

To Kinckley

Reply to the speech of Joseph Howe
on the union of
the North American provinces.

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REPLY
TO
THE SPEECH
OF
THE HON. JOSEPH HOWE,
OF NOVA SCOTIA,
ON THE
UNION OF THE NORTH AMERICAN PROVINCES,
AND ON
THE RIGHT OF BRITISH COLONISTS
TO
REPRESENTATION IN THE IMPERIAL PARLIAMENT.

BY
THE HON. FRANCIS HINCKS,
MEMBER OF THE LEGISLATIVE ASSEMBLY OF CANADA.



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R E P L Y.

I CAN say with all sincerity that nothing but a paramount sense of duty could induce me to enter into a discussion on colonial affairs at so very unseasonable a period as the present. I therefore deeply regret, and I believe that I do so in common with the best friends of the colonies in this country, the republication in London of a rather remarkable speech delivered in the House of Assembly of Nova Scotia, in March 1854, by the Hon. Joseph Howe, a gentleman holding a high and responsible office in that Province, "On the Union of the North American Provinces, and on the right of British colonists to representation in the Imperial Parliament and to participate in the public employments and distinctions of the empire." The object of this republication is stated in the preface to be, "To induce the mother country to draw more closely the ties which bind her to her friends, and to accord to them the privileges without the enjoyment of which, it is quite clear that some of the changes that

“ Mr. Howe anticipates may speedily come to pass.” As these “ changes” involve nothing more or less than the dismemberment of the empire, it has seemed to me absolutely necessary that Mr. Howe’s speech should be answered, and that the people of British America should be relieved from the imputation of concurring in the opinions therein expressed. It is an old adage that “ Silence gives consent,” and I certainly feel it my duty to prevent the possibility of its being supposed that I participate, in the slightest degree, in the views enunciated by Mr. Howe.

It may be thought extraordinary that Mr. Howe’s speech should have escaped animadversion at the time of its delivery. For my own part I have only to say, that it would not have occurred to me to enter into a discussion as to the merits of a speech delivered in the course of debate in the Assembly of a sister Province, and which had led to no result.

If either Mr. Howe or Mr. Johnston had succeeded in obtaining the sanction of the Legislature of Nova Scotia to any new principle of colonial government, there can be little doubt that some action would have been taken both in Canada and New Brunswick on the subject. But as Mr. Howe was unable to convince the Assembly, of which he was then a member, of the soundness of his views, it was deemed unnecessary to call attention to them in Canada. The case, however,

becomes very different, when an appeal is made to the Imperial Parliament, by a gentleman representing the Nova Scotia Government in this country, to comply with certain demands under a kind of menace, that, in the event of non-compliance, most important "changes" "may speedily come to pass." I am aware that Mr. Howe's pamphlet has caused much surprise to those who have been under the impression that the British North American Provinces were in a highly prosperous and contented state. I have but limited means of judging how far the people of Nova Scotia are satisfied with their Constitution, but I entertain a strong conviction that Canada would protest most emphatically against every one of the schemes, brought under consideration in Mr. Howe's speech, as substitutes for the system of Government under which she is enjoying a degree of prosperity and freedom not surpassed in any other country in the world.

The simple and practical mode of meeting Mr. Howe is by an inquiry as to his authority for demanding a change in the Constitutions of the British American colonies. Has the Government of Nova Scotia authorised him to make such a demand? Has either branch of the Legislature of that Province addressed the Crown on the subject? I apprehend not. Most assuredly neither in Canada nor in New Brunswick has there been any legislative action to warrant a demand for constitutional

changes in their name. Such changes ought, in my opinion, to be discussed among the people, who are more particularly interested in them, and the result should be communicated to the Imperial Parliament through the only legitimate channel, viz., a despatch from the Governor of the colony to Her Majesty's Secretary of State. It must be borne in mind that Mr. Howe, though not actually a member of the Government of Nova Scotia, fills a very important situation under it, and in that capacity has visited England armed with the authority of that Government to enter into important financial arrangements on its behalf. Let me suppose an analagous case. Were the Imperial Government to send out to one of its dependencies, on a special mission, a gentleman holding a high office under the Crown, though not in the Cabinet, and were that individual to take advantage of his presence in such dependency to republish a speech delivered in his place in Parliament, on a subject wholly unconnected with his mission, and on which he had no authority to offer any suggestion, and to accompany it with the alarming intimation that, unless his propositions were adopted, there was reason to apprehend the dismemberment of the empire; were it possible to suppose that an individual employed by the Imperial Government could act in the manner described, he would only do precisely what Mr. Howe has done. I wish to treat Mr. Howe with

all the respect to which his position entitles him, and to discuss his propositions in a fair and candid manner, but I cannot refrain from declaring that his present appeal to English public opinion, on a question which has hardly been even discussed in any of the North American colonies, has been as injudicious as most assuredly it has been ill-timed.

With these preliminary observations, I shall proceed to review Mr. Howe's speech:—I confess that I learn with very sincere regret, that a gentleman, who advocated so strenuously the introduction of Responsible Government into the colonial system, as a means of affording to the people of the colonies all the constitutional freedom which they could desire, has arrived at the conclusion that some new change is required, and that British America should “aspire to consolidation as an integral portion of the realm of England, or assert her claims to a national existence.” The first alternative, and the one which it is the special object of Mr. Howe's speech to recommend, may, in my opinion, be very easily disposed of; and had Mr. Howe attempted to shew how his scheme could be worked out, he would probably have convinced his hearers if not himself, of its impracticability. What is the nature of Mr. Howe's claim on behalf of the colonies, to representation in the Imperial Parliament? We are told that “Scotland has fifty-three members to represent her interests in the Imperial Parliament,” and that

