



DEBATES

AND

PROCEEDINGS

DURING THE SECOND SESSION OF THE

TWENTY-FIRST PARLIAMENT

OF THE

**PROVINCE OF NOVA-SCOTIA,**

1857.

---

HALIFAX, N. S.,

PRINTED BY WILLIAM A. PENNEY.

1857.

# PARLIAMENTARY DEBATES,

And General Proceedings of the SECOND SESSION of the TWENTY-FIRST PARLIAMENT of the PROVINCE OF NOVA SCOTIA, commencing on Thursday, February 5, 1857.

## HOUSE OF ASSEMBLY,

THURSDAY, Feb. 5th, 1857.

At 2 o'clock, his Excellency Sir Gaspard LeMarchant having arrived at the Legislative Council Chamber, by message commanded the attendance of the House. His Excellency was pleased to open the Session with the following Speech:—

*Mr. President, and Honorable Gentlemen of the Legislative Council:*

*Mr. Speaker, Gentlemen of the House of Assembly.*

I meet you again in Parliament with feelings of undiminished pleasure, and I trust that your deliberations will result in measures promotive of the best interests of this thriving and loyal Province.

Animated by true British feeling, and warmly interested in the conduct and progress of the late War, though happily exempted from its disasters and burthens, the people of this Country, in common with their fellow-subjects in every part of the Empire, have reason to be deeply grateful for its successful termination, and I am sure will unite with us in a fervent prayer that the benign and sustaining influences of peace may long continue to advance and extend the prosperity and happiness of the Nation at large.

*Mr. Speaker, and Gentlemen of the House of Assembly:*

The Accounts for the past, and the Estimates for the current year, will be forthwith submitted to you.

*Mr. President, and Honorable Gentlemen of the Legislative Council:*

*Mr. Speaker, and Gentlemen of the House of Assembly:*

Our exemption from pestilence of every kind during the past year, through the protection of a merciful Providence, demands our deepest gratitude.

The labours of the husbandman within our borders in the past season have been richly rewarded; and the ready sales and remunerating prices of all kinds of farm stock and produce, I am happy to find, have contributed largely to his well-being and comfort.

I confidently feel that the recent importations of improved Stock will result in general advantage to the farming classes, and hope that you will be disposed to encourage, by liberal grants, an object of such vital importance to the agriculture of the Province.

I regret to learn that the Fisheries, more especially in the autumn, have disappointed the hopes of the hardy and enterprising body who derive their subsistence from that great branch of Provincial industry.

I am happy to acquaint you that the Revenue has somewhat exceeded that of last year, and gives continued proof of the increasing prosperity and active industry of the people.

The extension of the Provincial Railway has been vigorously prosecuted. The stream of eastern traffic has been tapped at the Grand Lake, and it is confidently hoped that ere the close of this year the line will be open to Windsor and Stewiacke.

The Accounts of the expenditure and liabilities incurred in these large operations will be laid before you at an early day, and will satisfy you I trust of the integrity and prudence with which the Works have been conducted.

The Reports and Accounts of the Lunatic Asylum, which will also be before you, will shew that the building of that Institution has favourably advanced during the past season.

It was thought advisable that a further Survey should be had of the St. Peter's Canal by an experienced Engineer. The Report of the gentleman who was employed will be presented at an early day, and I invite your attention to a subject of such prominent interest

to the whole eastern section of the Province.

Two Acts have been recently passed by the Imperial Parliament for assimilating the Laws affecting Trade and Commerce in the United Kingdom, and Bills founded upon these, but adapted to our local Legislation, will be submitted for your approval.

Two measures have also been prepared, and will be immediately submitted to you, the one having for its object the more efficient protection of the Crown Lands, and the other, a more easy and economical process of Escheat.

The subject of the Mines and Minerals I regret to say is still unsettled, the Home Government having been hitherto unable to come to a determination on this complicated and important question. The correspondence will shew that it has engaged the anxious solicitude of my Government, and I entertain the hope that the great interests involved will be considered and disposed of in a manner acceptable to the people.

Since the close of the last Session private enterprise has completed a Telegraphic union of the North American Provinces by a Submarine Cable, connecting Newfoundland with Cape Breton.

A still larger experiment is about to be made for carrying Telegraphic Communication across the Atlantic. The Company by whom it was projected have entered into arrangements for conveying their messages across our territory, and the inhabitants of this Province, as well as of the other parts of the American Continent, have a deep interest in their success. An intimation however has been conveyed to me that another Company, of adequate resources, proposes to lay down a Line from Ireland direct to Nova Scotia.—Both parties will apply to you for legislative privileges, and I recommend their respective claims to your attentive consideration.

Be assured, gentlemen, that in this, as in every other matter affecting the welfare and progress of the people whom you represent, you may rely on my cordial co-operation.

#### ELECTIONS.

The hon. Provincial Secretary by command of his Excellency the Lieutenant-Governor, laid on the table of the House, the returns from the Township of Windsor—County of Sydney, Cape Breton, and Colchester, announcing the election of Messrs. Howe, Henry, Caldwell, and A. G. Archibald by their respective constituencies.

The above named gentlemen then advanced to the Clerks' table and took the usual oath of allegiance.

The hon. J. W. Johnston then rose and said. It is usual at the opening of a Session of the Legislature of this Province for a member of the Government for the time being to lay on the table of the House a Bill *pro forma*, there may be occasions on which this ceremony may be dispensed with—whether the present is one, I leave to the hon. members to determine. But, sir, inde-

pendently of these mere matters of form it is unquestionably of deep and paramount importance that the people of this Province should know whether the Constitutional advisers of the Representative of her Majesty enjoy the confidence of this House and the people of this country; and therefore, Sir, I believe it to be more respectful to his Excellency and more coincident with the rules of Parliamentary practice that if that confidence has been forfeited, his Excellency and this people should know it before the answer to the Address has been proposed. It is not my purpose now to enter into any detailed statement of the object of this resolution; but it can hardly meet with the contradiction of any that the Government of this country had lost the confidence of the country at the close of the last session. I am aware that there was no recorded vote to that effect; but it is enough that it was a well-known, if not acknowledged fact, that the confidence of this House and the people was withdrawn from the Government last Session. I therefore beg to move the following Resolution:

*Resolved*, That it is essential to the satisfactory result of the deliberations of this House on the important measures submitted by his Excellency the Lieutenant Governor in his Speech, for its consideration on other subjects of public interest, that her Majesty's Executive Council should enjoy the confidence of this House, and therefore this House feels it to be respectful to his Excellency and due to the people we represent, to declare before these subjects are brought under debate, in answer to his Excellency Speech, that the present Executive Councillors of his Excellency do not possess the confidence of the representatives of the people—and that it is the humble duty of this House respectfully to inform his Excellency that the confidence of this House so essential to the public welfare, and the harmonious co-operation of this House with the administration of public affairs, is not enjoyed by his Excellency's present constitutional advisers.

(During the reading of one or two passages of the resolution, the audience applauded, and were counselled by the Speaker, who directed the officers of the House to keep silence.)

Mr. Marshall seconded the resolution. He considered the government had lost the confidence of the country, and the House were bound to express the fact.

Hon Attorney General.—In replying to the Speech, delivered by the hon and learned member for Annapolis—who has just resumed his seat, I may at the outset observe that the course he has pursued is somewhat inconsistent with Parliamentary usage—but that is more a question of detail than of

principle. Sir, I wish this House and Country to understand that the present Constitutional Advisers of His Excellency do not desire, and would not consent, if they could to hold the position they occupy for one instant, if they did not enjoy the confidence of this House. It is the constitution of this Country, derived from, and sanctioned by British usage, from the Revolution of 1688, down to the present hour—that the Ministry for the time being, must enjoy the confidence of a majority of this House—that principle I endorse, and am prepared to support,—but I do not believe that the hon. and learned member for Annapolis was correct when he stated that at the close of the last session the Administration had lost the confidence of this House.

I do not know whether the hon. gentleman wishes to present this House as a spectacle to the country—detaining its business as in former days with a fourteen days' debate; I am not quite aware whether the Opposition intend to open the Box of Pandora or not; but I am quite sure, from the ideas expressed to-day, that the floodgates of oratory will be opened, and that, at least, from the Opposition side, we shall listen to the eloquence and wit which characterise it. The Speech from the Throne contains nothing unusual. It has been drawn without any intention to give offence or provoke discussion—and if any attempt be made to delay the business of the country without cause, I can only say—Let the responsibility rest with them.

Mr. Marshall contended that the resolution was perfectly in order, in the prosecution of public business; and he agreed entirely that this preliminary question should be settled, as the Hon. Attorney General had said, before the usual business of the country could be properly transacted,

Hon. Attorney General wished not to be misunderstood. He did not value office; but he should much regret if the intercourse between the head of the Government and the House should be suspended, and the petitions of the people, and other transactions of the House interrupted.

Hon. J. W. Johnston, agreed to the suggestion of the Attorney General, that his resolution should be moved in amendment to the answer to the Address.

Hon. Attorney General was glad that the Hon. Member opposite had assented to do so.

Mr. McLellan said—I rise, Mr. Speaker to move the Answer to the Address of His Excellency. In my view, Sir, there never was a period in the history of the country when an answer to a speech was moved and the whole Province presented a scene of

greater prosperity than at present. The motion of the Hon. Member for Annapolis I conceive to be premature. It is an old saying that those young ladies who exhibit most anxiety to get married generally remain for the longest period without husbands. But Sir, I do not intend to detain the House with any lengthened remarks, and therefore, without further preface beg leave to move the following Address:—

(This was a re-echo of the Speech, and will be published in due course.)

On motion of the Hon. Attorney General the House adjourned until to-morrow at three o'clock.

FRIDAY, Feb. 6th, 1856.

The House met at 3 o'clock.

Mr. Annand, after some explanations, moved the appointment of a Committee on Reporting the Debates of the House, which was passed, and the Hon. Attorney General, Messrs. Tupper, Wilkins, and Esson, were appointed such Committee.

Hon. Attorney General presented the Agreement made with reference to the same subject, which was referred to the same Committee, and

Mr. Annand moved that the petition of Mr. Kandick and Mr. Dunn, be referred to the same Committee.—Passed.

