

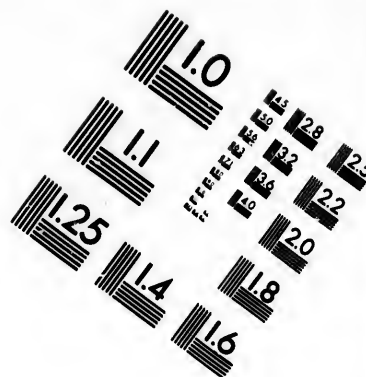
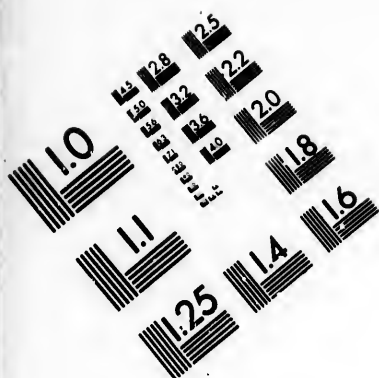
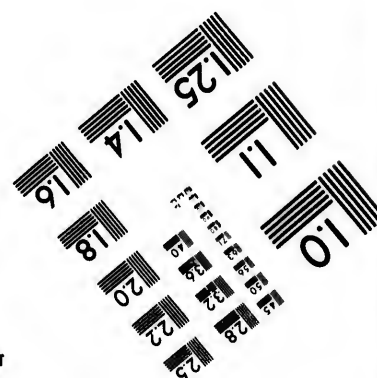
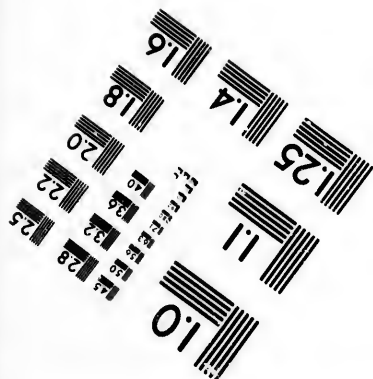
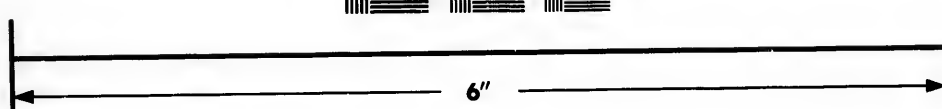
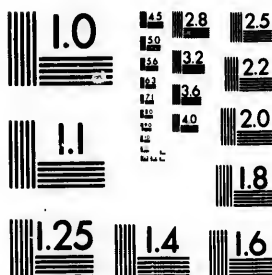


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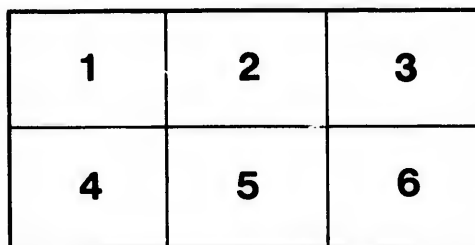
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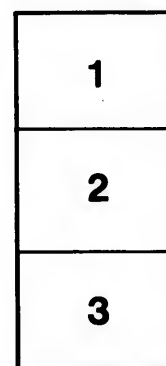
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HON. MR. HOWE'S SPEECH ON DR. TUPPER'S RAILWAY RESOLUTION.

HOUSE OF ASSEMBLY.

Monday, 9th April, 1860.

The Hon Provincial Secretary spoke as follows:—It was said, Mr Speaker, of the great orator Sheridan, by the great poet Moore, that

His wit, in the combat, as gentle as bright,
Never carried a heart stain away on its blade.

I regret that the same cannot be said of the hon member for Cumberland, who addressed this house on Saturday evening; for, judging from my experience, he never draws his dissecting knife, but some victim is made to writhe beneath its gashes; nor does he appear content unless he can plunge his hand into the bowels of his subject, and exhibit the clots of a ruined reputation sticking to his fingers.

Let me take, in illustration of the hon member's peculiar style and turn of mind, the assault he made on a poor Scotchman, Mr. Moir, who, bred to mechanical engineering, prosecuted his calling, in the mother country, 21 years, and who, in Nova Scotia, for five or six, has acted, with credit to himself and benefit to his employers—and who seeks, by the exercise of his skill, with integrity and honesty, to support a wife and children who are dependant on him for their maintenance. Behind him, in Scotland, he may have left some aged father and grey haired mother, to whom the character and reputation of their son is as dear as the apples of their eyes—and who, descending to their graves in green old age, look anxiously for the news of that son's well being from the far off land, to which, in a spirit of honorable emulation, he has been attracted.

Imagine their agony of heart, if, without knowing the circumstances—the speech of the member for Cumberland were to meet their eyes. How did he treat that Scotch mechanic? I discard from my mind all that he has said of myself, all he asserted with respect to the hon Chairman of the Railway Board, all his attacks on other public men, his equals in ability and position, and with chances and advantages to cope with him in debate. I take the single case of this poor man Moir, who, not being in a position to defend himself, is entitled to the protection of this house and country, and I give the assault on him in proof of the rancour and bitterness—the spleen and venom, characteristic of the hon gentleman's speeches.

The member for Cumberland may construct rhetorical sentences, and I may "build the lofty rhyme," but Moir can construct the locomotive; a skilled mechanic, with his

humble, unrheterical intellect, he wields a power of which neither the member for Cumberland nor myself can boast. Now, what does Moir say for himself? That, harassed to weariness by one of the late Commissioners, whose sole object seemed to be how he could supplant his principal—harrassed by Mr. Mosse, who was utterly ignorant even of the phraseology in which directions for the working of the line should be given—driven almost distracted, and wearied from day to day, he did, last May, yield to temptation.

[A voice in the gallery caused some interruption.]

Hon Provincial Secretary—I say, sir, that annoyed almost to distraction by those who assumed the position of his masters, Mr Moir last May yielded to temptation, and, it cannot be denied, took a glass too much—perhaps many too much,—and then went away and remained a fortnight from the works, in New Brunswick. What was the result? The absence of the man proved his value—conclusively evidencing that Mr Mosse and the Railway Board could not get on without him; for, after he had had time for reflection, they were glad to take him back and reinstate him in the position he formerly occupied; and, from that period up to the present, the man assures me that he has not been led astray for a single hour, but has continued to be and is a strict and consistent member of the Temperance Association with which he connected himself—as strict and as consistent as any within the walls of this house or elsewhere.