“ British America, with an equal population, has
“ not one ;” and again, that the State of Ohio “ has
“ but a million and a half of people, yet she has
“ not only her State Legislature and Government
“ as we have, but sends nineteen members to the
“ National Congress.” Scotland is represented in
the Imperial Parliament, for the obvious reason
that her people are directly affected by all the Acts
of that Parliament ; they have to share in the
burthens of taxation for the payment of the Na-
tional Debt, for the maintenance of the army and
navy, and for the support of the Civil Government.
I cannot for one moment believe that Mr. Howe
contemplates a complete legislative union between
the mother country and the British North American
Colonies similar to that subsisting between the
various parts of the United Kingdom ; the colonies
to share all the responsibilities of their fellow
subjects here, and to have their affairs administered
as formerly, in Downing Street, their Local Legis-
latures being extinguished, and as a substitute for
them, a representation in the Imperial Parliament
of some fifty or sixty members. Neither can I
believe that he intends seriously to claim on behalf
of the colonies, the right to be represented in the
Imperial Parliament, and at the same time to be
exempted from the burthens already referred to.
The cry of the old colonies against the mother
country, was “ taxation without representation, is
“ tyranny.” If Mr. Howe’s propositions were car-

ried out, there would be a cry in the mother country against the colonies,—“representation without taxation, is tyranny.” As then, it appears to me that, representation in the Imperial Parliament, without the accompaniment of full participation in all the imperial liabilities, would be a most unreasonable demand; and as I am well assured that any proposition to obtain representation on such terms as I have indicated, would be rejected by the whole population of British America, I am, I think, justified in my observation, that if Mr. Howe had attempted to shew how his scheme could be worked out, he would have convinced his hearers, and perhaps himself, of its impracticability. I need scarcely remind my readers that there is no analogy whatever, between the State of Ohio and the British North American Provinces. It is true, that Ohio is represented in the National Congress, and justly, because her people contribute equally with the other states to the expenditure of the Federal Government. The “Territories” of the United States, notwithstanding that their inhabitants are subject to the same federal imposts as their fellow citizens in the states, have no representation in congress, their public functionaries are appointed by the Federal Executive, and they are simply permitted to send delegates to congress, who may speak, but not vote. I need not dwell further on this subject, but shall proceed to the consideration of the other alternative suggested by

Mr. Howe, viz.,—a national existence. It is not necessary to follow Mr. Howe in his eloquent descriptions of the enormous territory, the salubrious climate, the large population, the magnificent rivers and lakes, the exhaustless fisheries, and boundless forests of British America. He cannot have a higher opinion of these colonies than I have, and I am willing to admit that they may fairly bear comparison with independent nations, both of the present and of past ages; but I emphatically deny that it is their interest to seek an independent national existence. I use the term independent, advisedly, and I do so, because I cannot admit that British America has no national existence. It is part and parcel of an empire, certainly not inferior to any other in the world, and its people are entitled to claim the protection of that empire, and to participate in all the advantages of British subjects equally with any other portion of Her Majesty's subjects. It has already then, a national existence; and Mr. Howe admits that this is accompanied with a degree of freedom unsurpassed elsewhere,—he says, “The very tone of this debate
“ proclaims Nova Scotia a free country; and that,
“ whatever we may lack, we have the first best gift
“ of God to man,—freedom of thought, of speech,
“ and of public discussion. The people of this
“ country select every public officer from one end
“ of it to the other, either directly or by their
“ representatives, with one single exception. The

" Lieut.-Governor alone is appointed by the Im-
 " perial Government. We have more power over
 " those who manage our affairs than they have in
 " England, where the Peers are permanent—the
 " Crown hereditary. Our people, in their Town
 " meetings, do their local business—this Legis-
 " lature forms the Administration and sustains it.
 " We are as free as any people in Europe, Asia, or
 " Africa; and as for America, I believe the prin-
 " ciples of the British constitution secure a sounder
 " state of rational freedom than the constitution of
 " the Republic."

With such advantages then, what object is to
 be attained by an independent existence? What
 are the grievances existing under the present co-
 lonial system, for which a remedy is required. I
 have examined Mr. Howe's speech with the greatest
 attention in order to discover, if possible, the
 grounds of his discontent, and to consider whe-
 ther similar grievances are felt in Canada. The
 first allusion that I find to the importance of
 Imperial Representation is the assertion in page
 46 that the question of reciprocal trade with the
 United States " would have been settled long ago
 " if North America had a voice in the making of
 " treaties, and in the discussions of the Imperial
 " Parliament." This is mere assertion. Mr.
 Howe must prove that obstacles were placed in the
 way of the treaty by the Imperial Government. I
 have had at least as good an opportunity as Mr.

Howe of forming an opinion on this subject. I made several visits to Washington while negotiations were pending, and I was, for some years, in communication both with Sir Henry Lytton Bulwer and Mr. Crampton. The principal cause of the failure of former negotiations, it is well known, arose from the refusal of the Imperial Government to treat, unless the coal of New Brunswick and Nova Scotia were included in the free list. It is clear from another passage in the speech which I may as well notice in the same connection, that if Nova Scotia had been consulted, instead of the treaty being "settled long ago" we should have had no treaty even now. Referring to the Fisheries, then the subject of negotiation, Mr. Howe says: "What have you got to do with it? What influence have you? Who represents you in London or in Washington, or discusses the matter in your behalf?" There is much more eloquence on the same subject which need not be quoted, the substance being that if ten Nova Scotians had seats in the Imperial Parliament the treaty giving up the fisheries would never have been carried out. Let this grievance be fairly examined. The British Possessions, including Nova Scotia, were most anxious for a commercial treaty with the United States. The terms had long been a subject of negotiation. An important branch of the question was the fisheries. A dispute existed between Great Britain and the United States as to

the right to fish in certain waters, and in other waters regarding which no dispute existed, American fishermen, contrary to treaty and without the sanction of their own Government, were in the habit of fishing, frequently with the connivance and sanction of the colonists themselves, with whom they carried on a sort of contraband trade. The Empire had to send a fleet, at great expense, to protect the fisheries. If Nova Scotia or British North America had had an "independent national existence," unprotected by Great Britain, the United States would have made short work, both with the fisheries and the navigation of the St. Lawrence, to which they also set up a claim. As it was, England, after vain attempts to obtain a treaty that would be satisfactory to all the Provinces, sent on a special mission a distinguished nobleman of pre-eminent talent, thoroughly acquainted with the question in all its phases, and by that nobleman a treaty was effected which was ratified almost unanimously, not only by the Imperial Parliament, but by all the Colonial Legislatures interested, and also by the Congress of the United States. I know of no previous instance in which a treaty has had to pass through such an ordeal. Mr. Howe, no doubt, imagines that the Earl of Elgin represented Canadian interests at Washington, as he asks the Nova Scotians, "Who represents you in London or Washington, or discusses the matter in your behalf?" If so, he is mistaken. The Earl of Elgin