The Attorney General reported from the General Committee the following standing Committees, viz :

#### COMMITTEES ON GENERAL SUBJECTS.

##### AGRICULTURE.

Hon. Attorney General, Martin Wilkins, Hon. Mr. McKinnon, Financial Secretary, Mr. Parker, Mr. McFarlane, Mr. Robicheau, Mr. Thorne and Mr. Bailey.

##### FISHERIES.

Messrs. Marshall, Ryder, Martell, Tobin, Jno. Campbell, Bourneuf, Rhinard, Smith, and Bailey.

##### TRADE AND MANUFACTURES.

Hon. Mr. Wier, Messrs. Wilkins, Killam, McKenzie, McLellan, C. Campbell, and McClean.

##### POST OFFICE.

Provincial Secretary, McFarlane, Annand, Munro, Thorne, McLellan, and White.

##### PUBLIC ACCOUNTS.

Esson, Killam, McDonald, White, and Webster.

##### EDUCATION.

Hon. Attorney General, Hon. J. W. Johnston, Howe, Brown, Hon. Solicitor General, Messrs. Tupper, McKesney, Webster and Hyde.

##### MINES AND MINERALS.

Hon. Solicitor General, Hon. Mr. Johnston,

Hon. Attorney General, Messrs. Wilkins, Marshall, McDonald, and Davison.

#### NAVIGATION SECURITIES.

Messrs. Whitman, Bill, Wade, McKenzie, Moses, Fuller, Bent, Davison, and Morrison.

#### PENITENTIARY.

Messrs. Robinson, Morrison, Churchill, Ryder and Chambers.

#### TRANSIENT PAUPERS.

Messrs. Tupper, Dimock, Smith, Bill, and McClearn.

#### SICK EMIGRANTS.

Messrs. Brown, Geldert, Tobin, Jno Campbell, and Caldwell.

#### INDIAN AFFAIRS.

Messrs. Whitman, McKeagney, Webster, Davison, Parker, McKinnon, and Martell.

#### PRINTING.

Messrs. McDonald, Munro, Hydo, Moses, and Robinson.

#### ROAD DAMAGES.

Messrs. Anand, Munro, Rhinard, Dimock, and Bond.

#### PRIVATE BILLS.

Messrs. Wade, Fuller and Killam.

#### POOR ASYLUM.

Messrs. Munro, Morrison, Churchill, Chambers, C. J. Campbell, Robinson, and Geldert.

#### EXPIRING LAWS.

Hon. Provincial Secretary, Mr. Wilkins, and the Hon John Locke.

After which on motion of the Hon. Mr. Johnston, the Debate was resumed.

The House opened at five minutes to Four, some business of a business character, connected with the House itself—with reference to franking, &c., having been first transacted.

Hon. J. W. Johnston then moved his resolution proposed by him yesterday, in the form an amendment to the answer to the Address, in amendment to that moved by Mr. McLellan.

Hon. J. W. Johnston said I do not design to enter into any lengthened observations in support of the resolution in amendment to the answer to the Address—which I have just read. Sir, the confidence reposed by the people, in this House, and the confidence which the House accords to the Executive is a matter of grave and great importance and it is essential to the well being of this people that they should know upon what foundation the confidence rests. I may assume that the Government did not enjoy the confidence of its ancient supporters. It is true that there is no record of this on the Journals; but there can be no doubt of it on the minds of the Members of this House. That what I have

stated is the fact, because there are men here who know its truth. But, sir, let me refer to something more specific. The Government came down at the opening of the last Session in a taunting tone, and seemed to doubt whether there was an opposition at all, and offered statements which could not be consistent with their retention of office. [The Hon. Gentleman here read from the Journals in support of the statement.]

Well sir, this is a very moderate and gentle way of letting themselves down,—but there is the fact; a session of the assembly commencing with taunts and terminating with the admission that no measure of importance had been passed. Then we were told that this was attributable to the young members; What then? all the more essential that the novices should be guided, sustained, and supported by the ancient sages of the Executive. We are told that nothing was done. Why so? Was there nothing to do? Was the Province in such a condition that there was nothing required to be done? Surely there was time enough; they had at least ten weeks to do nothing in, and therefore I am warranted in testing the opinions of the House in this expression of opinion.

[The Hon. Gentleman here attacked the Government for having, after the Bill of last session passed for repressing the importation of intoxicating liquors—exercised their power against it so far that some of their supporters were so designated that they would not appear to support the final passing of the bill.]

But Sir, the motion did not prevail; the decision of the House was not rescinded, and I view the question not as regards the opinion of the hon. and learned Att. General, but with respect to the course which he pursued; for he had announced that it was impossible to carry on the government without the House accorded its assent to the idea he propounded as forming the basis of his political creed. Was it not due to his friends and supporters, that when they came to this city to fulfil their functions they should be informed of the views and opinions entertained by the Executive upon a question of such vital importance as that to which I have referred. Sir, in the action of the Executive there is an exhibition of a moral Sampson, sightless and shorn of his strength—supported only by braggadocio. Was not the measure to which I have referred purely administrative? Was it not the duty of an Executive to have grappled with the question in a bold and fearless manner? Did the hon. and learned Attorney-General, in view of the course he pursued

during the last session, do justice to his friends, to the cause, to the Legislature, or to the country? Was it not his duty to have ascertained the views of his friends before the course of which placed them in, to say the least of it, a most awkward position.

Again, sir, it was enunciated by a supporter of the hon. and learned Attorney General, at the last session, as a portion of their political faith, that the public affairs of the Province should be divided amongst the political supporters of the government; in fine, that to the victors belonged the spoils. That doctrine was assented to by him—it was met and controverted by those who had no confidence in the executive. We did not believe that the public offices were to be entirely the reward of political partizanship—and that men should not be displaced because they chose to exercise the privileges of freemen. That doctrine did not meet the unqualified sanction even of those who accorded the government their unwavering support; and sir, in my judgement, it is a doctrine which should not be propounded, sanctioned or sustained by any government charged with the administration of public affairs in this province.

I do not intend now to enquire whether in detail this question was properly discussed. I simply look upon the way in which the government dealt with it. Why did they not pass the bill? There was no hostile opposition offered to it. I ask the Attorney General why did he not bring such an important measure to existence. I charge upon the government that they did not deal with that question with the frankness which the people had a right to demand from them.—There was no subject introduced last Session, another I must make a remark or upon which was introduced by the two. A bill for the promotion of the Attorney General was promised to the Education. This—it was passed through the house about January its stages, and through committees in all its hand of the Attorney General himself. This was a very important question, and I cannot do it was so regarded by the government. The measure was here for weeks. We hear nothing of it in the present speech, as if it was of nothing worth to the people of Nova Scotia. It may be a difficult subject to deal with, but it was presented to this House by the Attorney General, and should have been either carried through, or the Government should have resigned.

I pass briefly to another point. Last session, on the discussion of the School question, as regards the county of Annapolis, the hon. Attorney General in the

most solemn and emphatic terms told us that justice should be done. How did he carry out that pledge? In the western part of the county of Annapolis, they had a high school which was so obnoxious to the people that they wished to get rid of its thralldom.—How has he carried out that promise? He appointed the clergyman who I am bound to believe is above politics—he left two in at the board, one of whom was a Conservative, and one a Liberal—but he put in four more who were determined and violent partizans of the Government. So that unfortunate school stands at this moment, without a single man representing the main body of that county, overlooking a great national education system, which is dear to every man, and an additional part of which, besides what we have, the Attorney General promised to us last session.

In the Eastern district of Annapolis the conduct of the hon. Attorney General has been just as bad; but I need not go further. It is sufficient to say that that while the government of last session promised us everything which they have not done, their present exposition of police is a "beggary account of empty boxes." They have nothing to offer in the shape of measures which it is the duty of a government to offer; and, sir, considering that a no nothing government has been so often denounced by the Attorney General himself, I move this resolution.

[A no resolution was published in our paper.]

HON. ATTORNEY GENERAL.—I said the charges preferred by the hon. and learned member for Annapolis against the administration of Public Affairs by the Executive government are easily refuted; they will meet their visible refutation when we come to a vote on this question. Sir, we have to-day heard propounded by the hon. and learned member for Annapolis to grave and deliberate judgement of this house a list of charges against the Executive. From meeting and answering these charges I do not for one moment shrink; I am prepared as one member of the Executive to test the confidence of this house in the present Administration, and I believe that it commands and is entitled to that confidence and to the support of the Liberal party to the exercise of whose independent suffrages it owes its existence. In replying to the speech of the hon. and learned member for Annapolis I shall deal with the several topics to which he has referred in their order.

But, sir, before I deal with them, permit me to congratulate the opposition on the charge which has evinced itself in their own ranks. The hon. member for

Cumberland has been displaced from the leadership, and the party appears to have returned to their allegiance, sailing under the orders of the hon. and learned member for Annapolis; but, sir, whatever banner they may own as their standard, whoever the leader under whom they may act, the moving principle, the guiding impulse will still be the same. The hon. and learned member says that at the close of last session, in the speech from the Throne, it was admitted that no measures of importance had been perfected; he was obliged to give us credit, if not for policy at least for candour,—to have put in the mouth of His Excellency aught but that expressed in the speech would have been a stain upon the Executive and a degradation to the Lieutenant Governor.

The Hon. and learned member has inadvertently in strong terms upon the course pursued by the Executive with relation to the Maine Liquor Law; true it is, that I pledged myself if the measure should meet with the concurrence of a majority of the Assembly that it should be faithfully and honestly carried out. Once having become the law of the land assented to by Parliament, it was the duty of the Executive to put it in execution. But, sir, there is a wide distinction between a law solemnly assented to by the Legislature, and a measure submitted to Parliament for decision. Had the Bill here become a law, it would have been the duty of the Executive to have carried it out, while it was before the Legislature, believing as they did, that its principle was dangerous, and pernicious, they gave it their strenuous opposition. Mark the result as tested by the experience of other countries. What have we seen in New Brunswick? The country convulsed—the Government shattered to bring about an unattainable end, to carry an impracticable measure. Similar results have followed the attempt to introduce it in the state of New York, and one of their most able and eloquent citizens has condemned the principle. I allude to Horace Greeley, editor of the New York Tribune. What would have been the result in Nova Scotia—to embarrass the Revenue—to affect the public credit—were the government not justified in using what influence they possessed—not to destroy but to postpone the passage of the Bill, and sir of this attempt shall succeed and the honble. member of Annapolis form a government, if we may judge from the abated tone of his address to-day, no whisper of the Prohibitory Law will be heard. Sir, if this government is to be displaced and succeeded by those, (whom we well know, for the sources from which the strength of the opposition are to be deriv-

ed are well known),—the bow from which the arrow is to speed we all understand. Let us at least be assailed upon something more tangible than a flimsy and unsubstantial charge like this. Let not the hon. and learned member for Annapolis, lay the flattering unction to his soul, that upon the Prohibitory Liquor Law the government are to be overthrown. Every man knows and feels that this Law is done.