If this be true, what shall be said of the cruel, unprovoked and unjust assault on that individual, made by the member for Cumberland, on Saturday? For excuse it may be alleged that Mr Moir stands in that hon gentleman's way; that he will not consent "to strike"—to hamper and embarrass the government, or to throw the works over which he has charge into confusion; and therefore it is, sir, that although for ten months he has been continued in office upon the line under the administration of which the hon Provincial Secretary was a leading member, that gentleman chooses to treat Mr Moir as a man utterly devoid of feeling, character, or reputation, and to act towards him on the principle of "kick him, for he has no friends." (Laughter.) Had I never seen Moir, or acted in friendly relations with him as his superior in office, I should have felt myself bound to support him when such a charge was preferred against him; but how much more incumbent is it on every temperance society in Nova Scotia to flout their banners in indignation at his assailant, and raise them

ereafter; but, in the meantime, let us deal with gentlemen at both sides dispassionately, honestly, and generously, and not apply a strict rule to one and allow the privileges of others to fly open like a five-barred gate.

I give the member for Cumberland another illustration: Two winters ago we saw the member for Annapolis at the table of this house attempting to pass a bill which had for its object the relief of one of his clients from pecuniary difficulty. He himself avowed the fact, and fought for the interest of his client, being here at the same time in the capacity of representative for Annapolis. The measure did not pass then, and, in the following session, I, having become acquainted with the circumstances, gave it my support, because I thought the case a hard one. But what would be said if I rose in my place, attacked the learned member, and sought to apply the rule that the member for Cumberland tries to apply to Mr McCully? Another member of the house was said to be for many years, if not the partner, the paid agent of mail contractors. Did we at this side ever fling that in his face, and charge him with bribery and corruption? I think not. Let us then have something like gentlemanly treatment and fair play at both sides. Mr McCully came here openly in the face of day to claim a balance, and asked that his client might have leave to sue the government in a court of law; the request was refused.

I now come to a portion of the hon member's speech in which he went far beyond the licence that a public man ought ever to take in debate. I allude to his treatment of a young Scotchman named Smellie; I presume he too has a father and mother, and if he died away from home, where is the charitable Nova-scotian woman, who, in the language of one whose act has become immortal, would not, for his mother's sake, kiss him before burial? Is there one that would stand by and see him choked by a rude hand, while life was trembling in the balance? And is there one who will stand by—is there a man who is not a craven, who will stand by, and while Smellie's reputation, dearer than life a thousand times, trembles in the scale of doubt and apprehension, will permit the member for Cumberland to anticipate the trial—to prejudge the evidence, and to pronounce a verdict against this young man, who, by all the rules of law, and the courteous usages of society, we are bound to presume is innocent until he is proved to be guilty. That young man was in the Railway Office, was intelligent, punctual, and unsuspected. He conducted himself in private life as a gentleman. While I was at the Railway Board, I saw nothing but what was fair in his conduct or character. He has become surrounded, however, with perils worse than death. He stands charged with a criminal act, with being fraudulently concerned with railway contractors, and with falsifying returns, to which, it must be borne in mind, others besides himself had access; and the late government have directed that an action be brought against him. With J. W. Ritchie, the counsel for contrac-

tors, whose interests Mr Smellie honestly opposed, and Mr Laurie engaged as his opponents, that young man has, at this moment, fearful odds against him; and stands between respectability and disgrace, between honorable employment and a prison. And I ask any gentleman at the opposite side, was it decent, was it British, was it honest, was it humane, to bring that young man's name here as it was brought on Saturday, and attempt to cover it with charges of fraud, while he was almost in the dock, and while his reputation and standing in the country were assailed, perhaps by calumny, but at all events by all the terrors and machinery of the law? What shall I say of a man pretending to have the feelings of human nature, who stands forward, while his victim is so bound, and throws the weight of his public character into the case, for the purpose of crushing, before trial, a man that we are bound to hope is innocent? We are coming to strange times when this can be done in the Legislature of our country, in the midst of a British community. We are told that Smellie, Cameron, and McCully, are joined in the one leash. We heard the language of fraud, "frightful fraud," hurled against this young man. Oh, Mr Speaker, in the words of the old adage I may say, "We are all born, but are not buried"; and I sometimes think that if the member for Cumberland would pause for an instant, and reflect a little on his own position, short comings, and obligations, he would give us more pleasure, and elevate his own character in every body's estimation. Hugh Miller, in his "Foot-prints of Creation," has a passage which may be worth reading to the house. He says: "I am disposed to regard the poison-bag of the venomous snake as a mark of degradation. It seems, judging from analogy, to be a protective provision of a low character, exhibited chiefly in the invertebrate families, ants, centipedes and mosquitoes, spiders wasps and scorpions.

"The higher carnivora are, we find, furnished with unpoisoned weapons, which, like those of civilized man, are sufficiently effective, simply from the excellence of their construction, and the power with which they are wielded, for every purpose of assault or defence. It is only squalid savages, and degraded bushmen of creation, that have their feeble teeth or tiny stings steeped in venom, and so are formidable."

Now, sir, with a sincere anxiety to see the member for Cumberland live a useful public man, and go down to posterity, having a higher reputation than he has yet achieved, I would, with kind regard to his future character and position, advise him to read that passage occasionally, when he stands up to discuss public questions here, or elsewhere, and to leave the poison bag at home. (Laughter and cheers.)

You were told on Saturday that Mr McCully might have more interest than that or counsel in Cameron's contract; yet the member for Cumberland said that he was not touching that hon gentleman's private char-

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acter. He described him as a tyrant, a despot, a bad man, capable of taking bribes.—But mark, he says, I am only dealing with his public character. I, for one, would not be much inclined to accept a disclaimer of that kind. And I do not think that Mr McCully of his friends will draw such nice distinctions. The member for Cumberland said that that gentleman made free, drank wine and ale at the public expense; but, after every stab, he told us, But mark, I do not touch his private character. While the champagne was going down his throat, we are to suppose, he drank it in his public capacity. The chairman might be refreshed, and the gentleman ever so thirsty—(laughter).

I regret much that the story of Smellie has been brought here, as I think it ought not. I do not feel obliged to defend any one farther than is just, honorable, and humane. Mr Smellie is nothing to me; I merely extended the courtesies of my house to him while he was engaged in my office; but I am bound to say all that I saw of his conduct was creditable and to his honor,—and this should never be forgotten, that he defended the public treasury, and the interests of this country, before the railway committee, against a powerful combination of contractors, when others shrank from their duty.