received the Queen's commands through the Secretary of State for Foreign Affairs, the Earl of Clarendon, and took his instructions from him, and not from the Secretary for the Colonies. There was no preference given to the interests of one province over another, although a most unworthy jealousy of Canada was manifested in Nova Scotia. When the Earl of Elgin was requested to undertake his important mission, it seemed to him desirable that he should have the assistance at Washington of some member of each of the respective Governments of Canada, Nova Scotia, and New Brunswick, for the purpose simply of consultation on any point on which he might desire advice, but in no way to exercise any control over the negotiations. I happened to be in England at the time of his appointment, and his Lordship did me the honour to require me to accompany him to Washington. He wrote in good time, and by the same mail to Sir Edmund Head, then Lieut.-Governor of New Brunswick, and to Sir Gaspard Le Marchant, Lieut.-Governor of Nova Scotia, informing them of the time of his departure, and probable arrival at New York, and giving each of them the opportunity of sending a member of his Government to meet him. Sir Edmund Head acted with promptitude, and the Hon. J. W. Chandler, a member of his Government, joined the Earl of Elgin at New York. The Lieut.-Governor of Nova Scotia deemed it unnecessary to send any one, and consequently that

province was not represented. It did not suffer in consequence. As on former occasions "Coal" was a main cause of difficulty, and the insertion was obtained. To make the treaty entirely satisfactory to British America, the free registration of British shipping should have been included. Canada was deeply interested in this concession, as much so, I should imagine, as Nova Scotia. The principle of the treaty was the free admission of raw products. Ships, most assuredly do not come under that category, and the American negotiators contended, with reason, that the question was surrounded with difficulties, as nearly all the articles used in ship building were subjected to duties in the United States, and so many questions would arise, that, by the insertion of such an article, the success of the treaty would be endangered. That Lord Elgin effected all that it was possible for any diplomatist to gain, I firmly believe, and I had good opportunities of judging. And now let me ask Mr. Howe whether, in sober earnest, he believes that ten Nova Scotians in the Imperial Parliament could have prevented the ratification of a treaty satisfactory to the other provinces, to the mother country, and, as I believe, to the majority of the Nova Scotians themselves. Were the people of England, who had to bear the expense of protecting these fisheries, an expense much greater than all that Nova Scotia made out of them, to have no voice in the settlement of the question? Were the other provinces

to lose the numerous benefits conferred by the treaty owing to the selfishness of a single colony? And what has Nova Scotia lost? The exclusive right of fishing, which she really never enjoyed, because it is notorious that the United States, fishermen have for years gone wherever they pleased, while she has gained the free admission of her fish into the best market she can possibly have, into a country with a population of thirty millions of people, and in addition to this the free admission of her coal and all other natural products (and her industry is only employed in obtaining such,) into the same market. Mr. Howe has not hesitated to speak freely of Canada and of Canadians in his speech. He will permit me to express my opinion as to the course of the Nova Scotia Government. The "surrender of the fisheries," it was well known, would be a *cheval de bataille* in the hands of the opposition leaders. The Government was afraid to take the responsibility of agreeing to the treaty, and it therefore held it to be the safest policy to keep away from Washington, to let matters take their course, and when the treaty was effected, to make a great grievance about the loss of their fisheries, to abuse the Earl of Elgin and the Imperial Government, to pass the Act necessary to give effect to the treaty, as if under compulsion, and then quietly to enjoy all the advantages which it confers. No one knows better than Mr. Howe, that some of the very railroads

which he is raising money in England to construct, are principally required to carry the traffic which the Earl of Elgin's treaty will bring to the colony.

Mr. Howe's next grievance is thus stated:—
 “ Does any man believe that any company would
 “ have monopolised for thirty years the mines
 “ and minerals of an entire province, had British
 “ America been represented in the Imperial Par-
 “ liament? That monopoly would go down before
 “ a searching investigation, for a single night, in
 “ the House of Commons. No ministry could
 “ justify or maintain it.” If this grievance be
 really so apparent, it is most extraordinary that Mr. Howe does not furnish the facts to some member of the House of Commons, numbers of whom, I venture to assert, would be only too glad to get hold of a case that “ no ministry could justify or “ maintain.” Or if the subject be one to which only a Nova Scotian can do justice, there are other expedients which might be resorted to. Mr. Howe might petition and ask to be heard at the bar of both Houses, to plead the cause of his country against the monopolists, or, what would be better still, he might obtain an address from the Nova Scotia Legislature embodying the grievance, and I have no doubt, judging from the course pursued towards Canada, that he would get justice.

But I must not dismiss this subject without a few more observations. I have made myself sufficiently acquainted with the “ Mines and minerals

“ question” in Nova Scotia to be able to form an opinion on its merits. During the period when the territorial revenue of the Crown in the colonies was managed under the authority of the Secretary of State for the colonies and the treasury, and without the concurrence of any provincial authorities, certain leases of mines and minerals were granted. A large quantity of land was conceded without any reservation, (or if any, the precious metals alone,) while in all other concessions the reservations were made. I have always understood that there is abundance of coal and iron in the tract in which there is no reservation, but if so, no capital was employed in developing this source of wealth. Nova Scotians manifested no desire to lease, and it became evident that a large capital was required which could not be obtained on the spot. I may say that two companies were formed in London, though one, I believe, is known as the Duke of York’s Company, the original lease having been obtained through the instrumentality and in the name of His Royal Highness the late Duke of York. The other company is the General Mining Association, and it has acquired the rights of the former. This Company got an exclusive right of mining, subject to a certain royalty, and with the condition that it must open up mines when required, or allow others to do so. I have no inclination to defend the terms of the lease. It may or may not have been improvident.