[The Hon. Attorney General here went on to shew that from the position of parties in the house it was impossible to form a government unanimous in opinion upon the question of the Prohibitory Liquor Law, and that the formation of an Executive holding different opinions, as that point was an absolute political necessity.]

The hon. member also referred to the enunciation of the principles relating to the removal of officials under Government—on that point also he has done me great injustice. I asserted that it was not the duty of an Executive to hamper itself by general declarations of principle, and that the case of such officers removed should be decided on its own merits—that the government should be left to deal with questions of that kind as they arose. But, sir, the argument of the learned member has entirely failed, for he has not shown one instance in which the power of the Government has been exercised unjustly or oppressively.

We are taunted with having done nothing,—take the Educational Bill, there is not a man in this house that does not know that the question of Education is a most delicate one to touch. It never has been treated as a party question, with the History of the Province. I did not propound it as such at the last session. Nay more, sir, I stated candidly and openly that without the assistance of the opposition, the Educational Bill could not be carried, and I invited them to give it their support. The learned member for Annapolis tells you that although no vote was recorded on other questions, yet the recollection of members supply what the journals do not disclose. Acting upon the idea, I assert that the Educational Bill was destroyed by the determined efforts of the opposition. Not a man of them would pledge himself to sustain it. Do I tell that it was not a measure not required? No, sir! I still retain a full sense of its importance. If pressed to a division, the Bill would have been defeated.

I abandoned that bill says the hon. and learned gentleman. Why? Because the Conservatives refused me their support; the abandonment of that bill will be the second sacrifice offered on the altar of party

to the accession of office. If this movement succeed I shall stand and look on, and take my part in any proceeding which may take place here. I am not aware that any injustice has been done in forming the school board in the County of Annapolis; but if I find that such has occurred through inadvertence, I shall remedy it at once. The hon. gentleman's statement has been to me an entire surprise; and the mighty grounds of his whole charges sink into insignificance. I am prepared to show that the government have discharged its duties with honesty, integrity and judgement; and I defy the opposition now combining to show otherwise. Sir, I challenge any gentleman, either in the house or out of it, to charge this government with a single job of any kind—in our Post Office, Board of Works, or any other department—nay, I charge them to show where, in the whole public business of the country, anything has been done without the strictest integrity—or in the most trustworthy manner.

There may be new events, or new combinations which may lead to charge, but I cannot but feel that there is a majority of this house still disposed to sustain the government.

The hon. learned gentleman taunts us about not sustaining the Municipal Incorporation Bill; but that passed here, unopposed by the government, and it was tried in counties remarkable for the intelligence of their inhabitants, and it failed. It was accepted by Yarmouth only—it was rejected by Annapolis, which the hon. gentleman represents, and by several other influential counties. Let him not then dare to charge us with defeating that Bill I shall refer to this no more, sir, to prolong debate, but I think I have a right to believe that a majority of this house will still accord their confidence in a government representing the well understood wishes of the country.

After a silence of some twenty minutes, on motion the Debate was adjourned.

The Attorney General moved for the appointment of a general committee to appoint the usual standing committees. He read from the journals the names of the committee of last session as follows:—

Hon. Attorney General, Messrs. M. I. Wilkins, A. G. Archibald, McLellan, Chipman, Thorne, Davison.

And remarked that if there was no objection, he would move for their reappointment—which was agreed to.

Mr. Annand presented a petition from William Kandick, as agent and trustee of Richard Nugent, and from John Dunn, printer of the House, praying to be allowed a participation in their publication. Mr. Annand suggested that be referred to the Committee on Reporting.

Hon. Attorney General.—I take it for granted that there will be no such committee this session, as the committee on that subject appointed at the last session have entered into a contract with one of the Reporters, which will be reported for the consideration of the house. The petition was ordered to lie the table.

Mr. Annand differed with the Attorney General, and thought that a committee should be appointed to whom all questions relative to the reporting and publishing of the debates should be submitted.

Mr. Esson introduced a Bill to increase the Capital Stock of the Gas Light Company—read a first and second time.

Then the House adjourned.

SATURDAY, FEB. 7, 1857.

Dr. Tupper said, I felt some hesitation in continuing the Debate last Evening as it was well known that there was an hon. gentleman present whose great eloquence and unrivalled powers of debate were subject to such notorieties, that it was not at all unnatural to suppose that the public mind of the community was on the tip toe of expectation to hear him again in his place in Parliament. Since, however, he has not favored us, and a prolonged silence may be misconstrued, I take this opportunity of offering my views on this. Before doing so, however, it becomes my painful duty to an unadvert upon a matter not immediately under consideration. On taking up one of the morning papers I was astonished to find in the report of the debates of yesterday, not only a most grabbed and qualified statement of the Speech delivered by the hon. and learned leader of the Government, but gross mis-statements of facts. Now, Sir, I do not say that the report is dishonest, but I do say in the hearing of those present yesterday that it indicates either dishonesty or incompetency. I might observe Sir, that it is well known to you and the House that a large sum of money is expended for the service of Reporting; the feeling was and is uniform, that the Country should be placed in possession of the fullest and most accurate account of the statements and actions of Public men. Sir, great cause of complaint existed during the last session of this Legislature at the mode in which the contract for Reporting was carried out. A resolution however passed authorising the payment to be made for that service provided the debates were published within thirty

place on the constitutional debate. I was prevented from replying to the hon. Attorney General (who spoke up to the hour we had decided upon to divide,) and several other members who had dealt very freely with me in the course of that debate. But immediately after the division was taken, and the hon. member from Pictou moved his amendment, I occupied the attention of the house for an hour and a half in answering the arguments of gentlemen supporting the Government, and placing my political views before the country on questions of public policy. To this hour, Sir, not a journal in the city, (the *British Colonist* excepted,) ever alluded to the fact of my having spoken at all. After returning to the Country, and finding that the speech did not appear in its proper place in the Parliamentary reports, I addressed a note to Mr. Nugent, and also a gentleman supposed to conduct the *Halifax Sun*, informing them of that fact, and that Mr. Otto Weeks, junr., had in his hands a correct report of the speech in question, and requesting them to publish it, which received no attention. Now, Sir, in the report of yesterday, the hon. and learned member for Annapolis is made to say:

"Sir, in the action of the Executive there is an exhibition of moral Sampson, slightless and shorn of his strength—supported only by braggadocia."

No such observation was made. He said that the Attorney General was the Delilah who had shorn their moral Sampson of the Maine Law of its locks and left it powerless. The Hon. Mr. Johnston is made to say that the Government exerted their powers so far against the Maine Law that some of their supporters were so disgusted that they would not appear to support the final passing of the bill. He did not say anything of the kind, but charged the Government with having prevented their supporters from counting their support.

Not only is the speech of the hon. Attorney General pruned of the strongest expressions and points which it was thought inconvenient to let go to the country, but as I have before said it is incorrect as to fact. That gentleman is made to say in reply to Mr. Johnston—"The hon. learned gentleman taunts us about not sustaining the Municipal Incorporation Bill," when we all know he said nothing of the kind, as Mr. Johnston had not named the subject at all. I shall not refer to the petition on the talk from the Editor of the *Sun*, complaining that their reports have been withheld from that journal, contrary to the contract, but will deal with what when it comes up. I feel assured that I will be sustained by this house in enforcing the faithful and efficient performance of the contract for reporting, or

the withdrawal of the grant made for that purpose.

I have made these remarks that measures may be taken to ensure the strictest impartiality and accuracy in the reports.

I will now, Sir, address myself to the subject more immediately under consideration, and in the outset beg leave to offer my acknowledgements to the hon. and learned Attorney General for having last session constituted me "leader of the opposition." For that I am to him under the most profound obligations—but still more so that yesterday he should have by a breath relieved me of the onerous duties and responsibilities attached to that leadership. The policy of his course is well understood, he has sought to distract the attention of members of the opposition from the consideration of the proposition before it by this matter of a purely personal character. But, there was one sentiment he expressed to which I heartily assent; in speaking of the opposition that hon. and learned member said—

"But sir, whatever banners they may own as their standard, whoever the leader under whom they may act, the moving principle, the guiding impulse, will still be the same."

Yes, the opposition are ranged under one banner and animated by one guiding impulse. They are seeking to relieve the country from its present embarrassed position; they are aiming at the establishment and perpetuation of principles of far greater moment than any question of a mere personal character. Sir, no man envies the hon. and learned Attorney General,—for myself I would infinitely prefer being the last joint in the tail of the opposition than remain the nominal leader of the government no sufferance,—prostrate before this house, with bended knee, begging from a despotic master leave to continue to exist. (*Laughing and applause.*) Sir, I can well understand the feelings under which the speech of the hon. and learned member from Annapolis was delivered yesterday; for I have studied his character well. He, unlike some other hon. gentlemen, is not nerved and animated by the consciousness of power,—no emotions of swelling pride induce him to trample under foot every kindred feeling—but it is when a principle is to be contended for against fearful odds that he buckles on his armor, and springs to the fight—nerved by the dictates of duty. But when backed by numbers and triumphant in position he exhibits those generous and ennobling emotions which only truly great minds feel, and which great men know how to appreciate.