The hon gentlemen has made statements twenty times over about Dan Cameron, the burden of his song is ever this Dan Cameron. Who is this person? He happens to belong to the yeomanry of Picton, one of a class whose hamlets you may ride round for a day, and not see the marks of destitution or degradation or rascality among the n.—He was one of those railroad contractors who did not please Mr Laurie, who would not support the late government, and the member for Cumberland never brings his name here, but coupled with ignominy and fraud of various kinds. But the learned member will be disappointed in his efforts, even though he should make thirteen other speeches on the subject, when the facts and contrasts, to which I will now turn the attention of the house, come to be widely diffused and understood by the country. Up to the time when I left the Railway Board, we heard but little of the extras, although they have formed such prominent topics since. I ask gentlemen to allow their minds to accompany me back for a few moments while I refer to these questions. During 1854, 5, 6, and the first quarter of 1857, the Railway Board over which I presided, expended about half a million of money, over as difficult a country as any subsequently traversed. The contractors were mostly poor men, hardly one of them owning £500, and yet they contrived to live and carry on their work, and after an expenditure of £500,000, very little was heard about extras. I left the office on the 21st of March, 1857, and we soon then began to hear of bottomless lakes, fathomless bogs, oppressive contracts and defective surveys. I happened in the summer of 1857 to go up to the Lieut. Governor, and His Excellency handed me a statement amounting to about £36,000, which,

I was told, consisted of extras authorized by me. That I denied on the instant, and afterwards, in a public letter, in which I charged myself and my colleagues with all the extras of which we had any knowledge. I admitted that Mr Forman had paid, and was paying, other extras for draining and such work, which he conceived he had a right to pay under the contracts, but which I denied his right to pay till they were reported to and sanctioned by the board. Some of these I found had been paid without the sanction, and sometimes without the knowledge of the Board. I charged myself, however, with all the extras for which I considered the board responsible. The custom was, for Mr Forman to send down a report, on any change, or modification, or new work recommended. In every case the subject was sifted and discussed. "Approved" with my signature, or the Board's initials, was marked on each of these Requisitions. These papers are in the Railway office, and will speak for themselves. Taken together, they include £19,232 19s. 4d., of which, at least, one-fourth were only reported and authorised in Feb. 1857, just before I retired from the Board. The extension into Windsor, which cost £8627 6s. 8d. can hardly be called an extra, as it increased the length of road by a mile. But, it will be perceived by the house that about £36,000 of extras had been authorised by the old Board, or sanctioned by Mr Forman, before Mr Laurie came into the country. It is but fair to all parties that this should be known. When I saw the list months after I left office, it included heavy sums to cover the Lake fillings east and west. Towards the autumn of 1857, the Government papers rang with defective surveys and contractors' claims.—The unfathomable lakes and difficult bogs got deeper every day, and we were told that the contracts could not be finished. By and bye the plot became developed, and we found that a combination of Contractors was formed against the interests of the country—formed as closely and compactly as if it had been incorporated by act of parliament. When the house met, it was discovered that for months they had been obstructing and bullying the Board on one day, and the Engineer on another, and making all the interest they could with the existing government.

In this way the public works were delayed, and the board was rendered comparatively powerless to deal with the difficulty, because those contractors had friends at court and behind the scenes. When the house met, the member for Annapolis came down and reported a committee to which these claims were to be referred. I think the learned member might, before forming that committee, have consulted me, as knowing somewhat of these claims, and have asked me to form a committee to take charge of these affairs and do what was right to all parties. Instead of that, he reported my name as one of a committee, on which there was a decided majority whom I knew would control me. I retired accordingly. A committee composed of the learned member's own friends, went out,

examined, and reported, and then it appeared that these contractors had trumped up claims to the extent of £70,000; and that, after I had been but one year absent from the board, they had been paid by the late government, not only all their ten per cents' security for completion of the work, but £20,000 besides. A committee, composed altogether of supporters of the government, reported certain principles, and Mr Laurie was directed to make measurements of the work. Against the adoption of that report, I contended with all my might, and I warned the house and the government, that they were in fact handing over the public treasury to a body of unscrupulous men. Last year Mr Laurie's reports were partially brought down, but the amount paid, or to be paid, could not be ascertained. We have now before us the results of these sublime operations. We can now count the cost, and a fearful account it is. I am not going to repeat the sweeping assertion attributed to Mr McCully, that Mr Laurie paid all the extras. If that assertion were made by any body, it would be, as I have already shown, largely inaccurate. But I do assert that these extras grew from £20,000, which covered all that had been paid when I left the board, to £36,000, in five months after; to £70,000, when the house met in 1858; and which have now, under the skilful nursing of the late government and their engineers, grown to the enormous sum of £123,000. We can now count the cost of our change of government—of importing engineers—of yielding to the pressure of combinations.—We, who foresaw and foretold the consequences, can now verify our prediction; the contractors have been paid, and we can count the cost, and what is more, we can see the difference between the treatment of Dan Cameron, whose character is to be torn to pieces here, and that of those other men who are held to be as immaculate as light.

I hold in my hand some statements that can be relied on. We were told on Saturday, in the declamatory invective which is so customary with the member for Cumberland, that Dan Cameron must be a designing man, capable of corrupting public officers, because certain claims which he was pressing on government could not be obtained by honesty and fair means. That was about the gist of the charge. We were told that he was a favorite of Forman, and that by the help of that engineer, and of Mr Smellie, he had plundered the treasury under the plea of extra work on the roads. Let me now turn the attention of the house to the facts and contrasts, by which the accuracy of these statements may be fairly tested.

Dan Cameron and his associates were entitled to receive, for all the work included in the contracts they executed, £98,944 13s. 3d. They were paid or allowed by Forman £103,891 4s. Laurie allowed them nothing. They have, therefore, received £4,946 10s 9d over and above their contract prices. This is all they have received, and it amounts to about 5 per cent upon the whole.

Duncan McDonald was one of the combined

Contractors. On £58,187 6s 8d of contract work, he has received £74,787 18s or £16,650 11s 4d over and above, or 28½ per cent, to set against Dan Cameron's 5.

Sutherland & Sons had three contracts, amounting to £84,464 14s 4d. They have been paid £111,843 4s.,—being £36,878 14s 8d above their contract prices, or 32½ per cent to set against Dan Cameron's 5.

But the crowning contrast is that to be drawn from the case of Johnston & Blackie. These men had been trained in the school of Tom Brassie & Co., and I think I may say of them, that they were apt scholars. No men ever came into this Province more afloat and audacious in pursuit of their own interest. Johnston and Blackie were concerned in four contracts, under which they were entitled to receive, without reference to extras, £90,799 6s 8d. They did receive £182,369 10s 10d.,—being £41,570 5s 7d over and above the amount of the contracts, or 46 per cent of extras, to set against Dan Cameron's 5!

Yet we are told that Cameron was petted and favored by Forman and Smellie—that he was a cunning fellow, and that all those parties, with Mr McCully, were engaged in "frightful frauds upon the Government." Who, with these facts before them, will believe these slanders? Who, with these facts before him, will fail to perceive who were petted and favored? Where the strong scent of suspicion lies—on whom rests the burthen of proof that there was not collusion, corruption and fraud. Let me ask gentlemen all around me, on both sides of the house,—nay, let me ask every man from end to end of this country, does it rest on the men who got £4,946 10s 9d of extras, or on those who got £88,000? On him who was favored to the extent of 5, or on those to whom extras were paid to the extent of 46 per cent? I need not pause for a reply—there can be but one opinion in this house or in this country.