It was no doubt believed to be necessary to give very great encouragement to induce capitalists to work the mines. I have to deal with facts. The lease was given by the proper authorities at the time, to parties in England. These parties applied to the Nova Scotia Legislature for an Act of Incorporation, without which they could hardly have conducted their operations. The Legislature passed the required Act, and they afterwards obtained a Royal Charter. Capital was raised, expensive machinery sent out, and mines were opened and worked. For twenty years the proprietors of stock in the General Mining Association received no dividends; of late they have divided 5 per cent., and the shares are now at about 20 per cent. discount. When the surrender of the territorial revenue to the Province in exchange for the Civil List became a subject of negotiation between the Imperial Government and the Nova Scotia Legislature, the latter made certain demands regarding these mining leases, which are thus characterised in a Treasury minute dated 27th June 1845.—

“ These conditions appear to my lords to be in-
 “ consistent with engagements entered into with
 “ parties who have, on the faith of such engage-
 “ ments, expended large sums of money in the
 “ Province, either in the purchase of property, or
 “ in creation of establishments, or in the erection
 “ of machinery. The extent of this expenditure
 “ has been detailed in a report of a Committee of

“ the House of Assembly of Nova Scotia, dated
 “ 2nd March 1839, in which it is stated that,
 “ ‘ The Committee conceive that the operations of
 “ ‘ the General Mining Association, so far as they
 “ ‘ have traced them in the county of Pictou, have
 “ ‘ not only been highly advantageous to the Pro-
 “ ‘ vince by the introduction into it of much
 “ ‘ science and skill,—the erection of eleven steam
 “ ‘ engines,—the establishment of a foundry, on
 “ ‘ an extensive scale, where steam machinery may
 “ ‘ be prepared and manufactured,—the creation
 “ ‘ of a foreign trade in coals, which, during the
 “ ‘ last year, employed 307 sail of shipping, and
 “ ‘ may be indefinitely extended, and the annual
 “ ‘ expenditure, in the midst of a population em-
 “ ‘ ployed in agriculture, of upwards of £.50,000,
 “ ‘ and to the town of New Glasgow, which
 “ ‘ appears to have trebled in size during the last
 “ ‘ ten years, and to the persons who have signed
 “ ‘ the petition, generally, the operations of this
 “ ‘ Company would appear to have been a blessing
 “ ‘ and a benefit, even admitting the charge which
 “ ‘ it contains, of a rise in the price of fuel. This
 “ ‘ strong opinion the Committee are bound to ex-
 “ ‘ press, for while they conceive it the duty of
 “ ‘ this Legislature zealously to watch over the
 “ ‘ rights of individuals, it ought in a new country
 “ ‘ to favour and encourage the introduction and
 “ ‘ employment of capital, and the protection of
 “ ‘ those who are largely extending the trade and

“ ‘ developing the resources of the Province from
 “ ‘ unnecessary interruption and annoyance.’ ”

I may observe that this report is signed Joseph Howe, W. Young, H. Huntingdon, E. M. Dodd, and H. Bell. The Treasury minute goes on, “ To
 “ depart from engagements which have led to the
 “ results just specified, does not appear to my
 “ lords (even were it in their power,) consistent
 “ either with justice or policy.” Mr. Howe says, in his late speech, “ I yield to the Association all I
 “ have ever said in its favour. I would do it
 “ justice to-morrow had I power to do injury, but
 “ I do believe that one Nova Scotian within the
 “ walls of Parliament would do more to reclaim
 “ our natural rights in a single year, than this
 “ Legislature could do by remonstrances in
 “ seven.” I have already quoted his remark
 “ That monopoly would go down before a search-
 “ ing investigation for a single night in the House
 “ of Commons. No ministry could justify or
 “ maintain it.” Now the plain meaning of Mr. Howe’s language, notwithstanding his affectation of a desire to do justice, is that he would deprive the General Mining Association of their lease from the Crown by Act of Parliament. And how is this act of spoliation to be effected? “ Here,” says Mr. Howe, “ there is no difference of opinion,
 “ but what avails our unanimity, the battle is to
 “ be fought in England, but here (meaning, I
 “ presume, England,) it never is fought, and never

“ will be until we have a representation in Parlia-
 “ ment, or until the Legislature votes £.5000 for a
 “ luminous agitation of the question.” What an
 alternative! So in this most difficult and im-
 portant question the vote of £.5000 by the House
 of Assembly of Nova Scotia, to carry on a “ lumi-
 “ nous agitation,” would prevent the necessity of
 representation in the Imperial Parliament. Surely
 if public opinion were very strong on the subject,
 that £.5000 would have been voted long since. I
 suspect that the Nova Scotians are not as anxious
 as Mr. Howe would have us believe, for a “ lumi-
 “ nous agitation” of any colonial question beyond
 the bounds of their own Province. I may remark
 that there have been questions in Canada just as
 perplexing as that of Nova Scotia “ mines and
 “ minerals,” and when I reflect that in one session
 the Seignorial and Clergy Reserves questions were
 settled, with a due regard to private rights as well
 as to public opinion, I can hardly doubt that Nova
 Scotia can solve the difficulty regarding her mines
 and minerals without resorting to an “ indepen-
 “ dent national existence.”

