



# NFB FILM

## STUDY GUIDE

### THE TRIBUNE OF NOVA SCOTIA

(Joseph Howe)

Black & White — 32 minutes

Produced by the National Film Board of Canada, 1961.

**Suggested Uses:** History classes in junior and senior high schools.

#### SYNOPSIS

On New Year's day, 1835, Joseph Howe printed in his paper, the *Nova Scotian*, an attack on the magistrates of Halifax, accusing them of corruption and mismanagement. Although Howe was widely respected, even among the Tories, the Family Compact decided to make this a test case and to charge him with seditious libel. Unable to get a lawyer to defend him, Howe defended himself with a magnificent speech of over six hours. The jury found him not guilty and as he was carried home on the shoulders of his cheering supporters, it was quite evident that the road to responsible government in Nova Scotia had grown much shorter.

#### OUTLINE OF CONTENTS

Howe, the editor of the *Nova Scotian*, sits writing in his office on Christmas Eve of 1834 amid a throng of cronies and admirers.

Although his family traditions were Tory, Howe's estrangement had begun early and for some time he has been frankly critical of Halifax officialdom. His editorial, finished and handed to the printer, is, because of the season, much quieter in tone. In six years he has made his newspaper the best hope of the province. This view, however, is not shared by Government House.

George Thompson, a citizen of Halifax, enters the office accompanied by a Mrs. Jones who has recently received an eviction notice for non-payment of taxes. This is especially irksome because it is common knowledge that many of the magistrates and councillors have paid no taxes at all. Thompson has personally settled the overdue taxes, but his anger and annoyance have led him to write a letter containing a number of serious accusations directed at the magistrates — the appointees of the Governor and the Council of Twelve. Howe, although sympathetic, doubts the wisdom of accepting this letter for publication. Thompson, reminding Howe of his writings on reforms, literally challenges him to print the letter. At this very moment, Sir Colin Campbell, the Governor, is entertaining councillors and magistrates at his home. Howe's name is mentioned with a certain degree of respect and a clearly expressed hope that he will behave himself and exercise a little discretion in the coming year.

On returning to his own home from the newspaper, Howe weighs the evident advantages of trying to remain on good terms with officialdom against a firm conviction that everything stated in Thompson's letter is true. He knows that by cooperating with officialdom, he stands to obtain large printing contracts and a big advertising revenue. He might even end his days as one of His Majesty's councillors.

Despite the lure of material advantages, Howe takes up the gauntlet and prints the Thompson letter. The press of the *Nova Scotian* can barely keep up with the demand for the issue of January 1, 1835.

The magistrates are visibly disturbed by the onslaught of public opinion and, although some of them know the charges to be true, decide to charge Howe with seditious libel against a "sacred body of the Crown". Because the letter has failed to name individuals, legally Howe is in a very serious position. No lawyer will undertake his case, so he must present his own defense.

The day of the trial finds the courtroom overflowing with the sympathetic and somewhat unruly admirers of the accused. On a basis of law, Howe's case is hopeless but he refuses to apologize or retract.

Howe begins his defense uncertainly but shortly gathers strength and, launching into a magnificent speech of over six hours duration, he exposes the mismanagement and outright corruption which is rampant in Nova Scotia. Technically, he should never have been permitted to continue in this fashion but the presiding judge seems sympathetic. The accusing magistrates become more and more uneasy; some literally wilt under the weight of his invective.

Judge Haliburton states, in his charge to the jury, that in his opinion the publication was libellous; but he reminds them that they are not bound by his opinion.

The jury returns with a verdict of not guilty! Howe's jubilant supporters bear him home on their shoulders in a noisy torch-light parade.

With the resignation of the magistrates, much that was evil and corrupt came to an end. The way to responsible government was at last clearly open, with Joseph Howe — the Tribune of Nova Scotia — its undisputed champion.

## SUGGESTED CLASS PREPARATION

### (a) Introduction:

This film can be used to serve a two-fold purpose: first, to delineate the chief events in this important aspect of Nova Scotia's struggle toward responsible government; and second, to present the chief protagonists as flesh-and-blood people, comprehensible to younger students of Canadian history. Each teacher, depending on the grade level of his class and his own inclination, will vary the situation to suit the basic purpose of the lesson.

The students should be familiar with the governmental structure in Nova Scotia in the 1830's. They should recognize the differences and similarities between this situation and that in the Canadas.

During the introduction, a picture of Joseph Howe could be used as an immediate focus for class attention.

### (b) Words and Phrases Which May Cause Difficulty:

impositions	aristocracy	effrontery	magistrate	libel
exactions	tribune	Council of Twelve	workhouse	pettifogger

## DIRECTIVE QUESTIONS ANSWERED IN THE FILM

1. What was the complaint of the Widow Jones?
2. What group was attacked specifically in Thompson's letter? Of what were they accused?
3. Why did Howe not wish to print the letter at first?
4. What was omitted from the letter that made a libel suit against Howe legally possible?
5. What was the basis of Howe's defense?
6. What was the judge's charge to the jury? What was the verdict?
7. What was made possible by the defeat of the corrupt magistrates?

## SUGGESTED FOLLOW-UP ACTIVITIES

1. Take up and discuss the directive questions.
2. Discover what actual power the Legislative Assembly had — the lack of responsible government.
3. Discuss to what extent the charges of Thompson and Howe were based on fact.
4. Some students may wish to make a study of the colonial administration as it existed at the time of the trial.
5. The further political activities of Howe (Confederation) will be an important avenue of investigation.

## RELATED MATERIALS

**Films:** See the films in NFB's series on Canadian History, for similar dramatized episodes from the lives of outstanding Canadian political figures of the mid-1800's.

**Filmstrips:** See also NFB's Filmstrips Catalogue for the **Canadian History Series**.

### Books:

#### General Works

- Creighton, D.G., *Dominion of the North*.  
McInnis, E.M., *Canada: A Political and Social History*.  
Careless, J.M.S., *Canada: A Story of Challenge*.  
Lower, A.R.M., *Canadians in the Making* (social history).  
Easterbrook, T., and Aitken, M., *Canadian Economic History*.  
Biebner, J.B., *North Atlantic Triangle*.  
Kennedy, W.P.M., *The Constitution of Canada*.  
*Encyclopaedia Canadiana* (ten volumes).

#### Joseph Howe

- Martin, C., *Foundations of Canadian Nationhood*.  
Grant, W.L., *The Tribune of Nova Scotia*.  
Chisholm, J.A., ed., *The Speeches and Public Letters of Joseph Howe*.  
Campbell, G.G., *The History of Nova Scotia*.  
Cambridge *History of the British Empire*, Vol. VI,  
*Canada: The Maritime Provinces* (by Martin, C.).