Look again, sir, at the contrasts furnished by the treatment of Black, Irons and McDonald, Creelman and Tupper, and Donald Fraser. These were all poor men, and they had to struggle with heavy works and all the ordinary and extraordinary difficulties. Upon £87,360 7s 9d of contract works, these men have been allowed, by Forman and Laurie together, £13,043 0s 1d, while Cameron got but £4,946 10s 9d upon £98,944 13s 3d. Yet for three years we have been told that Cameron was Forman's pet; and now we are asked to believe that he is a rogue, capable of instigating frightful frauds upon the Railway office. These three contractors got nearly 14 per cent of extras; Cameron got but 5; and it is therefore clear that he was the least favored and worst paid of all the resident contractors. But when we contrast his 5 per cent with Blackie and Johnston's 46—his £4,946 of extras with £41,570, the suspicion, nay, the almost positive assurance of fraud, somewhere, is forced with a painful amount of suspicion on the mind. We are driven to the conviction that these enormous sums were corruptly paid, or that the late Government, and its officers, were bereft of

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reason. Sir, when I look at the papers, and reflect how this Province has been befooled and plundered by these combined Contractors, I blush for my country. Whether the venality or the ignorance of the Government is most conspicuous, the loss is enormous; the money bagged by these Contractors, carried off by hats' full, is out of all proportion, even to our fears, and can never be recovered. If half a million could be expended down to 1857, with but £20,000 paid for extras, does anybody believe that this £88,000, taken out of the other half, and paid to these four firms in about two years, was honestly earned? I do not. But this I believe: if you could trace the good seed sowed, that yielded this abundant harvest, you would comprehend the proportion to which bribery and corruption were hazarded in order to defraud the Treasury. With these facts before us, does the learned member from Cumberland think he can blind our eyes, and bewilder us with a small conspiracy got up at the Railway Office, that we may believe Cameron a robber, and Blackie and Johnston ill-used contractors, Smellie and Forman knaves, and Laurie a saint?

These sublime operations could never have been perfected had Mr Forman been supported, and allowed to close up his contracts. But Mr Laurie was brought in and paid £1500 a year. I wish they had paid him £3000 to keep away. Let the member for Cumberland, if he doubts the facts, or seeks to evade the force of the contracts which I have given to the house, move for a select committee if he dares, and every figure shall be proved upon which I rest my argument. If the facts are clear, the inference is inevitable, that by some means, mysterious and inexplicable, these combined contractors became masters of the situation, controlled your engineers, dictated to your government, and emptied your treasury.

Among the other charges brought against my hon friend the Chairman of the Railway Board, is one upon which I will only waste a moment. In a very extraordinary letter, published by Mr Laurie some time ago, he criticizes Mr McCully's personal appearance, and declared that he would be lynched for his ugliness if found in the Western States. I do not know much of Mr Laurie, but I have seen the two men, and can hardly believe that even the ladies would decide that he was the handsomest of the two. I have put a few questions to him before committees, and when he opened his mouth I fancied I was looking into the black-hole of Calcutta—(laughter). Julius Cæsar was a pretty good judge of men, and he certainly would not have preferred Laurie to McCully:

"Let me have men about me that are fat:
Yon Cassius has a lean and hungry look;
Seldom he smiles, and smiles in such a sort
As if he mocked himself."

Now McCully is a jolly fellow, with some flesh, and some fun in him. Unlike those men whom Shakespeare described as "fit for murder, stratagems, and spoils." Far be it

from me to insinuate that Mr Laurie would commit murder; but, looking at the man as he figures in the field of "stratagem" and "spoil" which we have been tracing, I can hardly doubt the accuracy with which nature prepared him for the work he has been called here to perform.

The member for Cumberland says that Mr Mosse is not to blame for the errors in the Grand Lake measurement, because he advised Mr Forman to put the line further in, by which he says the loss would have been avoided. It is rather a curious circumstance that Mr Mosse has refused to hand over to the Government the letter books containing his correspondence with Mr Forman, running over that period of time, while he has sent in all the other correspondence relating to the works. I will not follow the example of the late government and call him a thief and a robber, as they called Mr Forman; but I will say, that when this book is laid on the table of the house, it will be seen that the statements made by the hon member were totally unfounded.

I have other evidence under my hand which will convict both Mr Mosse and the member for Cumberland of misrepresentation. Here are the plans and sections of the work through the Grand Lake. Let any man examine them and he will find that Mr Mosse has deceived his own friends, and is now endeavoring to deceive this house. Two lines are run through this Lake, both by Mr Mosse—one a little inside of the other. The deepest sounding in either of these lines is only 50 feet, and the difference between the depths of the two lines varies from 5 to 8 or 9 feet. These are the measurements which were sent in by Mr Mosse to Mr Forman, his principal. Mr Forman chose the outer line, I presume, because it was the straightest. Here are the calculations of Mr Mosse of the quantity required to fill in the line that was made. He puts it down at 54,000 yards; it took about 100,000 yards. So here we have a trifling mistake of 50,000 yards in one filling.

There is another matter which I think the member for Cumberland has overlooked, and which should not be forgotten, as illustrating the science and skill of the famous engineer (Mr Laurie.) I allude to the celebrated engine house, about which so much has been said and written, and which is believed by his friends to be a model of scientific architecture. I hold in my hand a section of this celebrated structure, the interior of which represents a fan, with a turn table for the handle. It is to hold, when finished, (if it ever is) ten engines. Its area is 18,000 feet, and its cost will be £5,528. In St John, N.B., they have an engine house built in the form of a cart wheel. It will accommodate twenty engines, with a turn-table in the centre, and its area is 22,000 feet. It has cost £5,000, independent of the foundations. Here are the plans and specifications of both structures. Any body may examine them, and they ought to set the controversy on this vexed question at rest.

I believe I have now gone pretty much

over these railway stories. The hon member for Cumberland has thought proper to make this assault upon Mr McCully a pretty personal one. There is one charge against which I fear I cannot defend him. He has had the misfortune to have been born and bred in the same country village as the Dr. Two old women, in a narrow street, will scold at each other every day. If they lived in a crowded thoroughfare, they would not make themselves ridiculous. Two bantam cocks, when shut up in a pit, will tear each other's eyes out; but when permitted to roam at large over the open country, each crows in peace on his own dunghill.—(Laughter.)