The hon. and learned Attorney General said that taunts were not used by the Government at the last session. Did he not in the usual bland and gentlemanly tone that

marks his speaking, enquire on more occasions than one if any opposition really did exist? Do we not all recollect how the hon. member from Digby coveted a division on a purely personal question? And, sir, I was not all surprised to hear him yesterday, with a sophistry worthy of a better cause, and a casuistry which no man knows better how to use—drag the Maine Liquor Law into this debate.—I shall offer no opinion on that question—suffice it that, judging from the proceedings of the Grand Division, it appears it is not contemplated to ask this house to pass that measure. But, the hon. and learned Attorney General is impaled on the horns of a dilemma from which in vain may he attempt to escape. He disingenuously and in a manner unworthy his position as leader of a Government, urged as an argument against the passage of that law, that it would embarrass the revenue—the province would become bankrupt and the public works be stopped—while the hon. Financial Secretary, an officer charged with the especial control and management of that branch of the public business, was to be found on the opposite side, voting against the leader of the Government, thus giving a direct and distinct contradiction to the arguments he advanced.

Now, sir, my argument against the hon. Attorney General is this, that on a question which he and his colleagues conscientiously believed involved the ruin of the country without, doing any good, they were bound to oppose it as a government in the outset.

But what was done? The hon. Attorney General declared at the opening of the debate that whilst his own opinions were adverse, the Government would be "neutral," that was the word. How was that promise kept? After a majority of seven affirmed the principle of the bill, the Government by his own admission of yesterday united their supporters to defeat the measure. Without any reference to the merits of this question, I am bold to affirm that no Government could pursue a more dishonest or contemptible course on any measure. They did right to oppose it if they were sincere, but nothing can excuse their timidity and disingenuousness.

The Hon. Attorney General seems dreadfully concerned that we are to be disgraced by some frightful combination; some "unholy alliance" to use his own words. Now Sir, I had supposed that there was only one source from which the ranks of the opposition in this House could be strengthened, that source the liberal phalanx of gentlemen hitherto supporting the Government, trained and educated by the sage fathers of Responsible Government, and who had invariably

not but prove a most valuable lever to the opposition. I can see Sir, nothing frightful in such a combination, except to those who have forfeited the confidence.

The Hon. and learned Attorney General informed us of the stoicism with which he would bear the loss of office—the defeat of the government. This reminds me of an anecdote of a negro who caught a hare. He was delighted with the prize and while wending his way homeward with the animal under his arm and feasting in imagination on the meal he was about to make he cogitated upon the mode in which he should cook it. First he said he should boil—then stew, but at last, just as he had said he so very fat I'll roast him, the hare with a sudden spring succeeded in escaping ran a short distance squatted down and surveyed his Captor. Sambo gazed at him in astonishment for some time and then, perceiving that the prize was irretnevably lost thus addressed it. "You long-legged, long-eared, big eyed, ugly brute—your not so verry fat after all." (Laughter and applause) so, Sir, with the Hon. and learned Attorney General,—when he feels that power and office are slipping from his grasp—that he can no longer maintain the position he occupies then, and then only is it that he assumes an indifference which he does not feel and consoles himself by saying its not so verry fat after all."

He tells us that it would be unwise to fetter himself with principles. I am aware, sir, that the course he has pursued in the house fully sustains the assertion, and shews that the hon. gentleman has ever been exceedingly clear of having any principles at all. This reminds me of the anecdote of a dutchman who, having been an extensive traveller, was invited by a friend to breakfast, and in the course of conversation, while replying to a question put by his host as to the course pursued by him when in foreign countries, said, when I am in Rome I am a Catolique, in Persia I trink no wine, when in Turkey I marry four wife, and when I am in England I trinks port wine and say, got tam I am of de religion of de English:

So it is with the hon. Attorney General. Tell me at any time the opinions of the majority of the house and I will tell you his (hear, hear, and applause.) Sir I do not agree with the honble. member for Annapolis that the fact that the government did not possess the confidence of this House is not exhibited by the journals of last session. On almost every page you may find the most palpable evidence of their want of confidence and accord with each other, and their inability to obtain the support of their professed friend

on which some who either were then, or are now members of government, did not vote against each other, and thus prevent them from becoming law. It was in this way that the much required law for assessment for railroad damages was lost, and numbers of people are now suffering injustice in consequence.

I will now enquire how they have carried out the principles they have professed, that office is to be the reward of political support, for I must here remind the hon. Attorney General that he was not always as non-committal as he has been in the presence of this house. When they required the aid of all the subordinate officers in the country, and it was necessary to drive them to the hustings, the hon. Attorney General in that celebrated exposition of the principles of himself and his party, addressed to his constituents, wrote as follows :—

‘The Government were charged, too with the dismissal of the Postmaster at Windsor, but I do not hesitate to avow that the principle we then acted on we are determined to adhere to as the British rule, and that the subordinate officers of Government who oppose it must be content to resign or to lose their places.’

I need not say here how utterly opposed I am to principles so despotic when applied to any small subordinate offices in the Country,—and those principles have not only been professed but pushed so far as to deprive a man of his office of Sheriff because he was, by the Attorney General’s own confession, only suspected of holding opinions adverse of the Government Candidate. But, sir, it would appear that while the small and insignificant office holders of the Country are thus to be dealt with a very different course is to be taken with those who are in positions of influence. Almost every office of emolument or honor disposed of since the House rose has been conferred as the reward of opposition whilst the constant supporters of the Government have passed unnoticed. It is no secret that the present Judge Wilkins refused his support and differed with the Attorney General on several questions—for instance the Sheriff’s Bill and the Railway Land Damages Bill. He has since been translated to a Judgeship. The hon. member from Victoria was, it is well known, strongly disaffected towards the Government. He has received the appointment of Commissioner of St. Peter’s Canal,—and I do not at all question that Hon. Gentleman’s qualification for the office. It was matter of very general notoriety that the late Solicitor General, Mr. Henry, was rather restive in harness and indisposed to follow his Leader last winter, and I do not

blame him. He has since been promoted to £700 per annum.

The hon. member for Colchester, Mr. Archibald not only made one of the most damaging and effective speeches against the Government last winter, but occasionally withheld his support, and he has been honored with the office of Solicitor General. It will become necessary to test the sincerity of that hon. gentleman’s opinions directly by contrasting them with his conduct. My friend, the Hon. Mr. McKinnon who went boldly into the opposition and with very good ground, and voted against the Government on which they declared was a test vote has been awarded by a seat in the Executive Council. I must not forget to notice also that the Hon Mr M’Heffy who then tried the action of the Government in the Upper House by his opposition has been made a Member of that Government. Descending from the Halls of the Legislature we find the same thing continued. The Government were attacked and most coarsely assailed by the *Eastern Chronicle* for the appointment of Mr. McKinnon, and I will here say that from the slight acquaintance I had with that gentleman I would be much more inclined to agree with the complimentary notice which appeared of him recently in the *Morning Chronicle*. The reward of this opposition was soon given by making the author of it, Mr McDonald, Register of Deeds for Pictou. This, sir, is the manner in which their principles have been illustrated.

I must now invite the attention of the House to the position of the Government on the question of education, which I regard as utterly unworthy and untenable. The hon. Attorney General promised the bill at a public meeting when the Normal School was opened at Troro, and as he has since boasted had the astounding moral courage to frame it and lay it on the table of this House. Subsequently having obtained the opinions of gentleman in high positions on the bill in that state, and quoted them in its support here, he brought forward and added to it several clauses, all altering fundamentally the character of the bill, declaring they were contemplated from the first and finally abandoned it altogether, as he now says because the opposition were prepared to defeat it. Now, sir, I do not say that it is necessary for a Government to deal with the question of education at all or that assessment is the proper mode, but they said so. They declared that it was a question of vital moment, and undertook to carry it; they failed and abandoned the measure, and when I heard the reference to it in His Excellency’s closing speech I was reminded forcibly of the observation of the celebra-

ted leader of the Anti-unionists in the Irish Parliament, Mr. Flood who declared that "the Speech was that of a puzzled Minister, put in the mouth of an embarrassed sovereign." Believing as the Attorney General did that that Bill was essential to the interests and advancement of the Country, he had but one course consistent with honor, and that was to endeavor to re-construct the Government so as to secure its passage. The functions of a Government are ignored when it fails to command sufficient support to enable it to carry measures that it has declared necessary. But, Sir, what was this Bill that we are taunted with defeating, I will read you the opinion of the hon. members for Windsor addressed to the Halifax '*Catholic*' and I will not stop here to discuss the propriety of such language being applied by a subordinate officer in regard to a measure proposed by the Government.

'An attempt was made, last winter to destroy the Common School system of this country—to sow religious dissention in every district of this Province—to starve poor schoolmasters, already poorly paid—to break up and remove the common platforms upon which Protestants and Catholics had stood in harmony and good fellowship for years. That attempt I would have denounced and resisted, had I have been a member of the Legislature, and if repeated, I will resist it, now that I am a member.'

This language, strong as it is, only reiterated the sentiment of the entire religious press of Nova Scotia. It is true, sir, that the "*Eastern Chronicle*" denounced me for having opposed the school bill, but that was not entitled to much consideration when taken in connection with the fact that it had assailed it in strong terms but a few weeks before. The common schools of this Province do require improvement, but it was not to be accomplished by that bill, and it would have been suicidal to any Government to pass it.

Sir, the hon. Attorney General asks, in tones of triumph, if the Government were to blame about the Municipal Incorporation Bill, seeing it has been uniformly rejected? I answer unhesitatingly yes. On no question did the Attorney General act more unworthy of himself, and what he owed to the country. He admitted that Municipal Incorporations were essential to give self-government to the people, and carry out Responsible Government, and yet he forced upon us an optional clause which we well know would lead to its defeat, irrespective of its merits wherever it was tried. Listen to the language of the hon. Mr. Wier whose views on this subject do him credit. "There is an old vulgar saying—What is sauce for the goose is sauce for the gander." I cannot under-

stand how many gentlemen say they are in favor of the bill, but are afraid it cannot be carried out. I asked myself first whether it was a good bill; but, if so, it ought to be made obligatory on the whole people. To pass it in this way is like throwing a fire brand into the country. If Responsible Government is good, it ought to apply to the whole people, and to every county. It is merely giving into the hands of the people the direction of their own affairs. Under the present system you cannot get magistrates to do the work. If the people are not ready for the bill now, when will they be ready? The right way is to give them the bill, and let them educate themselves up to it. The people of Halifax would not at this moment, for any consideration give up their corporation. —I am ready to vote for this bill; but I would rather make it compulsory; and in a few years the people would be glad we took the responsibility of passing it.