Mr. Howe's next complaint is, that the interests
 of the colonies may be seriously affected by the
 decision of the mother country to engage in war,
 and yet they are not consulted on the subject. It
 may be admitted, as a possible contingency, that the
 mother country might engage in war on grounds
 which would be deemed insufficient in the colonies,

and that if the property of the latter were exposed to injury or loss in consequence, disaffection might ensue. I am, however, of opinion, that nothing can be more unprofitable than speculating on contingencies which may never arise. It is a far more probable contingency that the mother country might be compelled to engage in war to protect one of her colonies, as she has been lately, to protect an ally from a powerful oppressor. Mr. Howe would have complained bitterly, if protection had been withheld from the fisheries when the rights of the colonies were menaced; and yet, with how much more justice might an Englishman complain, that the connection with the colonies might subject him to war taxation. The colonies cannot be consulted about a question of war, because they contribute nothing to the expense of it, and would be very sorry, in my opinion, to purchase the privilege of being consulted at the price of bearing a just share of the burthen. It is worthy of remark here, that the last war with the United States, arose from a dispute on a question in which the North American Provinces had little or no interest. It was clear that the Canadians would be the principal sufferers, and it was imagined that they would be too glad to purchase tranquillity at the price of their allegiance. But the result proved that the British and French Canadians rallied with equal promptitude round the national standard, and that the militia

of the province, with very little assistance from the regular army, was strong enough to expel the invaders. With such a precedent, I have no apprehension that the relation now subsisting between the mother country and the colonies, would be disturbed by the engagement of the former in a just war; and I do not believe in the probability of its engagement in an unjust one. In the present great struggle, all the sympathies of the people of British America are with the mother country; and I have never heard even a whisper of complaint, that they were precluded from sharing in the deliberations of the Imperial Parliament.

Mr. Howe's next complaint is, that British Americans have but a slight chance to rise in the army or navy,—“their brethren at home had more money to purchase, they had all the Parliamentary interest to ensure promotion.” Now, even if this were true, people who pay nothing to the support of the army and navy, would have no just cause of complaint if they were wholly excluded from those services. But the facts in this, as in every other instance, are wholly against Mr. Howe. I am not going to enter into a discussion in which it would be obviously most improper for me to interfere, as to the system of giving commissions, or the rules of promotion. It is alleged by many, that the influence of the aristocracy, as well as of money, is too powerful. But surely Mr. Howe must perceive that, even admitting this to be true, it bears just as hardly on

the large classes in the United Kingdom, who contribute to support the army, as it does on the Colonists, who do not. Can Mr. Howe name an instance in which a young Canadian or Nova Scotian, desiring to enter the army by purchase, has been even delayed? And how many instances are there in which commissions have been given without purchase, on the recommendations of Governors? My well-founded conviction is, that so far from labouring under disadvantages in this respect, the son of a merchant in Quebec, Toronto, or Halifax, could get more influence brought in his favour, than a young gentleman of similar pretensions in Liverpool, Glasgow, or Belfast. The British Americans now fighting the battles of their country in the Crimea would, I am convinced, indignantly repudiate the assertion of Mr. Howe, that they have, as colonists, any just cause of complaint, and I venture to add that no officers in the service are performing their duties more zealously.

I cannot say that I have been surprised at the bitterness of Mr. Howe's remarks on the next subject of complaint, though I own I am astonished at their injustice. Mr. Howe cannot but feel that Nova Scotia has come out of the Railroad negotiations in anything but a creditable manner, and he has accordingly hurled all kinds of accusations against others. His story is briefly this. He spent six months in England to impress his views on Imperial statesmen. He had a noble scheme requiring

about £.7,000,000 to carry it out. After much labour the Government consented to give the guarantee required. All was going on smoothly, when two or three members of the Imperial Parliament took a fancy to add to the cost of the roads as much more as the guarantee would have saved. It was the interest of these members that the guarantee should not be given. The faith of England was violated, and "the answer was a criticism on a phrase—a quibble upon the construction of a sentence which all the world for six months had read one way." Mr. Howe goes on to say that he does not seek to penetrate "the secret history of this wretched transaction," that "enough is written upon stock books, and in the records of Courts in Canada to give us the proportions of that scheme of jobbery and corruption by which the interests of British America were overthrown," and he adds that if but one Nova Scotian could have stated the case of that province before six hundred English gentlemen, a different result would have ensued. Such, in substance is Mr. Howe's account of the Railway Negotiation. I shall state as briefly as possible, the real facts. On Mr. Howe's return from his mission to England, to impress his views upon Imperial statesmen, he paid a visit to Toronto, in company with the Hon. J. W. Chandler, of New Brunswick, his object being to induce Canada to join in pledging her credit for a loan of £.7,000,000 to be expended

on certain railroads. Mr. Howe succeeded in convincing the members of the Governments both of Canada and New Brunswick that Imperial aid was to be given to certain lines of road, and an agreement was arrived at as to the terms on which it was to be accepted. It afterwards turned out that Mr. Howe had misunderstood the intentions of Earl Grey, and it is proper to add that it was not from the text of his Lordship's despatch, but from Mr. Howe's interpretation of it, that the Canadian Government inferred those intentions to be of a more extended character than the carrying out of Major Robinson's line of Railway from Halifax to Quebec or Montreal. Earl Grey has declared that he never contemplated aiding the branch line in New Brunswick to connect with the United States; and that declaration is, to my mind, conclusive. I have read all that Mr. Howe has published on the subject, and the extent of his charge against Earl Grey, or, perhaps, I should rather say the Colonial Office, is that they did not read Mr. Howe's speeches and letters with sufficient attention, and were wholly unaware that he believed them to be committed to a scheme which they had not entertained. The allegation that English Members of Parliament were interested, and interfered to prevent the Imperial Loan, is wholly unfounded. The parties referred to are Sir Morton Peto, Bart., and Mr. Jackson, M.P., both of whom, long afterwards, became concerned in a contract for building Rail-

ways in Canada and New Brunswick. I shall not affect to conceal that there is a covert charge, or rather insinuation, against myself, one which I am as ready to meet in England as I have been in Canada.