The member for Cumberland (Dr T) rarely rises in his place without commencing an attack upon Mr McCully, while, if I am rightly informed, that hon gentleman in his place, in the other house, pursues a much more dignified course. In Prince Edward Island, before the new Province House was built, the two chambers were divided only by a partition, in which there was a very convenient knot hole. Whenever a member of one house said any thing defamatory of a member of the other, the man assaulted could put his mouth to the hole and retort, "that's a lie." (Laughter.) I will not recommend a similar arrangement here, but I think it would save a good deal of time and trouble, if we had a gutta percha tube between this house and the Council Chamber, so that the hon gentlemen might fight it out between themselves.

But why is it that Mr McCully has been thus abused and villified? Simply because he has had the moral courage to make a saving in a great public work of £4,500 a year. It required no little nerve and courage to do this; for nothing is so painful as to be obliged to cut down existing salaries. Mr McCully, I consider, by the course he has taken, has conferred lasting obligations on the people of this province, as well as distinction on himself. Are we, then, by passing this resolution, to punish him for doing what every rational man in the country will approve? When I was Chairman of the Railway Board, I received £700 a year—with four co-Commissioners, at the cost of another £1000 a year. The Board, under Mr McNab's management, cost £1100 a year, and, besides this, he had the assistance of Mr Laurie, and Mr Forman, and Mr Moose—Mr McCully is discharging all those duties without either commissioners or chief engineer. Without disparaging the valuable assistance I received from my commissioners, I believe that the road can be managed without any. If anything goes wrong, we have one man responsible, and we know who to blame. This is a question, however, for the house entirely, and if the house decide that it would be better to have commissioners, Mr Anderson and I can have our names put into a commission, costing the province nothing; although, even then, I should be inclined to leave the management largely to Mr McCully.

Let the house consider for a moment the

extent of this saving of £4,500 a year. It is the interest of £70,000. In 1849, the whole revenue was only £70,000; so that Mr McCully saves an amount equal to the interest of the revenue for that year, and equal to one-half the whole legislative expenses. And we are called upon by this resolution to pass a vote of censure upon him, and, in return for his labors, to reduce his own salary!

But we are told that we cannot get good men at these reduced rates; this is not true. The other day some one went round the works with a paper endeavoring to get the employees to strike; only one was foolish enough to do it, and he came back to find his own situation vacant. I have in my office now a large pile of applications for situations, and whenever it is necessary, places can be supplied without increasing the salaries. I have been looking into some other branches of the public service lately, where Mr McCully's spirit of retrenchment is much required. Take the Revenue Department in this city; I find that there are 40 officers employed in this port, of whom seven or eight have been appointed during the last two years. And yet there is more open smuggling carried on in Halifax than in any other part of the province. Before long I hope to apply the pruning knife to this department also, or at all events to infuse into it some new life and animation.

I cast my eye over the Lunatic Asylum accounts the other day, and to my utter astonishment, I found that some £5000 or £6,000 has been expended in that establishment during the last year; and that the accounts, till I enquired for them, had never been sent to any Provincial office to be audited. I wish some McCully would examine into the affairs of this institution, and I am much mistaken if he does detect gross extravagance in its management, and find, what ought never to be permitted in any such institution, that some at least of the commissioners occasionally make purchases from themselves.

The hon member for Cumberland often makes heavy charges against me; the other night he charged me with putting down debate, when all that I did was to sit for six or seven dreary hours, listening patiently to every body who had anything to say. Sometimes the members of the government are accused of "violating the principles of justice," then we are reminded how we "shrink" and "quail" before the Doctor, of whom we really are quite unconscious of ever being afraid.—Speaking of what occurred at Windsor, he accused me of hiring bullies to put him down, and modestly informed the house, that I was not "fit to cope with a boy, let alone a man." Then he tells me, every few days, that I have bought three counties, and can only get a seat for Windsor, corrupted by the railway expenditure.

If the learned gentleman is to be credited, we are always committing some "outrage"—are "imbeciles," and no "statesmen," "occupying positions which we degrade." Now, Mr Speaker, does it ever occur to the learned gentleman, that by applying such language to men who are at least his equals,

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and some of whom are, in all the attributes that qualify for public life, certainly his superiors, that he but degrades himself? There was a novelty in his splenetic and petulant harangues, which perhaps he will pardon me for saying has worn off. He is always abusing somebody, but he tells us nothing wise—he tells us nothing new, and is becoming as tiresome as that termagant lady "renowned in Padua for her scolding tongue." A statesman he is not; but I will back him against any old woman in christendom as a scold. He often reminds me of a story my father used to tell of two old Connecticut men who had been to hear a young preacher, who was rather declamatory, uncharitable and conceited. One of them was loud in his praise, and asked the other whether he did not think he was a capital preacher. "Pretty good," was the reply, "but I think a little mortification would not hurt him." (Laughter.) When listening to the member for Cumberland, perhaps I sometimes think a little mortification, my young gentleman, will not hurt you. When he attacks me he tests not my powers of mind, but my good nature; and if I think of him at all, it is as of the screaming sea-gull, that dashed its brains out against the Edystone light-house, but did not put out the light.

The member for Cumberland told us the other day that our railroads are like a mill stone, around the neck of the Province. He might more appropriately have compared them to the tarsi of a royal matron, which is not only an embellishment to her charms but an emblem of her power. Admitting that these roads have cost a good deal, is there a man in the province who would do without them? Who is willing that while Canada has her thousand miles of railroad, while New Brunswick is pushing her road forward to the gulf, and the neighboring states are covered with them, Nova Scotia should not have a mile? No sir, the people of the province are proud of their public works, they are proud of what has been accomplished, and hopeful of what is to come—they feel that they have some evidence of enterprise in their country, which will enable them to look strangers in the face without being ashamed. The member for Cumberland says I bribed three counties.—Bribed three counties, did I? Why sir, when I had not a dollar in the world, the constituency of the metropolitan county took me up, and put me in the legislature, by a majority of 1000, without the election costing me a penny, and I held my seat against powerful influences for 15 years, winning four elections, and carrying with me every colleague but one, that ever stood at my side. There was no bribery there—no railroad expenditure. I did my duty as a public man, and held a position of which any gentleman might be proud. When I went to Cumberland I had no wealthy relatives and friends there—I had not the means, if I had had the will to bribe the constituency, and I carried that hitherto county, by fair intellectual conflict, against the combined opposition of some of the most influential and wealthy men of the

county, with the Doctor among the number.

But, it may be said, you went with your railway policy. Of the summer election, this is true; but when I ran the winter election, my policy had been shattered by Lord Grey's Despatch. But at both elections the enemy had their Portland Company and their Railway policy, and Mr Dickey jingled a bag of sovereigns quite as large as mine.

