard to the general principles of Government, applicable to these Colonies, it is only necessary for us to state, that we have always adhered to those flowing naturally from the important Despatches communicated to the public—sanctioned by the Governors General of Canada—always frankly avowed by Lord Falkland since 1840, and, in 1842, embodied, with his consent, in the written statement communicated by yourself to the Assembly. "Numerical representation," at the Council, has never been insisted upon by us; but we hold, that if a Coalition is to be formed, both parties to it ought to be satisfied, and that any Administration, to be useful and efficient, should possess so much of public confidence, and cordial and generous support, as will lead to the harmonious conduct of public affairs.

We trust we need not enlarge on these topics, as we have frequently discussed them with you, and are not aware that there exists between us any serious difference of opinion.

We have the honor to be, Sir,

Your Obedient Servants,

JAMES B. UNIAKKE,

JAMES McNAB,

JOSEPH HOWE.

If that letter had gone to the Colonial Secretary, we could not have been accused throughout the year of wishing to "wrest the Prerogative," "the independent exercise" of which we fully recognized—we could not have been charged with forcing "party government," when we had declared ourselves only desirous to "obviate the appearance of party triumph." That letter would have furnished our justification to all the world, and the House and the Country will require to know why it has slept for a year in the Solicitor General's pocket. (Mr. Howe also, at Mr. Dodd's request, referred to and read a note from that gentleman, dated 28th February, giving, as a reason for not presenting the letter to the Governor, that he considered the negotiation closed.) There were two passages in the original draft of the letter, said Mr. H. which were struck out of the copy handed to the learned Solicitor General, because we did not care, in such a negotiation, to multiply words, or accumulate debatable matter. As principle, they convey our opinions upon two points touched in the letter from Lord Falkland, more concisely than I can ex-

press them, with the permission of the Committee I shall read them:

"Agitation of the Country, upon any topic not involving the character or measures of the Government, we deprecate. Two of us have never been parties to any such movements, and the third was reluctantly compelled (with his Excellency's permission) to follow, upon the question of Education, a vicious example, set for four or five months, by a prominent member of the present Executive Council.

"That a Colonial Governor stands, in all respects, in the same relation to the Assembly, that the Sovereign does to the House of Commons, we believe is not held to be sound doctrine by any party in our Assembly—that he "can do no wrong," in the comprehensive sense applied to the Sovereign, we have never heard advanced. Acts of Parliament, Despatches, and Instructions, must bind all Governors, independent of Provincial Legislation, and the responsibility to his Sovereign, which a Governor can disavow on no man, includes the possibility of wrong doing, of which he from whom his authority is derived, only can judge. The doctrine, as stated in the recent debates, we understood to be—that the members of Council are bound to defend the Governor's acts, and, in Parliament, and elsewhere, ought to be charged with whatever is wrong in the conduct of the Administration, in order that the Representative of Majesty may be at all times placed in the most exalted and gracious aspect before the people over whom he presides."

Here, then, our view of the doctrine of Executive responsibility—it coincides with the opinions of all the leading Canadian Statesmen, on all sides of politics; and, at the time I was written, we had in our possession a pamphlet, prepared by an officer of Sir Charles McCall's Government, in which it was stated with clearness and precision—a pamphlet said to have been sent to England with his entire approbation. I put it to the Committee, then, if, under all the circumstances, we did not act with firmness and discretion—holding stoutly to our own rational opinions, based upon sound principle and the best authority, and declining to swallow those of our opponents, which, from the exposition given of them, no human being could understand.