Earl Grey's repudiation of all Mr. Howe's promises made on his Lordship's behalf in Canada and New Brunswick, took the colonies by surprise. It is ascribed to "jobbery and corruption." Mr. Howe ought, however, to have refreshed his memory before committing himself to accusations which he will find it impossible to substantiate. At the time that Earl Grey announced that Mr. Howe had misunderstood him, I had never had any communication, direct or indirect, with either Sir Morton Peto, Mr. Jackson, or any other Contractor, on the subject of this Railway. Canada had in no way interfered in the negotiations, beyond assenting to propositions made by Nova Scotia, and which it became impossible to carry out, owing to the refusal of the Imperial Government to sanction the arrangements made by Mr. Howe. That gentleman, no doubt, felt himself in rather a humiliating position, as is manifest by the following extract from his report to the Lieut.-Governor of Nova Scotia, under date 11th December, 1851,—“ That I have
 “ read that despatch with regret and deep
 “ mortification, I cannot conceal from your
 “ Excellency. That in a question of such vital
 “ importance to the success of the policy of
 “ which I have been the advocate, I have mis-

“ understood the views of her Majesty’s Govern-
 “ ment, and for six months have misrepresented
 “ them to all British America, is as apparent from
 “ that despatch, as that much time has been wasted
 “ in an unavailing attempt to ripen a scheme of
 “ improvement which must now fall to the ground.
 “ While I do not shrink from the full weight of
 “ the responsibility which this despatch throws on
 “ me, and while it would be unfair to disguise
 “ from your Excellency for a moment the inevitable
 “ consequences of the decision which it commu-
 “ nicates, I am now only solicitous that your
 “ Excellency should be convinced that, however
 “ I may have misinterpreted the views of Her Ma-
 “ jesty’s Government, I have acted throughout with
 “ candour and good faith.” Mr. Howe, it will be
 seen by the above extract, was in 1851 “ only
 “ solicitous” to convince the Lieut.-Governor of
 Nova Scotia and the Imperial Government that he
 had himself acted in “ candour and good faith.”
 There was *then* no imputation on “ Members of the
 “ Imperial Parliament,” no charge of “ jobbery and
 “ corruption in Canada.” On the contrary, there
 was a distinct and candid acknowledgment that
 Mr. Howe had “ misunderstood the views of Her
 “ Majesty’s Government,” and had for “ six months
 “ misrepresented them to all British America.”
 While declaring that he would not “ shrink from
 “ the full weight of responsibility” thrown upon
 him by the despatch, Mr. Howe thinks it would be

“ unfair to disguise” from the Lieut.-Governor “ the inevitable consequences of the decision” which it communicates. And yet in 1855 this same Mr. Howe pretends that the whole scheme was upset by the influence of English Members of Parliament and by jobbing in Canada, although no Canadian had interfered with the negotiations until after the lapse of many months. Mr. Howe must acknowledge that he was not made the subject of reproach by my colleagues in the Canadian Government or myself, although we suffered politically by the blunder, and whoever was responsible for it, we clearly were not. As there was no use in attempting to change Earl Grey’s determination, it was thought desirable to try whether the Provinces could agree on any scheme that would be satisfactory to the Imperial Government, and I commenced my Railway negotiations early in 1852. Accompanied by two of my colleagues, I went to Fredericton, hoping that Mr. Howe would meet us there to confer on a scheme which had originated with and been pressed on the other Provinces by Nova Scotia. Mr. Howe was unable to meet us, and we then determined to go on to Halifax, accompanied by Mr. Chandler of New Brunswick. We had protracted conferences with Mr. Howe and his colleagues, the result of which was that, after a vain effort to baffle us, they agreed to a scheme to be jointly recommended by the three Provinces,

and they further agreed that, on the 4th of March ensuing, a member from each of the Governments should proceed to England to endeavour to carry it out. In proof of this, I need only cite the following extract from Lieut.-Governor Sir John Harry's despatch to Earl Grey, dated 3rd March, 1852:—

“ I am informed that it is contemplated the Pro-
 “ vinces should be represented in London by a
 “ delegate from each, and that Mr. Hincks will
 “ repair to England in the packet to sail from
 “ hence on the 4th instant. I have selected the
 “ Hon. Mr. Howe to represent Nova Scotia, and
 “ he will quit this, in company with Mr. Chandler,
 “ as soon as the Legislature of New Brunswick
 “ has matured its measures on this important
 “ subject.” The despatches of the Earl of Elgin,
 under date 26th February, 1852, and of Sir Edmund
 Head, of 23rd March, 1852, enclosing copies of
 Minutes of the Executive Councils of Canada and
 Nova Scotia, shew that a clear understanding existed
 that all the Provinces were to be represented in
 London by delegates, who were to urge on Her
 Majesty's Government the scheme which had been
 mutually agreed on. On the appointed day I sailed
 from Boston, and, on arriving at Halifax, found that
 Mr. Chandler and Mr. Howe would be delayed a
 fortnight, but would follow in the next steamer.
 Mr. Chandler fulfilled his promise, but Mr. Howe
 was again delayed, as he said, for another fortnight.
 Instead of keeping his third appointment, we had

letters expressing regret for his delay, with a positive assurance that he would follow by the next steamer from Halifax. Meantime a change of Government had taken place in England, and the whole question had to be discussed with the Earl of Derby and Sir John Pakington.

I have been blamed by many for acting with precipitation and rashness in these negotiations. It is hardly possible to conceive the misunderstandings and embarrassments caused by Mr. Howe's repeated failures to fulfil the undertaking of the Nova Scotian Government. I was detained in England at great inconvenience, and when I knew, from reliable sources, that my mission would be fruitless, and at last almost compelled to act with abruptness, when I found, after obtaining an interview with the Earl of Derby, for Mr. Howe, Mr. Chandler, and myself, on a day when, if the former had fulfilled his promise, he would have been in London, that I was doomed to further disappointment,—Mr. Howe coolly informed us that he could not come at all. The only excuse ever given to us was the pressure of an election, and important public business. The election however was over in ample time, and nothing should have prevented the Government of Nova Scotia from fulfilling its pledge. Had Mr. Howe been unable to come himself, he should have procured the services of one of his colleagues, or of some other person worthy of the confidence of his Government, and

duly accredited to the Colonial Secretary. I need not now revive discussion on the decision of Lord Derby's Government; I shall merely avail myself of the present opportunity to explain that I never complained of that decision any more than I did of a want of personal courtesy towards myself by Sir John Pakington. What I did complain of was fully explained at the time, and being foreign to the present discussion, is not worth reverting to. All that I desire to establish is, that when Earl Grey declined to carry out Mr. Howe's scheme, I had had no connection of any kind with Railway negotiations, and that when I was connected with them, it was Lord Derby's Government which refused to carry out the new scheme agreed to by the three provincial Governments, and upon grounds which, whether politic or not, involved no breach whatever of "national faith," or of "a national pledge." Lord Derby simply refused the Imperial guarantee for any other line but the one recommended by Major Robinson, and advocated by Nova Scotia up to that time, and, moreover, the one approved of by Mr. Howe, though, in order to obtain unanimity, he was compelled to assent to another proposition. I confess that it seems difficult to acquit Mr. Howe of having acted in bad faith to Canada and New Brunswick. The Governments of the three Provinces had been negotiating on the subject of the Railway; Mr. Howe and his colleagues broke off the negotiation,—dissenting from the views of the