These words, sir, have proved truly prophetic. Did I not tell the hon. Attorney General that it was worse than a farce to put the bill before the country in this way? That in every county there were hundreds of magistrates and others warmly interested to support it, and the result must be obvious. It is well known that the rejection of the bill was effected by the circulation of the most fallacious and false statements concerning it—statements to which a portion of the Liberal press gave currency, whilst they carefully withheld their advocacy of the bill until after its rejection by the counties.

The people were told that, if adopted, it could not be repealed if they disliked it—that it would involve expense; and a thousand other delusive and unfounded statements. The hon. and learned Attorney General has thus succeeded in effectually destroying a measure which he himself said was essential to our present system of government, as no government could attempt to force upon the country a measure rejected by several constituencies, and he has also introduced a false element into our legislation by interposing the voice of the people between their representatives and their acts, thus relieving us of that responsibility which it is of the highest importance should rest upon us.

We may be told that the government has had new life infused into it by the addition of gentlemen not in it last session and, sir, I will frankly admit that under certain circumstances the adhesion of the present Hon. Sol. General might have had that effect. But, sir, if I can shew that that gentleman could only enter the government by sacrificing his deliberately avowed opinions, as proved by his speech

of last session, and his conduct since, I think this house will agree with me that his addition to the government will neither give strength to it or credit to himself. I must now ask the indulgence of the house whilst I read the following sentiments delivered last winter during the constitutional debate by the honble. member for Colchester, and contrast them with the position he has now assumed.

“Sir, it was with pleasure and pride I heard recited the list of the acts of last session. These fifteen measures were such as any government might well be proud of; but does the Hon. Solicitor General suppose that any government is to live on the memory of the past?—that instead of being the deviser and architect of what is to be done, it is to be only the chronicler of what has been done? Sir, these are not my ideas of the objects and duties of Responsible Government. Then, again, my hon. colleague says that his idea of Responsible Government is, the carrying out the will of the majority of this House. We are first to pass our opinion on any measure; and then Responsible Government is the carrying out of that opinion. In other words, the members of Government are to be like the hands on the face of the clock—to point wherever the pulleys and springs (which we, the House, put in motion) may direct. If that be all their party—comfortably to enjoy their salaries, and mechanically to obey the thinking that is done for them—it would be better not to put our best men in office; any person could perform their functions, and the best minds of the house would be free to perform the real thinking and work of Legislation.

“Of all the different speakers my mind runs more parallel with that of the hon and learned Attorney General. He does not declare that it is not the duty of the government to bring down measures. He admits that duty, but he thinks that all, or nearly all, the great questions requiring legislation are settled. Is it so? Does no measure remain, which requires to be perfected? Is there nothing to be done to keep abreast of the progress of the age? I cannot accept the Attorney General's defence. I believe there is much to be done, and that the energy and ability with which the Attorney General and his government have hitherto introduced and carried through important measures will continue to be exhibited. I hope, sir, that many of the statements to which I have referred, and which I am willing to consider and do consider, as loose and unguarded expressions, will be modified or withdrawn, and that the government will

more in accordance with the sentiments that ought to distinguish a liberal and progressive Administration. I am quite willing to make the full allowance for the difficulties which may have existed during the past year in preparing measures and bringing them before the house. I am willing to consider this as an exception; and it is because I believe it to be so, and because I believe that the government will not be found in the future less desirous of promoting the best interests of the country than it has been in time past, that I should be disposed to resist any motion to displace them from their position.”

Now, I ask gentlemen around these benches whether we should not have had the expectations here opened realized, after that gentleman becoming a component part of the administration? The Government and their policy were denounced by that hon. gentleman, and therefore by their appointment of him to the office of Solicitor General have made themselves worse, and a reference to the speech of this session will shew that he has fallen to their level.

Mr. McKinnon has also been added to their ranks, and if, sir, we are to take him at their estimate before he joined them, it will not improve their position. When that hon. gentleman went into opposition last winter, he was denounced by the Government organ—the “*Morning Chronicle*”—as a “rotten branch,” and at the close of the session, the hon. the leader of the Government considered him a “loose fish.” I do not agree with them in this estimate, and I suppose he would now be considered by them not only a most vigorous sapling, fresh and luxuriant, but a very substantial individual. The position of the administration, looked at from whatever point you may, is utterly prostrate, and indefensible, and unworthy the confidence of this house or the country.

When responsible government was urged upon and adopted by the country, we were told that in return for the large expenditure caused by having a number of highly paid heads of departments—the country would have the valuable services of the best men that the leading minds would be drawn around the council board, and their high talents be rendered subservient to the public good. Instead of this we find a systematic effort to centralize and place all the power in the hands of two or three, and fill up the Executive with more compliant make-weights who would give but little trouble. Had the late hon. G. R. Young whose political sagacity was surpassed by few men in this Province seen with pro-

tary "a judge at £600 a year" he would have reserved that term.

It is not pleasant Sir to make personal allusions, but there are times when the public interests demand them.

I must also call the attention of this House "to the evidence placed upon the record by a subordinate officer"—I mean the Queen's Printer—known to be the Editor of the "Morning Chronicle."—Yes Sir, the government swallowing its own recorded principles allowed its paid officer to discourse as follows on the 24th of January.

"Subordinates may now, it seems, exhibit symptoms of insubordination and thwart the action of the government, with impunity—if they can claim connection with a particular country, and belong to the "only true church"—Methodists, Churchmen and Presbyterians are summarily dismissed, because there is no danger of either of these denominations making it a national or religious question. But if the subordinate be an Irish Catholic, and his offence ten times as great as that of the Protestant, he runs no risk—there is no danger of his being "dismissed" for "speaking at public meetings" against the government whose servant he is, and subsequently by a series of acts "interfering" with and thwarting the action of his official superiors."

Now, Sir, will any one tell me that the Government of the country ought to or can exist under such a state of things as that? But let me quote further from the Chronicle of the 13th:—

"When the election was over and Mr. Twining had to be taken back to the Clerks table to do its duties, Mr. Howe may like a good many other people have stared with astonishment at the "job." There sir is the dodge of the Government admitting that a disgraceful job was perpetrated by them at a sacrifice of the public service. The same paper in another place says "we have only to add that altho' McCabe's father came to town and stated his case to the crown officers on Saturday, no process reached the scene of outrage till the following Thursday, by which time the guilty had made off or were secreted in the neighborhood."

We think we are safe in saying that not a soul has been arrested for this outrage, and that up to this moment, nobody has suffered except the family of the young man who, being a peace officer, was fool enough to attempt to enforce the laws of his country against a very worthy individual, who took a fancy to stick his knife into another man's ribs.

Here, Sir, the matter becomes worse and worse—an attack on the leader of the

Government—the paid Attorney General—(but not paid adequately, if half he told us yesterday he had to endure be true.) for neglecting to discharge his duty as a crown officer.

Now, Sir, it seems that this Government not only ignores its Legislature; but abdicates its executive functions to such an extent that a man is declared an idiot for attempting to serve a legal process. Will they still say they are entitled to the confidence of this house.

I now, Sir, have to take still higher grounds against the Government. Another subordinate officer in defiance of their principles and regardless of their execution to the contempt of the world. I mean the hon. Member for Windsor, Mr. Howe. Now, sir, the position having been assumed that officers of the Government of a certain grade may deal with it with impunity. On the 6th of January the hon. Joseph Howe—holding a high official position under Government—thus writes in the *Halifax Morning Chronicle*:—

"That law and order are the first ends and objects of all Government. That the preservation of law and order is its most sacred obligation.—That a Government that cannot from any cause afford this security, and will not provide a remedy; that can and does not, from any fear, favor or affection, is a Government that has already abdicated and ignored its functions. It is not for me to say whether the Administration have the nerve and energy to meet this crisis. I put the facts on record as they are patent to the whole community: and I affirm the deliberate determination of our fellow citizens, that at any cost life and property shall be made secure."

Here then is a charge deliberately, on record from an authentic source that the administration had ignored the functions of a government,—had failed to discharge the duties which in honor they were bound to fulfil. And on the fifteenth of the same month in another letter to the same journal, Mr. Howe says:—

"Yet this person holds to this hour a lucrative appointment under those who represent in this country the majesty of the empire, who authorised that mission—whose secrets were thus betrayed. Really we are driven to the belief that the British Lion has not only lost his teeth, but his main and tail, too, in the keeping of those who permit the honor of England to be thus compromised at home, and scoffed at in foreign countries."

Who can doubt then that the present Executive are in a worse position than any previous administration ever occupied? That they are the last persons to whom

the maintenance of the honor of England should be entrusted—when from one of their own supporters we have the fact recorded that for the last nine months they have permitted the honor of England to be “compromised at home and scoffed at in foreign countries,”—and when a press representing their opinions reiterate the charge over and over again.

Another and one of the most prominent issues between the administration and myself was on the question of party government. I maintained that as the country was now undivided by a single principle as all strictly party questions were settled, party government could only be maintained by sacrificing public interests at the shrine of the advantage of a few interested office holders. This position was warmly controverted, and the liberal press has been loud in exposing the unsoundness of my views. Let me enquire how far circumstances indicate the public mind at present on this matter. The hon. chief Commissioner of Railways, on the occasion of the late election at Windsor, thus expressed himself on this question:

“The present hour, gentlemen, affords a pleasing contrast to years gone by, when you had in this comparatively small township fiercely contested elections, which split the community in halves, were, I may say, a great public calamity. I speak not now of the elections all over the Province, and contests in which there was no way in settling the matter except by manfully fighting it out—on questions which have been settled, decided and disposed of; but I speak of elections where men have been opposed to men on imaginary party grounds; and I ask you whether it is reasonable that those who differed in times past, on reasonable grounds, should still differ when there is no cause whatever to estrange them? Is there any reason why we should keep this community split up and divided? (*Cries of no, no!*)

Further on he says—“The great questions of public policy which formerly divided us have been settled; and now there is enough for all of us to do in elevating the township of Windsor to the status and position it ought to occupy in Nova Scotia—no matter who takes the lead in any measure for that purpose;” and at the close,—“We have been divided by great public questions for a time, but why should we be divided forever?”