I come now to a circumstance, which I should never have mentioned, but for the very extraordinary course which Lord Falkland has been advised to pursue. I entered his Government in 1840, under difficulties which few public men would have encountered, with no other object than to assist in working out new principles, which I believed lay at the foundation of good Government, here, and the permanence of British Dominion on the American Continent. I served him two years without any office of emolument, or any pecuniary advantage. An office fell vacant—he offered, and I accepted it. He subsequently committed errors which I could not defend. I resigned my office, and retired from the Government. All this gave rise to no feelings of resentment on my part—it was the natural operation of the system to which my public life is pledged. Whatever may be thought or said by my enemies it is not in my nature to have confidence and kindly intercourse with any man, without feeling an interest in his welfare. From what I knew of Lord Falkland's peculiar temperament—from what I knew of those who surrounded him—from what I saw in the papers, and in the letter of the 24th of February, I was quite satisfied that, unless some vigorous step were taken to prevent it, he would be brought into violent collision with the sole Liberal Party—and that, from that moment, the character and efficiency of his Administration would be at an end. Down to the close of the negotiation with Mr. Dodd, and for some days after, though I could not sacrifice public to multiply words, or accumulate debatable matter. As principle, I would have burnt my house over my children's head to have saved or to have served Lord Falkland, The nature of my feelings was well known to my political

and personal friends. On the morning of the 29th Feb'y some days after the communication was made through Mr. Dodd, I met a personal friend of Lord Falkland's and my own, in Dutch Town. We discussed the state of affairs, and expressed similar opinions, as to the perplexed aspect which they presented. I had meditated on a mode of extricating the Governor, by a sacrifice purely personal, which I then resolved on. My friend consented to carry a note which was to be burnt if the proposition was rejected—to be returned if His Lordship declined to entertain it. The note, which I hold in my hand, was written and sent that forenoon. The pledge of secrecy required, and which was essential to the success of the measure, was refused, and the note returned; whether for his Lordship's advantage, or the peace of the Province, the Committee will judge by its contents:

My Lord:—

The small majority which supports your Government, and the strength of the Opposition, make it desirable, for the peace of the country, that there should be such an arrangement between the contending Parties as will give the requisite support to the Administration, and at the same time be satisfactory to the country. This could not be done on the basis proposed in your Lordship's letter, for various reasons. I think it may be accomplished if two individuals, one on each side, to whom strong exceptions are taken by the adverse parties, were to waive their claims, for the sake of peace—and then the difficulties would be over.

As your Lordship is aware of the delicacy necessary in making these suggestions, and as I have yet no assurance that others would concur, I have taken this mode of ascertaining, whether, in the event of my yielding any claims I may be supposed to have, to some other Liberal less objectionable, your Lordship would be disposed to consult the feelings of the Opposition, by a corresponding removal of an individual on the other side.

I trust your Lordship will do me no injustice, by supposing that I have any interest in this matter—as, in the event of such an arrangement being made, I have other views, which would preclude me from accepting office in a Government, of which I was not a Member.

I have the honor to be,

My Lord,

Your Lordship's obedt. Servt.

JOSEPH HOWE.

Feb 29.

This was the temper and spirit in which I acted, with one single object, down to the 29th of February. The 'Pre-tensions' Despatch appeared in the Gazette that evening. The Note was read to Mr. Dodd the next morning—but, after that ill judged publication in the Gazette, the whole feeling of the Liberal Party was changed. With these plain facts before them, this Committee will judge whether I have deserved, at the Lieutenant Governor's hands, the treatment I have received—whether the charges of selfishness and ambition, showered upon me by the Government scribes, require any other answer.

Let me turn your attention, Mr. Chairman, to the subsequent negotiation in July. The responsibility of rejecting the overtures made rests not upon me. I do not complain that, in this case, the notes which passed are published—although I must confess that, in my judgment, the mode will be found strangely inconvenient, if it is to be followed hereafter. At home, negotiations for the formation or strengthening of a Government, are conducted by the Sovereign in the royal closet, or through some distinguished person, in the most confidential manner. The main facts involved in those negotiations are disclosed to Parliament, if there exists a paramount necessity; but the communications which pass, and which often include much curious matter, are rarely given to the world. If they were to be, in all cases, the confidence so essential to the