It is true that in the election of 1855 I lost my seat; but what were the circumstances? I was away in the United States recruiting Her Majesty's army, then before Sebastopol, and I only arrived in Nova Scotia five or six days before the election. If my friends had only understood the ground, they might have secured my seat, and one besides, by a compromise which was offered. I found the whole county deluged with rum, and canvassed and organized before I got there. I had only four or five days to work. There was a strong temperance feeling in the county, and I had the previous session opposed the Maine Liquor Law. My colleague, Mr Fulton, was a strong temperance man, and it was doubtful for some time whether he would run with me or not—in fact, it was only decided the night after the nomination. That election could not be considered as a test of any body's popularity. I had every disadvantage to contend against—the combined Dickie and Stewart interest—the member for Cumberland, with his Highland Brigade at his back, and the want of time thoroughly to canvass the county. I won the county twice, and would not be afraid to try it again. The Doctor beat me once, and I am quite content that he should wear his laurels.

Before I was invited to Windsor, I had the offer of Cape Breton, and although my election was certain, I declined it—for at that time I was doubtful whether I would again re-enter parliament. The township of Windsor became vacant, and I was invited by all parties to offer, and I have been returned in a most gratifying manner—once for the township, and twice since the county has been divided into districts.

But, on the 12th of May, the railway did not help me much. On the contrary, all the influence arising from the expenditure of money was against me. I had those celebrated contractors, Johnston & Blackie, and Sutherland & Sons, carrying their navvies, drenched with rum, by dozens to the polls, and making those poor men believe that it was to their interest to put me out. Where are these contractors now, who professed then to be the friends of these navvies? Let the poor men of Nova Scotia mark what they gained: these contractors have now cleared out—left the country with thousands of pounds of the hard, honest earnings of the people of Nova Scotia in their pockets—and we have nothing to show for it. And where are these poor navvies now? No work for them to do—no money in the treasury to give them employment. All carried off by Messrs Johnston & Blackie, Duncan McDonald, and Sutherland & Sons; and the poor fools, upon

whom a few hundreds were spent in rum and debauchery, are left behind to count the cost of these sublime operations.

It is not true that I courted the Irish at Windsor,—I never asked one of them to vote for me; and I have won my elections twice without their aid, and yet, at the same time, I will repeat what I said at Windsor. I will protect Irishmen in the enjoyment of their common rights; let no man break into their houses or molest them. Though I am independent of their support, they shall have my protection; and they will find that I have twenty years of confidence and kindness to remember, and three years of injustice to forget. As regards the railroad, I did not speak to a navvie or employee on the road; but when I saw these poor fellows dragged up to the polls, and under the influence of liquor, induced to vote against me, I sometimes said to myself, "Forgive them—they know not what they do."

There is one thing which will not be found in all my railway policy—a batch of conspiring Contractors banded together to support me, permitted to rob the people of Nova Scotia, as the price of their support. But are there not other Counties, untouched by the Rail road, where I have won some favor? Did I not go into Lunenburg, for half a century a Tory borough, and without money or friends, win the County. Can it be said that I bribed that fine County (every seat in which has been won twice over) with my railway expenditure? I could have secured a seat in Queen's, and no one can say that County was bought by railways. Then there is King's, Victoria, Shelburne, represented by friends, who would give me a seat in either if I wanted it. Who believes that in Yarmouth, Digby, or even Annapolis, I could not have been elected had I chosen to offer? To win even Cumberland again, I should consider but an ordinary feat, requiring but a pair of good horses and a month of fine weather.

But the Doctor tells me I am no statesman. Perhaps not; but is he qualified to judge? I hold in my hand a list of some twenty measures, originated and carried by myself and my friends, which were thought to exhibit something like statesmanship. But I ask, what has he done? Has he produced one measure worth a farthing? Has he ever put on the table of the House a single bill that was worth an hour's consideration? I will follow him into his own office. I sat there 4 or 5 years under Sir John Harvey and Sir Gaspard Le Marchant; let him turn to the elaborate reports on the resources of this country, which were sent Home during that period, which have become part of the public documents of the mother country, and furnished facts for standard works of reference. Where are the state papers he has transmitted through his incumbency of office that I may make the comparison? There are none; and I believe it to be a fact, that during the six years since I left the Provincial Secretary's office, only one blue book has been sent to England.

The member for Cumberland knows right

well that ever since I entered this house in 1836, my name has been connected with every public measure of importance, calculated to advance the interests of the province. These would remain behind if we died to-morrow. His legacies would be a few plenary speeches and any amount of personal defamation.

But we are told that these railroads have cost an enormous sum. We are now in a position to count up the cost—the road having been completed to Windsor and Truro. Here is the result: The construction of our roads have cost £1,050,412 for 92½ miles—being about £10,320 currency, or £8,256 sterling, per mile. Let me first show that our works contrast favorably with those in other countries. In Belgium their railroads cost £18,000 stg. per mile; the German roads cost £13,000; the French £26,000; the English £40,000. The average of European railroads is £24,000; so that our roads cost £15,000 less per mile than those of the Old World, and £4,774 less than the cheapest railroad in Europe. Our roads have been built from £888 per mile less than those of the State of New York, and £1,673 cheaper than the Grand Trunk, not including the cost of the Victoria Bridge.

With all our blunders, whatever they were, and with all the waste fairly chargeable upon the gentlemen opposite, it is apparent that while our roads are of a superior character, we have got them remarkably cheap. Let me now estimate the weight of the millstone. This must be calculated by the interest paid, which is £178,000.

Our revenue in 1853, the year before railway construction commenced, was £124,514. The increase, to be fairly credited to the stimulus which this expenditure gave to every branch of industry in 1854, 1855, and 1856, without any increase in the tariff, bear in mind, was £58,824, reducing the burthen of the interest to £119,176. In 1857 the 6½ per cents. were raised to 10, and the revenue for the last three years, as contrasted with our income in 1853, gives us £112,311. Add to this the surplus Railroad revenue, deducting the over expenditure of last year, and we have £4,199; so that adding the increase on the 10 per cent, and the income of the roads, and the whole amount has been met by this simple operation, less £567 only.

But take another view of this matter. Assuming that £112,311 represents the real burthen, against this we have £50,000 of Province paper issued expressly for Railroad purposes, which bears no interest, and of which the country has got the benefit. This leaves but £62,311. Let us see if the railroad has not saved us much more. Up to 1856 the number of passengers who passed over our railroad was

	8,407
In 1857	50,844
1858	50,422
1859	71,885

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We used to be told that there would be no passengers, but here we have a number nearly equal to the whole population of the

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Province, and estimating the future by the last year in the series, it is evident that, every four years the entire population of Nova Scotia will pass over these roads. The coach fare to Windsor was formerly 15s, that to Truro, 20s. We go now to the former place for 7s 6d., and to the latter for 15s. All are not through passengers, but if we assume that 5s. each has been saved to these passengers, we have £64,871 saved in fares alone—to say nothing of time, health and shelter, and of the saving on the carriage of horses, cattle and other freight, for the last five years. Let us hear no more about the burthen of the railroad. With three facts before us, we can see as far into the millstone as the member for Cumberland himself.