“They are settled. Why should not the passions which they aroused be permitted to subside?” Here, sir, is a plain, practical, unequivocal endorsement of the views urged by various members of the opposition in this house last

only divided by a traditional line, and not by principles.

Again, sir, the *Eastern Chronicle*, an organ of the Liberal party, discoursing on the coming Windsor election, said—

“The history of the past three years has taught the Conservatives of Windsor the folly of clinging to old party distinctions when the principles on which these distractions were originally founded have ceased to have an existence except in name. They have evidently awakened to the fact that the politics of Nova Scotia at the present time are “rail-road politics”—the politics of public improvement, and advancement in all that tends to elevate the Province socially and commercially; and like a sensible people they have agreed to bury past differences, to let the name with the substance of by gone party feuds sink into oblivion, and have determined to unite with their former opponents in selecting as their representative a gentleman on whose efforts for the advancement of the real interests of the country they can with confidence rely. In this they have set an example worthy of imitation, and one which it is to be hoped will not be lost upon other constituencies throughout the Province.”

And these sentiments have been endorsed by being copied into the “*Morning Chronicle*,” so that we are bound to infer that on this matter the opinion of the country is with us and against the Government.

Sir, I have no wish to mingle in what a large portion of the country regard as a purely personal quarrel between an individual and his former friends; yet we cannot disguise the fact that a question has been raised in recent exciting newspaper discussions involving principles of civil and religious liberty. On the threshold of this discussion I have no hesitation in boldly asserting that, as a dissenter, a Baptist, and a Liberal, I shall ever maintain the cardinal principle of Civil and Religious liberty—justice to all, without respect to sect or creed.—(Hear and cheers.) And, sir, had I been in this house when a struggle took place against the undue ascendancy of the Church of England, I should have been found battling side by side with those who sought to uphold the principles and maintain the right of other denominations to exercise as large an amount of influence and consideration as was enjoyed by it. Sir, I deem it to be the duty of every good citizen to contend against the undue ascendancy of any man or class of men, whether Catholic or Protestant. The administration that entertains or acts upon a contrary opinion requires that its supporters should ignore that fundamental principle of equal justice to all

in a taunting tone, how are you going to form a Government? If you displace those on the Treasury benches who are to replace them? I contend, sir, that that question is not pertinent to the occasion. The true constitutional course must be obvious to all. If a Government forfeits the confidence of the majority it is their duty to express it, and if it is not competent for the opposition by whom the administration is displaced to form a Government which commands the support of a majority, let the appeal be made to the people, the true arbiters in such matters. I must not be told that no member of a defeated administration can be included at this day in the formation of a Government. What did we see take place in England on the last occasion on which the Government were defeated. Why, sir, after the leader of the opposition, Lord Derby had failed to form an administration, a gentleman belonging to the outgoing ministry, Lord Palmerston was called upon, and succeeded.

We well know that a gentleman may possess great legal ability, high professional standing, large powers of debate, possess a good reputation as a financier, and be largely endowed with all that caution which is so valuable in a Minister, yet he may be destitute of that fertility of invention, that is necessary to devise useful public measures, and decision of character, boldness and energy of action that will enable him to successfully head an administration. Sir I repudiate the doctrine propounded by the honorable Member for Colchester, Mr. Morrison, last session. We must not talk too loudly about offers of office, bribery and seduction. Mr. Howe, gentlemen, has acquitted me of any attempt directly or indirectly to corrupt his principles. But he must let me say to him that if any member of opposition did endeavor to secure the services of so distinguished a statesman, and obtain his indispensable aid in the formation of a new administration, I can see no treason. I admit frankly the impropriety of approaching a Cabinet minister, but to assert the doctrine that there is any impropriety in the first discussion between independent members of this House upon so important a matter as the construction of a useful and efficient Government, equal to the exigency of the time is to propound a principle in the highest degree detrimental to the best interests of the country, and may involve great sacrifice of the public good, nor am I, sir, without authority and precedents for such a course. Do we not know that the hon. Mr. Howe, when his administration was weakened, and it became necessary, as he averred, to strengthen the hands of the Government, rode to Windsor personally to solicit the support of a leading mem-

ber of the opposition; and, that the Cabinet might be remodelled and strengthened.—Members of the Executive had placed their resignations in his hands, that he might induce gentlemen in opposition to combine in the formation of a strong government. I trust I have now laid a platform sufficiently broad, and advanced reasons sufficiently strong to ask this House for a vote that will change the administration. But before I sit down I must thank you and the House for the patience with which I have been heard. (Cheers.)

Hon. Solicitor General rose to reply to the several counts of the Indictment premised by the opposition against the administration. The first had been brought forward yesterday by the learned leader of the opposition, and had been met by the Attorney General's eloquence. Upon that he thought the Government entitled to an acquittal; and now that he had hastened to the second account; he could not help thinking that it was something like a trial for an inferior offence after being acquitted of the greater.

The hon. and learned gentleman for Cumberland, in the speech just delivered had alluded to the declaration of political sentiment which he had made last winter, and had urged upon the house, that by consenting to connect himself with the administration he had acted inconsistently with his expressed opinion—this he begged distinctly to deny. By his acceptance of a place in the administration he had sacrificed no opinions. The sentiments he had avowed before entering of office, he avowed still, and whenever any continuance in his present position involved a sacrifice of his political opinions, he was prepared to cast his office to the winds. He was not a hungry seeker for place. He had not sought the office, the office had sought him, and since he had assumed its responsibilities, he had acted upon the same sentiments which he had formerly entertained. He defied the hon. gentleman for Cumberland to put his finger on a single act since his acceptance of office at variance with the views he had formerly expressed.

The charges which were contained in the speech of the hon. leader of the Opposition were what were contained in the speech just delivered; were principally the old charges which had been met and discussed last winter, and the House had already decided and passed upon these charges. By the vote of last winter they had, by a majority of five, declared their continued confidence in the Government after a thorough and sifting investigation of these charges; and yet they are brought up again for a second decision. But these charges were not all old, some of them were new, and to these it would be right to devote some attention.

Both the learned leader of the Opposition and the hon. gentleman for Cumberland had referred to the action of the Government upon the Prohibitory Liquor Law, and characterised it as justifying the charge of want of

confidence invoked in the Resolution. Now it was right that this matter should be understood and placed in its true light before the country. On the second reading of that Bill the usual question of its committal was propounded from the chair, the colleague of the hon. gentleman for Cumberland was opposed to the committal of this Bill, and after some observations explaining his desire to see the effect of a similar act which had been recently passed in New Brunswick, moved the postponement of the Bill till the next session. The movement failed.—Notice to rescind was given. Next morning a motion to rescind was made, and on looking at the division, what appeared? Why, that every member of the opposition with one exception was found on one side, and on that side was the hon. and learned gentleman for Cumberland voting against his own motion. I find no fault with that hon. and learned gentleman.—Nay it is due to him to say that on other occasions last winter when he must have been subjected to much pressure and much solicitation from friends, he carried out his own convictions with an energy and determination that redounded to his credit. I am bound, therefore, to suppose that in the course he took in reference to this bill he acted from a sense of duty. But when some of the gentlemen who usually sustained the Government saw what they had looked upon as a great moral question dragged down to the level of a political dispute, and that the expression of their opinions upon the Bill were claimed as a political triumph, it was not unnatural that they should begin to look upon the question in the same light, and when the division came again on the same subject they should act accordingly. I did not myself take this view, neither did my colleague, and another gentleman on this side of the house. We still adhered to our original position, regardless of the consequences, but it is impossible to wink out of sight the political aspect which was given to the vote. At all events, whether right or wrong, we must admit in the language quoted by the hon. member for Cumberland from the Reports of last winter that what is sauce for the goose is sauce for the gander, and that if it was wrong in some gentlemen on this side of the house to change their opinions, it was not less so for the particular friend of the leader of the Opposition to abandon and vote against his own proposition.

But let us go a step further. The conduct of the Government on this occasion forfeited the confidence of this house.—Let me ask who are the gentlemen whose confidence was forfeited by this conduct.—Does the honorable member for Cumberland mean to tell me that the new allies by whom his ranks are to be swelled on this division are those who were dissatisfied at the loss of the Bill? Will there be a friend of the Bill among the number? He knows there will not, and if the gentlemen whom he expects to vote with him now from our side of the house, were to express their true feelings, it would be gratitude to

the Attorney General for defeating a Bill to which they were deadily opposed.

But the hon member for Cumberland, as well as the hon. leader of the opposition have both referred to the conduct of the Government in reference to the Education Bill, as entitling them to the loss of confidence. But I here ask the same question on this Bill. Is it the friends of the Education Bill, who disgusted at the conduct of the Attorney General are going on to swell the ranks of the opposition, and enable them to deal with that measure? The gentlemen in opposition know better. They know that the new votes they expect will be from the enemies of that Bill. They know that if there was an act which the Attorney General could do to entitle him to the confidence of the gentlemen who are now leaving him, it was not to carry that Bill.

So much then for the new grounds of objection to the Government.

But the hon. gentleman for Cumberland says that the Government have proposed no measures. The hon. leader of the opposition has in his speech declared that the measures submitted are trivial and unimportant, but he forgets that, his resolution, which he expects at least five and twenty of his fellow members to concur with, declares them so important as to require a change of administration before they were discussed.

Hon. Mr. Johnston.—My original resolution allowed they were important, but when showed the speech I found I was mistaken and I altered the resolution accordingly.

