

1035.9

P8

v.2

1938/39

The Background of Government in the Maritimes

By J. B. BREBNER

DURING the period of almost two centuries before New Brunswick and Prince Edward Island were formally founded, the region known as Acadie or Nova Scotia supported North American communities which had to struggle with the everlasting problem of setting up institutions suitable to Europeans in a new environment. Both French and English sovereigns, even Cromwell, tried and failed to establish there the feudal system which had been Europe's own form of frontier government during the centuries after the old Roman administration broke down. Early in the seventeenth century a part of the parade ground at Edinburgh Castle was proclaimed to be Nova Scotia so that King James's collaborators might stoop down and grasp a piece of soil as they took *seisin* of feudal baronetcies laid out on bad maps of a peninsula they would never visit. After the Cromwellian conquest, one of the incidents of Nova Scotia's feudal tenure from the Protector was the payment of twenty moose-skins, a consideration which emerged in the great Anglo-French boundary negotiations after the War of Austrian Succession transformed into twenty mouse-skins!

Even after Great Britain and New England finally conquered the region in 1710 Nova Scotia was afflicted by the same blight of inappropriate governmental regulations imposed by Europe. For fifty years the majority of the population was French-speaking; for forty years the English-speaking element was little larger than the puny garrison at Annapolis Royal. Yet even after Halifax and Lunenburg were founded (1749-53), the governing groups in Nova Scotia were

accustomed to seek guidance in the laws and procedures of Virginia. Why Virginia? Because early in the eighteenth century and increasingly thereafter the colonial policy-makers in London feared the republicanism and independent spirit which they detected in New England, and were anxious that Nova Scotia, following Virginian precedents, should redeem the errant neighbouring colonies by demonstrating the immense superiority of more docile "royal government."

Events proved the absurdity of these hopes as affecting either Nova Scotia or New England. The unfortunate Acadians formed the society that needed government and they were simple North American frontiersmen, so inured to frontier ways that after they fell victims to Anglo-French rivalry in North America their remnants found it so impossible to accommodate themselves to life in France that they made their ways back to the North American frontier in British Nova Scotia or Spanish Louisiana.

Yet while they had lived under British rule between 1710 and the sad years (1755-1767) when they were systematically rooted out, they showed that French Americans turned naturally to the same kind of political arrangements as British Americans. They chose representatives like New England selectmen from their communities to speak and act for them both at home and in relations with their British rulers, and in each community the one man (other than the priest) who served continuously was not greatly distinguishable from a British American township clerk. It was tragic that their position between the millstones in the great North American war victimized them before British Nova Scotians could detect how easily Acadian institutions could be reconciled with their own

EDITOR'S NOTE: J. B. Brebner, Ph.D., is Professor of History at Columbia University and author of various books on the history of the Maritimes.

IAL
JA
4
P3
V2

The long struggle by the English-speaking men of the Maritimes to govern themselves in their own chosen ways began about 1750 in Halifax and continued for almost a hundred years. The first impetus came from the suspect New Englanders who swarmed into Halifax after its founding and who re-colonized what are now Nova Scotia and New Brunswick after their troops had expelled the Acadians from their long-held lands. Their first objective was to force the British and Nova Scotian administrations to carry out their legal obligation to set up representative government. Thanks to vigorous and expensive lobbying in London and to the scrupulous respect for law which was personified by such judges as Lord Mansfield, this boon was actually conceded in the midst of the decisive combat between France and England in North America, and what is now the Dominion of Canada received its first local parliament in 1758.

The next objective was the fulfilment of Governor Lawrence's promise that the New England townships should have the same institutions of self-government as those to which the immigrants had been accustomed at home. This campaign was lost in ways which are even yet rather obscure. Somehow a succession of Governors and authoritarian Councillors managed to thwart the men who were laying the abiding foundations of the Maritime Provinces in the struggling new agricultural townships and fishing ports.

Yet this defeat in law and constitution seems to have been little more than a formal one, for no matter how much Halifax presumed to regulate life in the out-settlements, actuality fell far short of the mark. The roads across the peninsula were mere rough bridle-paths and visits of inspection by sea to the St. John River or the Fundy settlements were discouraged by the vagaries of wind and fog. Except to a limited degree at Windsor, the new Nova Scotians, like the old, regulated their own domestic affairs. All over the Province, when the Revolution came, they even followed the Acadian precedent during North American wars

of demanding that they be regarded as neutrals, in spite of Halifax's effort to whip up among them an active loyalty to the British cause.