There is a point of some delicacy to which I must refer. The hon member for Cumberland the other night stated that the hon Mr McNab had been dismissed from his office in some rude and discourteous manner. Now, sir, I am not aware of any discourtesy; I am quite sure that none was intended. The moment that Mr McNab separated from his party in 1857, and took office under their enemies, it was quite apparent that if we came back to power he must go out. When our friends met in February last to answer the summons of the Lieutenant Governor, it was evident that no government could be formed on any other conditions; and I have no hesitation in saying that after what had taken place, I would not have gone into any government which included Mr McNab. But, sir, nobody wished that what all felt to be inevitable should be done in a discourteous spirit. The hon and learned President of the Council was asked to go to Mr McNab and inform him, in the most courteous manner, of the decision of our friends, that his office of Chairman of the Railway Board must be vacated; and my hon friend the President gave us all to understand that he had conveyed that message in the most delicate and courteous terms, and that Mr McNab had at once said that his place was quite at the disposal of the government, and that he would offer no obstruction to our arrangements.—In fact, sir, we all considered, myself among the rest, that his office was resigned—the inevitable necessity of having the seat vacated being, as we supposed, comprehended as clearly by himself as by us. It was a painful separation, but he had left us—had chosen his path, and the consequences we assumed had been calculated and foreseen.

The hon gentleman alluded to what I said the other day, that if I had chosen I might have remained at the railway board. I did say so. Perhaps I have often thought so; I have no doubt at all that if I had expressed the slightest desire to remain, all my sins might have been passed over. But, sir, the hon member for Cumberland little knows me if he supposes for a moment that the idea ever floated in my mind, or that I had the slightest desire to remain. I knew the gentlemen who were to compose that administration, and had I remained, I should have been dragged

through this mire of extras, &c., of contractors, of home engineers not sustained, and foreign engineers brought here to compromise my independence and waste the resources of the country. Therefore, sir, whatever might have been the mild intentions of the late government, I thank providence every day of my life that no weakness ever influenced me to yield, and that the temptation, whatever it may have been, was resisted. We are told the *Gazette* would have been "extraordinary" if it contained nothing but the appointment of Mr McCully, to the Solicitor Generalship. Gentlemen know right well all the Solicitors General we have had in this country for a few years back; and I ask any dispassionate man on the other side to look at the list, and say if they do not think that Jonathan McCully will find time enough to perform all the duties as well as some we have recently had. If we are to believe the public documents, all that one Solicitor General used to do, was to violate his oath and publish the secrets of the council; that is all the good that his colleagues could find to say of him after he retired. Now we have a petition from that same gentleman wherein he states that he really got up the revised statutes whilst the two other gentlemen have carried off the pay. Surely we can have no more ridiculous spectacles exhibited by making Mr McCully the Solicitor General.

A reference was made, which might also have been spared, to the Sergeant at Arms in this house. All I can say, is that the present Sergeant at Arms, does what the late occupant did not; he sits in his box, and preserves the dignity of his office. In the House of Commons, Lord John Russell's Brother is the Sergeant at Arms, and he does not think it beneath his dignity to sit in his chair and attend to his duties. But we were all pretty well disgusted with the late Sergeant, who did nothing but ramble about the house, as if he was a member. If Mr Joyce gets £75, Mr Grassie got the same salary, and his travelling fees all the way from Annapolis besides.

The hon member for Cumberland said he would hold me accountable for the errors of Mr Mosse. Well, he can hold me accountable for having first employed him, and for having protected him through the three years I sat in the railway board. I need not now conceal that the late board thought him an extravagant officer; and I believe that nothing but my protection retained him, down to the time when the government broke up. I did what I thought was right for a young Nova Scotian seeking his fortunes in his own country, but I do not think that I have met a very grateful return. Mr Mosse now pretends that he was aware of the mistake at Grand Lake. He was my officer, or rather an officer of the government, and not Mr Forman's, and why, if he knew better, did he not give me the benefit of his service and information at the proper time? Why did he not point out to me that the sounding rolls were insufficient, and where the defects were in the surveys? He and he alone, measured the Bog on Forbes

Black's contract. If he had reported to me honorably, the depths of that bog, and it was his duty to ascertain it, I could, for the sum of £500, have filled it up with hemlock trees. But, sir, he either did not know, or did not report the depth. He allowed thousands of pounds to be thrown away into the lake, and the road to be obstructed for two years.—What is more, I believe from the moment I turned my back on the railway, Mr Mosse, so far as I can learn, has done everything but express, in any form or shape, anything like gratitude or a fair consideration for the protection and patronage which I bestowed when his reputation was attacked, or his position in jeopardy. Now, sir, I will not say of Mr Mosse that I believe him to be capable of corruption or dishonesty. I believe him, however, to be extravagant. I believe that any one looking at the conformation of his face will see that he was never intended to control large operations, or for an adroit administrator in any department whatever. I believe he is a good second rate engineer. I do not believe that Mr Mosse is capable of effecting the savings in the department, so desirable to be made, or that his services are indispensable to this house or this country.

Now, sir, something was said of Mr Marshall. We read of "unprotected females," but I think somebody is wanted to protect the males as well. I will not ask you at this late hour to read the certificates laid on the table; but let anybody read them, and he will see at a glance that Marshall is a man who might be trusted to superintend or to construct any work. He was considered competent to build those noble piles on our eastern and western roads, and if he is qualified to build a tubular bridge, surely he is qualified to go up and down the lines, and keep them in repair. Quite as competent, certainly, as Mr Mosse, whose merits are so loudly vaunted by the gentlemen opposite. But something was said of Marshall's extremely intemperate habits; somebody is said to have picked him up somewhere. Well, I do not know so very much of Mr Marshall's habits; but I am quite sure of this, that I have seen him upon the eastern and western lines time and again, but I never saw him unfit to attend to business. I do not pretend to say that he never took a glass too much: but I may say to the hon member for Cumberland that he need not go very far to find persons who undertake to drive the car of state, much less the locomotive, who are sometimes taken in their cups, and carried to their beds by some kind and considerate friends. But what of that? Does anybody bring them to account for their little weaknesses? No; heaven forbid we should make an exhibition of them here.

The hon member for Cumberland told us a most piteous story about one Mr Callum, who, it appears, has a wife who is sister to somebody, and who keeps the Brookfield station. One word about Brookfield station. A short time since the trains were permitted to stop there but once a day. On one occasion, going from Stewiacke to Welsford, I had to ride all

round by the old post road; the train did not stop where it should, and the only reason given, or that could be imagined by the people, was that Upper Stewiacke had voted against the government. But I wondered greatly why it was that this Brookfield station master should have so exercised the humble member's feelings. On a little reflection, however, I understood it all. He had a wife who was sister to an influential Methodist gentleman in Cumberland.