Hon. Solicitor General.—It may be so. The resolution then was passed in the spirit of prophecy and it is not impossible that other prophetic business of the hon. and learned leader may turn out as useless as this. But let that pass. The opposition are willing to admit one part of very great importance, but after all what are the great measures which can be brought down in a little province like this. Our main questions are principally settled. Two of them only remain. As to the Prohibitory Liquor Law, in which a large part of our population take a deep interest, I take it for granted after the statements that have been already made, that must be considered as abandoned. The hon and learned leader of opposition if in power to-morrow would not attempt to carry it, and if he did, not expect much aid from his new allies. As to the Education Bill, he affirms himself that in the present state of Public feeling that question can hardly be dealt with, and if it could, the strength which would enable him to form an administration, will not assist him in passing it. As to the Municipal Council Bill, whatever might have been thought of it before, it may now be considered as abandoned. I always agreed with the hon. leader of opposition as to the advantage of this Bill. I believe still that the principle of Municipal Incorporation is just and sound, but when I found that in all the more advanced Countries—where it has been tried, it has been rejected by such large majorities, when I find

that it has been so rejected not as a question of politics, for in one part of the County I have the honor to represent is a settlement of some hundred freeholders, who have always sustained the politics of the originator of the Bill, not a man was found to record his vote in its form, while the only districts where it was carried contained a large majority of Liberals. I cannot resist the conviction that the Country are not yet educated to the point required for rendering such a bill useful, and that therefore the new Government will hardly be disposed to adopt this as one of its measures. What then are they to do? Will the hon. member for Cumberland who considers the learned Attorney General who is so devoided in the inventive faculties required by the leader of the administration, point out a few of those great measures which it will be the duty of the new Government to propound to this house. It is an easy matter to fly Kites, but what I want from the hon. gentleman is an enumeration of some real substantial measures which the country requires.

I must confess sir, that when I look at the present material prosperity of Nova Scotia.—When I see its population every where progressing in the elements of material comfort, when I see the wilderness receding, year by year before the hand of cultivation, and comfortable dwellings springing up like magic upon the surface of your soil, all over the Province. When I find your Revenue increasing, your public works going on to your entire satisfaction, when I find the duties of every department of the Government discharged in a manner that challenges enquiry, I cannot think that the country can be greatly misgoverned, or that any great measures are required, beyond those that are admitted to be impracticable.

If then the government of this country have forfeited the confidence of the people of Nova Scotia, it is not upon any of the grounds which the opposition have yet adduced. These grounds had already been to a large extent voted insufficient when the question was viewed before, and therefore the difference which, is to appear in the division must be expected, on other grounds which the opposition have as yet kept out of sight, but which was hinted at in the declaration of Civil and religious equality made by the last speaker.

But did that honorable gentleman suppose that this side of the House entertained any doctrines at variance with his own declaration. It was too late in Nova Scotia, to talk about Religious belief constituting a disqualification and indeed with religious belief the Legislature and the Government had very little to do. It was their part to administer the Civil affairs of the Province, and he looked upon the question which had given rise to a great deal of excitement as a political question, and thought the government men bound to dwell with it as such irrespectively of the religious belief of any party. If a subordinate officer, acts towards his superior in gross violation of the duties which his subordinate office imposes, he must give up a position the

duties of which are inconsistent with his feelings, and if he do not, the superior is bound to remove him. I do not say that this is a doctrine to be pushed to extremes. My views of it are propounded in the resolution proved that you, which makes the duty of removal depend upon the particular circumstances of each case. In practice, I have not carried it out in my own county, nor do I think any government ought to carry it to extremes. But there are cases on which it is the absolute duty of a government to do so, and I believe the case in question is one of them.

There were many parts in the speech of the hon. gentleman for Cumberland to which he had not alluded, because they more immediately touched the acts or opinions of other gentlemen, and he felt that they could deal with them in a style that he could not aim at, and he would therefore not attempt a defence which could be so much better made by themselves.

*Mr. Marshall* said having seconded the resolution moved by the Honorable and learned member for Annapolis in amendment to the address. I feel it necessary that I should offer a few remarks in reply to some of the arguments urged by the supporters of the administration, Sir, it is the practice of all good workmen and even of bad workmen to, before they begin the erection of an edifice to clear away the rubbish. In view of this idea let me say a few words in reply to the last speaker he has assumed to himself a position and importance which in my humble opinion his qualifications in no respect warrant. He would have us believe sir that he is one of those men who in consequence of their superior abilities and requirements are sought by all the world, trice in his speech he has told you that he is one of those men above suspicion and wantingly assented that he sought not office but that office sought him; pretty high praise indeed for an Honorable Gentleman to bestow upon himself—will sir if they sought him they got him; and without any disrespect to him personally if he makes no better effort to contradict a speech that the present they have got the mountain in labor and caught the mouse (laughter.) The Hon. Gentleman and his colleagues differ. He asserts and they deny that it is the duty of a Government to submit measures to this House, and at the last session of the Legislature, he did not scruple to oppose the Government of which he now forms a member of announcing that principle in opposition to his leader. The resolution as originally proposed by the Hon. Member for Annapolis, he tells you, was drawn up in the spirit of prophecy well, sir, if prophesied something good for the Government, according to the opinions entertained by the Hon. Solicitor General, for it credited them with the intension, to

submit important measures for the consideration of the Legislative, and shews that it is in vain, to prophesy good of the Executioner at any time. The resolution of the Hon. and learned Member, had to be altered to suit the speech from the Throne, which indicated no measure of importance, and announced us principally worth speaking of. What did the learned and Hon. Solicitor General say with reference to the Maine Liquor Law Bill? how does he justify taking office under a Government, the leading members which deferred with him so essentially upon a question which he considered of vital importance? it is not the short comings then of the Government, but their wicked doing of which we complain, but I cannot but remark the ingenuity with which the learned and Hon. Solicitor General shakes himself clear of his responsibility by shifting the blame from his own shoulders to those of his own colleagues. It is not whether he did wrong, but whether others did it, and he by uniting himself with them did not resume the responsibility. Like the Leopard we judge of him, not only by his sports, but by the nature of the animal to. (Laughter). He lays claim to great credit because the Government did not make overtures.

I ask him to refresh his own recollection as to occasions, where his conduct on one question was controverted by his vote on another; and if he brags of the one, I give him the other as an effect. I ask him to remember where he told us that.

“To the victors belong the spoils,” and his conduct in accepting an appointment under the Government for having opposed it.

He talks of our allies, but if he believes that we are now about to receive more support than we had last Session, how dare he say, that we should not dare to move a motion of want of confidence? These two points of his speech I cannot reconcile,—perhaps the logical accumen of the other side which reconciles so many conflicting points, may—I cannot. A man of the known shrewdness and extreme caution characteristic of the Hon. Solicitor General, must be extremely hard to deal with if you desire to get any thing out of him. There must have been terrible work on the Camp before they got that out.

The Hon. and learned Solicitor General has told us of the efficient knowledge of the business of the Country; Oh? Sir, I should only like to be a subordinate officer under the Government, who are acknowledged to get for the work the perform three times as much as they ought to receive.

The Hon. Solicitor General, says, there is no new charge against the Government? and tells us that the Municipal Incorporation Bill was tried and defeated by the

people in every Country but one. Sir, the Government are at fault, if the measure did not pass which they support! I know the history of that affair—how the Bill passed, and how it was defeated. You would not allow the Bill to pass this House in the form in which the Country would except it, and the blame of its defeat rests upon you.

There was another point of the Hon. Gentleman's speech to which I must refer. I do not mean to treat him with disrespect; but when he told us he felt himself enlarging he was speaking one way while his heart led him the other way, and he may talk to me till the day of judgment look at our wealth, he says. Well I believe he is very rich; but, sir, there is a very great difference between a Lawyer going down into the country and getting very rich while the people surrounding him are getting poor, (Laughter.) And now, Sir, I am going to give you my reasons for supporting this vote. I have been in all portions of this country—mingled with all its people from the highest to the lowest. The Government of a country should stand high; its honor and integrity should be above suspicion,—they should be possessed of such moral courage and intrinsic worth that their fair fame could not be successfully assailed by any man—and that the measures they introduced might be carried out with vigor and effect. But if on the other hand in the Basket of fruit there is but one rotten Pear so curiously constructed is human nature that they are reclined to suspect all the rest. Let there be in an administration but one individual whom the people believe dishonest or ticky and their confidence is withdrawn. If the public observe that self-aggrandisement is alone the object of their movements,—that to perpetuate themselves in power an administration is prepared to sacrifice everything of principle and feeling that alone is a sufficient ground for the people to withdraw their confidence.—That such is the Light in which the Country views the present Government I unhesitatingly declare—and therefore we entirely justified in moving a resolution expressing want of confidence.

Who bartered away our fisheries? Who stood merrily by and allowed them to be sacrificed without one word of remonstrance being uttered. I answer the present administration, now seeking our support.

The hon. Solicitor General brags of his wealth and tells us that he is swelling in dimensions, that may be, but there are those who, suffering from this calamitous surrender of our rights feel that what may have exalted him has pauperised them: and what makes the act more insupportable is, that an insufficient and time-serving administration neither remonstrated constitutionally, nor allowed us to appear as

having any appreciation of our rights as British Colonists..

The Educational question submitted to us last year too plainly indicated that our executive neither understood the wants or wishes of the people, nor had they the moral courage, after introducing the measure, to put it through its different stages with that vigor or manliness which would have entitled them to common respect. If they even failed to command our support, they have often smitten us on the one cheek then modestly ask us to turn to them the other also.

Not for one moment admitting the doctrine propounded by the Government that we should make out a case against them of a specific character, yet to oblige them I shall now offer a few cases for their consideration and our justification. Mr Miller was displaced from an office in which he had served for years with great advantage to the public interests, the reason you gave savored more of securing political strength to the present administration, than any desire to advance the public interests, and the manner of dismissal was unnecessarily harsh, unjust and insulting. The strength of Government was on that occasion exerted to stifle all enquiry, which of itself alone was sufficient to create the suspicion that the act was unjust and tyrannical.

Allow me now to turn the attention of this assembly to the dismissal of Mr. Condon, and I ask the attention of hon. gentlemen both to the act itself and the manner of doing it.