security and independent action of the Crown, would be destroyed. A Governor, whose advisers have ordinary tact and discretion, will conduct his negotiations in such a way that, if his difficulties are not removed, his embarrassments will not be increased. What was done in this case? Five notes were written to five different gentlemen, offering seats in Council, in which the name of a person was mentioned, and marked with disapprobation, who sought no favor from the Governor, and whose common rights of citizenship were violated by this gratuitous attack upon him. Those who advised this course had their own peculiar objects. To proscribe an opponent they thought was to crush him—to break down the bridge behind Lord Falkland, was to prevent the possibility of his escape. When his Lordship put his name to these absurd letters, failure was stamped upon the whole negotiation—a crime was imputed which had been confirmed by no tribunal, the Crown was made to accuse a subject without stating the grounds of the accusation. A political party was asked to countenance, to be parties to this strange impeachment—to come into the government, and aid their old enemies to plant their feet on the neck of an old friend. What followed? I speak not now of the conversations which occurred between the Attorney General, and my friend Mr. Uniacke—of these I know nothing, but I am talking of what passed when the liberal party met to consider the proposition. With one voice they rejected it, without my interference. The whole aim, and scope, and object of this despatch, is negatived by the combined action of the entire party. The negotiation was at an end—it had failed, and Lord Falkland was still more deeply committed, without being relieved from his difficulties. What again was the conduct of the man he delights to denounce and proscribe—whose grasping ambition is the theme of his household scribbles, who he proclaims to Lord Stanley has no influence, and yet will be *de facto* Governor, if he admits him to his Council? Finding this clumsy intrigue unanimously resisted by the Liberals, I thought only of the peace of the country. I then stated, that though I cared nothing for the public proscription of myself, the precedent was dangerous, and ought not to be sanctioned. That if it was withdrawn, and power given to the Attorney General and Mr. Uniacke, to form a Council of nine or ten from the two parties, that my claims should not stand in the way of any fair and honorable arrangement. From the treatment I had received from Lord Falkland, I had much to forget before I could enter his Government, but that I would support it, either in or out, if my friends were satisfied. On this basis Mr. Uniacke was empowered to negotiate, and, whatever may have passed between him and others, I am quite satisfied that he acted honorably up to the spirit of his instructions. Finding that the proscription was to be adhered to, and that the Liberal party would not proceed a step till it was withdrawn, he communicated the fact, and abandoned the negotiation. These are the facts, as far as they came to my knowledge, and the Committee and the country can now judge whether the opposition were ready to agree to the exclusion of Mr. Joseph Howe. Mr. Howe was willing, as usual, to agree to his own exclusion, but Lord Falkland's sage Councillors thought more of revenge, than of his honor or the peace of the country.

Mr. Chairman, I fear not the judgment of the Colonial Secretary, nor of the country, when my conduct throughout this trying year, is fairly stated. The time has come when I must do myself justice. An honest fame is as dear to me as Lord Falkland's title is to him—his name may be written in Burke's Peerage, mine has no record, but on the hills and valleys of the country which God has given us for an inheritance, and must live, if it lives at all, in the hearts of those who tread them. Their confidence and respect must be the reward of their public servants. But if these noble Provinces are to be preserved, those who represent

the Sovereign must act with courtesy, and dignity, and truth, to those who represent the People. Who will go into a Governor's Council, if, the moment he retires, he is to have his loyalty impeached—to be stabbed by secret despatches—to have his family insulted—his motives misrepresented—his character reviled? What Nova Scotian will be safe—what Colonist can defend himself from such a system, if a Governor can denounce those he happens to dislike, and get up personal quarrels with individuals it may be convenient to destroy? But, sir, the gross misrepresentation of my conduct and position, in the Despatch of the 2d of August, is nothing to the dishonor it heaps upon the liberal party. It paints them as ready to sacrifice me for defending them,—as without leaders, principles, or union. Now, sir, is this true? Was it true in August? And if without a shadow of foundation, should it have been palmed off on the Colonial Secretary, under the sanction of the Governor's name? We are told that the government "had acquired additional firmness and stability, within a fortnight." If so, how did it happen, that, in the summer session, but one question was raised; and, upon that one, after a debate in which their leaders took the most prominent part, the views of the Opposition were adopted?