Dr Tupper—Not in Cumberland.

Hon Prov Secretary—Exactly, not in Cumberland, but on the borders; it is all the same, since the gentleman might be of great use in an election, if propitiated by a beautiful speech about his sister. Oh, that Cameron had had a sister! On, that McCully had a sister!—(great laughter)

Let me illustrate the manner in which this unfortunate railway of mine has been managed. I happened to go by train to Welsford, last fall, on my way to Maitland. I had ordered a small box which I wanted to take up by the afternoon train. My friend did not send it in time. So I stayed at Welsford until the next morning, but still no box came. I made immediate enquiry, and was told that no freight ever came by the morning trains. Why, I said, you surely do not mean to say that the train which only brings up a few bags of letters and newspapers, and a few passengers, does not carry freight? The reply was, Oh! no, sir, express trains never carry freight! Thus I had to go to Maitland without my box, and I did not get it until some days afterwards. Just imagine, then, the condition of that road! Suppose a countryman came to town to make some purchases which he wished to take home with him. He might, if he liked, take himself out by the morning train, but not his chest of tea or barrel of flour. He must waste the day in town, waiting for the afternoon train. Who wonders, with such folly, that the railways do not pay? Who can wonder that, harassed after this fashion, the people often prefer to go by the road?

Some reference was made to Mr Creed. We were told he got two dollars a day. I will not undertake to say that Mr Creed gets too little or too much. I know, however, that he gets just what he has got for a series of years. He is an intelligent and valuable man; he was so regarded by the late board; he was employed to superintend the construction of small bridges, and we paid him at the same rate that others were paid. I do not see any reason to complain that he receives the same salary now as he has had ever since he has been in office.

We are told that men have been dismissed on account of their politics. But the hon member will see, if he looks at the list, that whoever has been reduced very few persons are changed. I am told that it is wrong to cut down the salary of a conductor or station master. Perhaps it is; but I can find fifty young men of good manners and education who will accept the situations and be glad of the chance. I am here speaking in presence

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of gentlemen all around me who know that what I say is true. Will not the hon. and learned member for Annapolis give me a dozen young men out of his county if I want them?

Now, sir, I feel that I have gone pretty well through the remarks of the hon. gentleman. One small matter still remains. He complained that we voted £100 for reporting the decisions of the Supreme Court. Surely if we did, that very act should protect us from charges of undue political bias. The young gentleman who earns that £100 is not a friend of ours; his sympathies, so far as I am informed, have always been on the other side. His circumstances are not affluent. He is no partizan of mine. I believe at any time for the last three years, he would have strengthened the hands of the late administration; I believe at this moment he would overturn the present. But what then? I think the service he performs is a just and necessary one, and so I defended that appropriation against the opposition of those upon whom he had stronger claims. But do not say, after this, that everybody is to be sacrificed who does not sympathize with us.

It was said of a great man, that "nothing in life became him like the leaving of it." The same may be said of the learned member for Cumberland's speech. The close was the best of it. The speech was nothing to the peroration; but then, unfortunately, the peroration was not new. We were told, in rather grandiloquent style, that his speech was only the prelude to something terrific that was to come after. Oh! wait until the law shall have operated, said he; then I will move a vote of want of confidence; then you will see what you shall see. I am content to wait in silent expectation; but does it never occur to him, that the sword of justice is two edged—that if heads are to be sliced off they will drop on both sides. I am content to wait the operation of the law, and when all the wigs are on the green, we shall see who is best able to keep the field. Should the law leave him master of the field, what is to become of our poor friend? How fearful were the menaces. Jonathan McCully, said he, stand off. (Great Laughter.) The flattery of to-day is nothing to what I intend. "I will impeach" for all sorts of crimes, and then followed a bit of rhetorical bunkum, which might terrify us a great deal more if it had not been borrowed for the occasion.

The learned gentleman is most chary of his own thunder; we can hardly make a speech or introduce a measure, without being told that we are plundering the late government either of its thoughts or of its policy. Let me now show the house that his peroration was stolen from Burke. I hold in my hand Macaulay's Essay, and in page 497 I read from an article on the Trial of Warren Hastings:

"The charges and the answers of Hastings were first read. This ceremony occupied two

whole days, and was rendered less tedious than it would otherwise have been, by the silver voice and just emphasis of Cowper, the clerk of the Court, a near relation of the amiable poet. On the third day Burke rose. Four sittings of the court was occupied by his opening speech, which was intended to be a general introduction to all the charges. — With an exuberance of thought and splendor of diction which much more than satisfied the highly raised expectation of the audience, he described the character and institutions of the natives of India; recounted the circumstances in which the Asiatic empire of Britain had originated, and set forth the constitution of the Company and of the English Presidencies. Having thus attempted to communicate to his hearers an idea of Eastern society, as vivid as that which existed in his own mind, he proceeded to arraign the administration of Hastings, as systematically conducted in defiance of morality and public law. The energy and pathos of the great orator extorted expressions of admiration from even the stern and hostile Chancellor, and for a moment seemed to pierce the resolute heart of the defendant.

"The ladies in the galleries, unaccustomed to such displays of eloquence, excited by the solemnity of the occasion, and perhaps not unwilling to display their taste and sensibility, were in a state of uncontrollable emotion. — Handkerchiefs were pulled out; smelling bottles were handed round, hysterical sobs and screams were heard, and *Mrs. Sheridan was carried out in a fit*. At length the orator concluded. Raising his voice till the old arches of Irish oak resounded, — 'Therefore,' said he, 'hath it with all confidence been ordered by the Commons of Great Britain, that I impeach Warren Hastings of high crimes and misdemeanors. I impeach him in the name of the Commons House of Parliament, whose trust he has betrayed. I impeach him in the name of the people of India, whose rights he has trodden under foot, and whose country he has turned into a desert. Lastly, in the name of human nature itself, in the name of both sexes, in the name of every age, in the name of every rank, I impeach the common enemy and oppressor of all.'"

Here we have the Doctor's peroration. (Great laughter.) Overhead we had some ladies; but the counterfeit oratory did not produce the same effect as the true. None of them appeared to exhibit any very "uncontrollable emotion." We saw no "handkerchiefs or smelling bottles handed round" — no "hysterical sobs or screams were heard;" and strange to say, however high the admiration of the learned gentleman by his fair devotees, not one of them could be got to feign what she did not feel, or consent "to be carried out in a fit." (Great laughter.)

Mr Howe closed by apologising to the house for the time he had occupied.