Canadian and New Brunswick delegates. Under the strong pressure of public opinion, manifested by a large public meeting in Halifax, called by the mayor, on a most respectable requisition, the Government of Nova Scotia yielded, and pledged itself to co-operate for the common object, and to send a delegate to England. It failed to fulfil this pledge, tacitly withdrew from the negotiation, and left Mr. Chandler and myself to press upon the Imperial Government a measure which we well knew was most unfavourably looked on. It will not be pretended, even by Mr. Howe, that Sir Morton Peto or Mr. Jackson exercised any influence on Lord Derby's Government, and I may further add, that they could have had no interest in preventing the guarantee. My own opinion from the first was, that as the money for the Railway would have to be furnished by England, under any circumstances, it was most desirable to secure its construction by eminent English contractors. That opinion had been communicated both to my colleagues and to the Governor-General, the Earl of Elgin, before I knew of the decision of the Imperial Government; and I had obtained authority to request Messrs. Peto and Co. to undertake the necessary surveys, with a view, if possible, to a contract. I have now, I submit, completely disproved Mr. Howe's charge, that the Imperial loan of £.7,000,000 was prevented by "jobbery and corruption," or that one Nova Scotian in Parliament, even had that one

been Mr. Howe himself, could have obtained it. I shall not, however, leave the case here. Were Mr. Howe's serious charge true, I have shewn that it could have had no bearing whatever on the loan of £.7,000,000, unless, indeed, Lord Derby and Sir John Pakington were accomplices with the Contractors and myself. But I cannot allow Mr. Howe to insinuate a charge against myself personally,—which having been more openly made elsewhere,—I will not affect to misunderstand. The insinuation is conveyed in the words: “Enough
 “ is written upon stock books and in the records of
 “ courts in Canada, to give us the proportions of
 “ that scheme of jobbery and corruption.” It is untrue that one word is written “in the records of
 “ courts in Canada,” having relation to the Grand Trunk Railway; and the allusion to stock books has reference to a base and unfounded allegation, that I had been bribed with £.50,000 stock to give a contract to Messrs. Peto and Co. The charge has been fully investigated by select committees of either House of the Canadian Parliament, and entirely disproved. Had it been true, it is obvious that the sufferers would have been the Company, the Directors of which are fully acquainted with all the facts, and have been aware, from the first, that the attacks against me were conceived in falsehood and malice. But Mr. Howe has himself been subjected to similar attacks, and ought, therefore, to have been the last man to insinuate

charges,—of the truth of which he has no evidence whatever,—on the authority of partisan newspapers. I have, perhaps, devoted too much attention to this Railroad question, and shall therefore pass on to Mr. Howe's next grievance: "Ocean steamers carry British mails past British provinces, to reach their destination through a foreign state." This is the charge. One would imagine that the Nova Scotians might be satisfied, without inconveniencing not only the United States, but England and Canada, oftener than once a fortnight. That is a grievance that there will be very little sympathy with anywhere but in Nova Scotia, and the remedy is a simple one, viz.,—let Nova Scotia provide ocean steamers for herself; Canada is experimenting in that way, and will, I have no doubt, succeed whenever we have a restoration of peace. Mr. Howe likewise complains of the Imperial policy regarding emigration. I am not, however, aware that the colonies are restricted from adopting any means to encourage immigration which they may think expedient; and certainly they have no right to complain of measures adopted by the Imperial authorities out of their own resources.

Mr. Howe's final grievance, and the one which has called forth his greatest eloquence is, that there is no field for ambition in the colonies. He says: "Sir, I do not envy our neighbours in the United States their country, their climate, or their institutions; but what I do envy them is, the bound-

“ less field of honourable ambition and rivalry, in
“ which the poorest man in the smallest State may
“ win, not merely colonial rank and position, but the
“ highest national honours.” Mr. Howe is of opinion,
and there I shall assuredly not contradict him,
that in the colonies are to be found men equal in every
respect to those who, in the United States, become
“ Senators, Foreign Ambassadors, Governors, Secre-
“ taries of State, Commanders of Squadrons, or
“ Leaders of Armies.” And then he declares that
his “ heart sinks when he thinks of what British
“ America has to offer.” For my own part, I feel
more inclined to view the picture in another light.
My own career has been in some respects similar to
that of Mr. Howe. I do not regard with envy the
classes referred to by him, nor do I acknowledge
any superiority in their position over my own.
But it is strange that Mr. Howe should fail to con-
trast his situation, as I do mine, with that of men
in England, with our advantages, such as they are,
who have had no such field for their ambition. It
is surely some satisfaction that we can continue
British subjects and enjoy British institutions, and
at the same time attain the standing which we have
both won. And I cannot help adding, as a native of
the United Kingdom, that while in a British colony
I have reached the highest object of ambition, my
chances of political distinction in the United States
would have been small indeed. But what means Mr.
Howe by saying :—“ I will live under no flag with a