When the Loyalists began their migration to new homes in 1782 the Maritime region entered upon difficult days. They came chiefly from the Middle Colonies rather than from New England; they had a high proportion of military, naval and civil officials who seemed to the pre-Loyalists not very unlike the old Halifax group which had opposed them for twenty-five years; and it was altogether too much to expect that the exiled Loyalists would not sneer at, or harshly condemn, the luke-warm behaviour in the Revolution of the earlier settlers. It is not hard to imagine what ensued and yet we lack a faithful account. Fortunately, able scholars are now at work in New Brunswick and Nova Scotia from whom we may soon have the story of how pre-Loyalists and Loyalists hammered out their compromises.

The situation might be summarized in a quotation from the Governor of New Brunswick as late as 1802, which Dr. W. M. Whitelaw, a distinguished historian of the Maritimes, recently discovered during his work at the Public Archives of Canada. Thomas Carleton, objecting to the Assembly's demand to appoint its own clerk, made the revealing comment:

The only pretence for such an innovation here is, that the Clerk is said to be appointed by the House in Nova Scotia. If so, it is one of those usages of the late New England Provinces, of which, from the first erection of New Brunswick, it was thought, by the Assembly as well as the Council, of importance to avoid the imitation.

The merging of the pre-Loyalist democratic elements and the authoritarian Loyalist ones was a pretty grim business, accompanied as it was by the discouraging discovery that a good many of the Loyalists did not have the stamina to succeed in the Maritimes. The War of 1812 seems to have helped, for during it the Maritimes and New England worked out a common understanding which was not unlike a separate peace, and by the

'twenties Maritimers had achieved something like homogeneity within their three separate provinces. This success was marked by what Professor D. C. Harvey has discovered to have been a genuine and broad intellectual awakening. Moreover, prosperity was now paying dividends on the long labors of the pioneers. The stage was set for a new advance towards self-government.

The story of the peaceful attainment of responsible parliamentary government during the 'thirties and 'forties is too familiar to bear repetition here. What is less familiar is the tragedy that marked the pause between this achievement and participation by Maritime men in the guidance of the Canadian Dominion. This was Joseph Howe's perplexing decline in morale after the string of victories which culminated in his Southamptton speech of 1851 and the loan guarantee which it won from Great Britain. In the 'fifties Howe felt that he had gone as far as a man could go in the Maritimes and he yearned for a broader stage as a Colonial Governor. In trying to compel the British government to give him such scope for his talents he rashly embarked on recruiting

in the United States for the British armies in the Crimea, an unwarranted exploit which brought about the dismissal by the United States of the British Minister at Washington.

Howe's subsequent contradictory, enigmatic behaviour and the loss of his magic touch in Nova Scotian politics seem unquestionably to have been related to the check to his ambitions which followed and to the humiliations which he suffered while pursuing the dispensers of imperial patronage in England and Scotland. Only at the very end of his life did he find the way out of his embitterment in Cabinet office at Ottawa and its reward, the Lieutenant Governorship of Nova Scotia.

Other Maritimers were either luckier, or wiser, or perhaps merely born later than Joseph Howe. From the beginning of the Dominion to today the Provinces by the Atlantic have been willing and proud to send to Ottawa their great men who have won their spurs at home, and the rest of Canada has had to admit that the Maritimes have contributed more leaders to the nation than the mere arithmetic of population would predict.

New Brunswick Case Before Rowell Commission

By F. X. JENNINGS

ALTHOUGH it was the last of the nine provinces to be given an opportunity to present its case before the Rowell Commission on Dominion-provincial relations, New Brunswick managed to bring a number of new matters of considerable interest, if not of importance, to the attention of the commissioners. Otherwise, however, the song was the

same as was sung in other provinces, although perhaps pitched in a minor key and with the soft pedal moderately applied.

Outstanding among the new notes struck were those elaborating on the compact theory of confederation, and urging the re-establishment at Ottawa of a department of state for the provinces.

Almost half of the submission was taken up with the argument in favor of

Editor's Note: Mr. Jennings is Editor in Chief of the *Telegraph Journal* and the *Evening Times Globe*, Saint John, N. B.