But they have no 'acknowledged leader?' Have they not? Then let there be no mistake about that point hereafter, for the Opposition 'acknowledge' the Honble. and learned member for Cape Breton as their leader. Whether there is a want of 'concert' and 'determinate action,' this division will show. But 'Mr Howe's influence is greatly diminished!' perhaps so—but was this proved by the Addresses presented to his Excellency—or by the eight or nine public meetings subsequently held? I think not, and if there is still any doubt, when the spring opens I shall have no objections to take my rod and go angling with Scrutator, east or west, and divide with the Government the suffrages of any County we may visit, if I do not beat them in them all. Sir, the only 'influence' I have ever sought, or now possess, is the influence arising out of principles steadily and consistently adhered to. If the Liberal party had meditated, or done, what is charged upon them in this despatch, the dishonor would have rested upon them, and not upon me. But a cartload of despatches would not make me believe it, or induce me to harbour a suspicion, that my learned friend from Cape Breton acted unfairly in the negotiation into which he was drawn. That gentleman and I started from different points in life, with different friends and adverse opinions—we contended in this arena, till we understood each other, and until the true principles of Colonial Government were developed by our collisions. In 1840 we embraced them in all sincerity—for three years we worked harmoniously in the same Government, retired for the same cause, and although I know and appreciate the difficulties and the arts by which my learned friend has been surrounded, I must have better evidence than the testimony of our opponents, whose object is to sow dissension, before I suspect him of dishonor. To him, and to all with whom I have been associated, I am much indebted for the manly firmness they have displayed.

I feel, sir, that I have trespassed too long on the time of this Committee, and thank them for the attention with which I have been heard. Let me say in conclusion, that, as throughout my life I have valued office and honors lightly—so, at this moment, there is nothing of personal interest

that would induce me to oppose the Government for an hour. I have contended—I am now contending—for Principles, for a System—which I believe, if worked out with discretion and good faith, will bind these Colonies to the Parent State for a century to come. It is because these principles have been violated—because their old enemies are in power—that I am in Opposition. It is by a departure from principles, and an attempt to proscribe a British subject, I have been driven to this defence. The principles involved here, are illustrated by the history of our race. Had Charles the First not acted on likes and dislikes—had he not yielded his confidence to supple favorites, and proscribed the men acceptable to the Nation, Lord Falkland's ancestor might have died a Minister of State instead of on the field of battle; and the Monarch might have saved his head. What was the principle settled in 1688? It was this: that no men should thereafter be proscribed for opinions, or crushed by Court intrigue—that every British subject should be eligible for office who possessed the confidence of the Nation. If the Sovereign were to-morrow to announce that she would not have a particular Statesman in her Cabinet, the People of England would with one voice address her thus—"Please your Majesty, we care not for the man, but there is a principle involved in this proscription, which lies at the foundation of our freedom." It is thus I feel. I care not for myself—but, let the People of Nova Scotia show less firmness and intelligence, and there will always be somebody to hate, or to proscribe—the Sovereign's Representative will never be free from personal squabbles, and Constitutional Government will be at an end. Sir, I deny not to Lord Falkland the right to govern this country, so long as a majority, however small, sustains his Administration. I question not his right to use every Constitutional means to form a Council without me, or any other man, whom he believes ought not to be included. But I deny his right publicly to denounce a British subject, within or beyond the limits of his Government. I question the policy of splitting Councils by injustice—propounding principles and demanding stipulations, which nobody can understand—employing Government scribes to defame public men, and then proscribing them for manly self defence. I question the policy also of conducting public business with slender majorities. We have the authority of Lord Melbourne, confirmed by Sir Robert Peel, that a weak Government is a bad Government. A contrary opinion has been expressed here, founded on the belief, that from a weak Government any man may get what he desires: the same may be said of a weak woman—but surely the strength of virtue and of principle is to be preferred—strength to do what is right, to resist what is wrong. In conclusion, allow me to say, that whatever may be the decision of this Committee, where I stand opposed by the whole influence of Government, I believe that I have met every charge by a triumphant answer—that those who have forced this defence upon me, and not I, will live to find their conduct universally condemned. For my part, I feel as a man may feel, across whose path a noble tree has fallen: though in its descent his garments may have been soiled, and his life endangered—he turns to gaze with regret on the pride of the forest, fallen from its high estate—its roots lacerated and torn, its stately branches crushed, and its foliage fluttering on every passing breeze.