“ brand of inferiority to the other British races
“ stamped upon my brow.” Is this becoming
language for a man who has attained the highest
position in the Government of his native province?
Mr. Howe in his aspirations after a new state of
political existence, in order to obtain a larger field
for his ambition, seems to have forgotten that all
independent states are not on a level. There are
European kingdoms which stand much lower in
estimation than the North American provinces,
which Mr. Howe affects to think are treated with
so little consideration. My own calm and delibe-
rate conviction is, that the British provinces, under
their present constitutions, present as fair a field for
an ambitious man as they could do under any other
circumstances. It is true, that were the provinces
formed into states and united with the Great Ame-
rican Federation, their public men might compete
for a few higher prizes than they can do now. But
it must be recollected that the value of the prizes
more within their reach would be seriously dimi-
nished. A Canadian minister occupies a much
higher position in the eyes of the world, than a
secretary in Michigan or Illinois. All the local
prizes would be deteriorated in value, and the pro-
bability of obtaining any of the others would be
small. And it must not be forgotten that, in our
present connection, the still higher prizes to be
gained in England are not beyond our reach.
When Mr. Howe alleges that the colonies have

never supplied even an Under Secretary of State, he may be literally correct; but an office of equal rank and importance was recently filled up by a gentleman who though an Englishman by birth had resided several years in a colony, and there is nothing to prevent Mr. Howe himself from transferring his talents to the English arena, should he be of opinion that Nova Scotia affords too limited a field for their display.

I do not think that Mr. Howe can make much of his "brand of inferiority," as illustrated by there being no colonist in the British Ministry; and he might easily have furnished a better illustration than the one given, of the court paid to strangers from the United States in preference to those from the colonies. It so happens that the precedence given in passing passengers' baggage to "bearers of despatches" applies equally to all, as I can assert from personal knowledge; and if Mr. Howe experienced the discourtesy of which he complains, it must have been owing to accident and not to the system. The Massachusetts cotton spinner in the diplomatic box was doubtless the American minister himself, the Hon. Abbott Lawrence. I hardly think it fair to dwell seriously on this topic, for Mr. Howe was probably indulging in a joke, although assuredly the tenour of his remarks is anything but mirthful. I am well aware that Mr. Howe's observations on this topic will be rather popular in the North

American colonies. There is no doubt a prevailing impression, whether well or ill founded, that colonists receive very little attention in England, and that marked courtesy is extended towards visitors from the United States. It would be easy to shew that there is a great deal of misconception on this point; but it cannot be denied that a certain degree of inconvenience is felt by the colonists, owing to their having no representative either in England or in the other European countries. This is felt more particularly by a class which ought to receive every encouragement. I mean persons in easy circumstances who travel for instruction and amusement. It is believed,—whether justly or not I am wholly unable to say,—that persons of this class from the United States, enjoy many social advantages through the agency of the various American ministers stationed in Europe; and this impression seems to be shared by a very enlightened author who travelled a few years ago in the United States and Canada, Mr. Seymour Tremenheere, who, in his admirable work, “Notes on the United States and Canada,” thus refers to the subject:—

“Again, when a citizen of the United States,
 “of no great mark perhaps in his own country,
 “comes to this, he naturally feels a desire to see,
 “if he has the slightest pretensions to be admitted
 “into it, something of the remarkable society con-
 “gregated at a certain season of the year in the

“ metropolis. He has the minister of his own
 “ country to apply to; and accordingly the in-
 “ habitant of the smallest State of the Union, or
 “ of the most distant city in the great valley of
 “ the Mississippi has a ready mode of access, if it
 “ be meet that he should have it, to some portion
 “ at least of that distinguished society. I heard
 “ it frequently asked in Canada, ‘ Why should
 “ ‘ the inhabitant of Maine, Vermont, or New
 “ ‘ Hampshire, be better off in that respect, when
 “ ‘ he visits England, than an inhabitant of
 “ ‘ Canada and a subject of the British crown?’
 “ ‘ Why should not the rising men of the colonies,
 “ ‘ on temporary visits to England, have oppor-
 “ ‘ tunities of being properly introduced at the
 “ ‘ House of the representative of their colony in
 “ ‘ London.’ One of the most painful results of
 “ a separation from this country would then be
 “ obviated,—that of cutting off, to so great an
 “ extent, the opportunities of social acquaintance
 “ and intercourse with the best men of the day.
 “ Were the option given to Canada, the first in
 “ importance of our colonies, there would be little
 “ doubt, I apprehend, of her soon finding fit men
 “ to represent her; and as little, it may fairly be
 “ expected, that her Legislature would consult its
 “ own dignity in assigning to him an income
 “ befitting his station among the leading persons
 “ of this country.”

I believe that the suggestion thrown out by

Mr. Tremenhære would afford the means of removing all just ground of complaint on the part of colonists that their neighbours in the United States had advantages superior to them, and I am convinced that no obstacle to any arrangement of the kind would be thrown in the way by the Imperial Government. The doubt is whether any of the colonies, or the whole united, would be willing to meet the necessary expense; and it must be clear that if they would not, there can be no grievance of any great importance.

Having now considered in detail the several points urged by Mr. Howe in support of his unauthorised demand for a change in the Constitutions of the North American colonies, and having proved, I think satisfactorily, that there is no ground whatever for discontent, it cannot be necessary to discuss at much length the various schemes which he has suggested as substitutes for representation in the Imperial Parliament, and especially as none of them meet with Mr. Howe's approval. The first of these is "annexation to the United States;" and though I am sorry to find that Mr. Howe is of opinion that the advocates of this measure have powerful arguments in their favour, I must be satisfied that "there are other considerations which would deter him from any thought of annexation." A federal union of the provinces Mr. Howe sees many objections to. Were such a union effected, it

must be obvious that the powers given to the federal Government must be taken away from the local Governments. This would cause discontent, and moreover, the people would never be satisfied to pay the expense of double Governments and Legislatures. So long as the colonies are protected by England federation is unnecessary; and should unfortunately that connection cease, Mr. Howe may rest assured that there will be no second federal system in North America, unless indeed it be brought about by a separation between the free and slave States.

I have only to repeat in conclusion that believing as I do that the present colonial system is all that can be reasonably desired, and that the grievances stated by Mr. Howe have no existence, I think it much to be regretted that, at a time when public attention is absorbed with questions of paramount importance, there should be even a whisper of discontent from the colonies, and I am of opinion that Mr. Howe would have advanced the interests of Nova Scotia much more by displaying her great resources, and the stability of her institutions, than by inducing people in England to believe that she aspires after an independent national existence.