Mr. Condon, they say, held correspondence of a treasonable character with the inhabitants of another country during the existence of the late war. It is not for me to say whether this statement be true or untrue, allow me to reason it out, for the purpose of giving it its full force I shall treat it hypothetically. Let us suppose the charge to be correct. Was no other individual equally guilty with Mr. Condon!—if so why has he not been treated as you treated Condon? Did the government know all this nine months ago? They did—then why did they not turn out Condon 9 months ago? or why turn him out now? He is surely not more guilty now than he was then. Not having turned him out for nine months, they are as guilty as he is, and were his assistants in disaffection, and encourage his treason, their turning him out now unmasks their hypocrisy, and of itself justifies a vote of want of confidence. Do they wish us to believe in their boasted honesty and toleration when they turn out a Catholic, and not only retain a Protestant guilty of the same offence, but advance the Protestant to greater honors, while they deprive the

Catholic of the means of living. Oh, this political hash is too *high* for my palate, it excites distrust and smells bad. (Applause) Condon remember has been dismissed without trial, without a hearing, without even knowing in what he has offended—Let no man mistake me on this subject. If I had been in the government, I would have turned out Condon—and his associate should have walked out with him nine months ago. You act differently, you hold on by him as long as he can be of any service to you politically, and when distrust, disaffection in your political supporters, and other troubles come upon you, you sacrifice Condon on the altar of your political ambition, and you must now expect the condemnation of all honest men for political dishonesty.

I have many other reasons for supporting the resolution but more is unrequired, the people of this province have no confidence in the Government as at present constituted; and that of itself is sufficient for me, and not only is a justification of my private action but an inducement for me to persevere until I rid this province of the blighting influence of a corrupt and tyrannical administration.

And now, Sir, I have given you my reasons for supporting this vote of want of confidence, and hope this House will sustain it. I cannot in the distribution of any offices which may occur, aspire to the position of Attorney General, although I may be as fit politically as some that have occupied it; but, Sir, what I have said has been said in the discharge of my duty to this House—the county I have the honor to represent, and to the country at large, whose interests I consider this government has sacrificed.

Then the House adjourned.

• MONDAY, Feb'y. 9, 1857.

The House met at 3 o'clock precisely.

THE ADDRESS.

On motion of the Hon. Mr. Johnston the adjourned debate on the amendment to the Address was resumed.

After the lapse of some minutes—

The Hon. Jos. Howe rose and said, I have not hitherto interfered in this debate, because I felt that it was the duty of the members of the opposition to afford to the House and country full information upon the nature of the charges which they intended to prefer against the government, and upon which their want of confidence vote was based; and also, sir, because not being a member of the Administration, I felt that it was more becoming to leave the defence of their acts to the leaders of the government themselves. But, sir,

as some hon. gentlemen have seen fit, in the course of this debate, to refer to matters in which I have been to some extent personally interested—it is due to the members of this House—to the country generally, and to those under whom I serve not to shrink from a full, free and impartial explanation of the matters to which they have referred, and that I should give my opinions upon the question at issue. At the outset I admit that the discussion of this Resolution is to the leader of the government sufficiently perplexing, deserted as he has been by a section of the usual supporters of the government, combined with the threatening intimation that the defection will increase until it includes every man in this Assembly, belonging to a particular Church. It may be, sir, that one or two hon. gentlemen, who, though not belonging to that Church, represent constituencies that do, may be disposed to throw themselves, however reluctantly, into the ranks of the opposition. Sir, in view of these indications, I approach this discussion in the belief that the Administration is to be weakened by the secession of a body of its ancient supporters, and perhaps overthrown by an unnatural combination. Look then to what may ensue, let us see by whom the existing administration are to be succeeded. I hold in my hand a list of the members, as they are assumed to range themselves on either side—and as it is well known that gentlemen on both sides acquainted with the elements composing this House make calculations generally pretty accurate. I think I may assume mine to be authentic. Sir, when the debate is ended and the division takes place, the leader of the government may find himself in a minority. He will then be compelled to resign, appeal to the country, or to strengthen himself by reconstructing the Cabinet. In view of either alternative every man in this House has a right humbly to express his opinion.

Sir, I was not a member of this Legislature at the last Session. I have not been a member of the Executive since 1854, and therefore do not feel it incumbent on me to defend the policy of the government from that period until now; I am not answerable during the interim for acts done or acts not done. When I resigned the office of Provincial Secretary in 1854 and assumed the direction of the Railway Board I believed that to a large extent my political life was over; I had no desire to intermingle or interfere, as from time to time has been asserted, in the party or political struggles that were going on.—And Sir, in the presence of Gentlemen who can contradict me, I affirm that from the time I retired I never attended a Cab-

net Council, and limited my intercourse with the Queen's Representative to the reception of the usual courtesies, and the payment of proper respect. Nor had I any connection whatever with government affairs except when members of the administration chose to consult or converse with me as gentlemen are in the habit of doing with their friends and supporters. But, Sir, I will not conceal from you that the curiosity excusable in all old Politicians occasionally induced me to enter the lobby and listen to the debates. Sir, there are gentlemen who sit around me now who know that had I the slightest desire to interfere with the action of the Administration the opportunity was presented me more than once last session; and if I had wished to join the government a similar opportunity was offered during the recess. I stand here then, in the presence of those who can contradict me if what I say is not true, and boldly assert that I never interfered with the action of the Executive, except when honored with the confidence of old friends and asked for my advice; nor have I taken a single step in the least degree to embarrass those with whom I had formerly acted in concert. Sir, I may say that when I assumed the chief Commissionership of the Railway Board, not only had I the confidence of both parties in this House but the sincere respect of a large majority of this Legislature. I acquired that respect and confidence from the course which I pursued without reference to old party contests. But, Sir, whatever may occur let it not be supposed that in this supposititious shipwreck I shall prove false to old principles or abandon old connections, or that I shall yield up that honorable respect which I believe I have maintained unsullied from the outset of my political career down to the present hour.

Sir, as I have performed my public duty for five months, carrying my life in my hand—I will perform that duty now if my office be the sacrifice. (hear and cheers.) Let a hostile vote overwhelm the Administration, for hostile combinations I admit are looming in the distance—that vote resulting from combinations of Catholics and Conservatives, formed upon no principle but revenge, and proving nothing but that a small minority in the country, by attaching itself, for personal considerations to either side may turn the scale—from that moment I can only say to them I will be no officer of theirs. Sir, in my public career I think I have maintained something of position and character, and I make this statement broadly that gentlemen on both sides may know and understand thoroughly the posi-

tion I occupy and the line to which I intend firmly to adhere.

But, Mr. Speaker, let me survey the ground which all parties occupy, at this moment. The combination opposite may displace this Government by a majority of one or two. Are they to have the old Falkland spectacle repeated over again? Sir, they may succeed in displacing this Administration and put another in its place. Suppose this done. Such a chance combination might, however devoid of principle, succeed, but the people of Nova Scotia will overthrow them at last, and in the meantime the same exhibition will take place that occurred from 1844 to 1848. But suppose my honorable and learned friend the Attorney General is defeated by a vote or two; he cannot conduct the Government, nor is it incumbent on him to resign,—he may try the experiment of re-constructing the Cabinet, and if that fails he has another resort,—a fair and manly appeal to the constituencies of the country.

Sir, it is due to hon. gentlemen to turn their attention to another view of this question. An opposition to entitle themselves to displace a Government must shew, not only that the Cabinet do not deserve the confidence of the House—but that they (the opposition) are prepared to submit measures of general public utility and possess the ability to carry them into operation. What then, I ask, are the measures which this new Government are to bring with them into the Administration? I presume the Maine Liquor Law,—to which the leading minds in the opposition are pledged,—will be one. Sir, I have been charged with many things by Irishmen, or by those who have been misleading them of late, but whatever injury I have done to them, however, I may have run counter to their prejudices or feelings, I have never tried to stop their prog. (Laughter.) Let the learned member for Annapolis try that, and to be consistent he must, and he would soon find himself confronted by the same elements that shattered Mr. Tilly's Government in New Brunswick.

Sir, there is another measure to be introduced by the hon. and learned member for Annapolis: I allude to the Municipal Incorporation Bill—the decision of this country upon which, no man more sincerely regrets than I do, for I am now and have ever been in favor of the principle of Municipal Incorporations, altho' I do not pledge myself to all the complicated machinery of this bill. I trust that we shall yet be prepared to assume the duties which I think should devolve upon every member

of this Legislature, and deal with this question irrespective of local prejudice.

The learned and hon. member may also attempt to introduce his Elective Legislative Council Bill. It may just so happen that he may obtain a majority to sanction and sustain that constitutional change but I much doubt it.

And therefore, sir, having reviewed the various measures which, in view of the learned and hon. member's accession to office, he may be prepared to submit, I can see no necessity for a change in the administration; no great question which he is prepared to propound and carry out, of a character beneficial to the country, to which the present Government would not also yield their hearty concurrence and support.—[Interruption from the Gallery.]

I know the value of the applause or disapprobation which comes from that quarter. Honorable gentlemen of the Opposition have in past times had their share.

But to return to the question before us—I was requested to attend a meeting of the Cabinet, when certain despatches and papers were placed in my hands for perusal, by Sir Gaspard LeMarchant, in which it was suggested by certain officers and others in the United States that the British army in the Crimea might be filled up by recruits drawn from that territory. It has been said from time to time that this business of recruiting originated with me; that Mr. Howe was the man who initiated it for purposes of his own. Let me say, sir, that I never heard of the question nor conceived any such idea, until these papers were submitted to me, in which it was represented by one officer in New York that 30,000 men could be got to recruit the armies of the mother country. Her Majesty's Government desired that the experiment should be tried.

If that suggestion was to be acted upon, it followed as a matter of course that the Government should immediately communicate with the Minister at Washington, and ascertain whether or not this statement was correct. When the papers were put into my hands, what course did I recommend? I put it to any man if I did not respect his Excellency's constitutional advisers! My advice was—send a member of the Executive to Washington at once with the papers in his desk. Let communication be opened at once between your Excellency and the British Minister; and be guided altogether by the instructions now received after that communication has been made. After having given this advice, I did not wait to discuss the proposition. The soundness of that advice no man could question. In the first place no risk of interception could be run, and in

the winter letters do not pass to and fro, so rapidly; and speed and secrecy were the two great objects to be secured. Having tendered them that advice I retired from the Council, not wanting to take any part in their deliberations. An hour or two afterwards I was waited upon by an officer of the government, I am not sure whether Sir Gaspard did not do me the honor to communicate that the Council had unanimously selected me to go on this mission. Now, Sir, let me say that if there was anything unnatural or dishonorable in the course pursued by the government, or the acceptance of this mission to myself—the shame was shared by the hon. Michael Tobin, who sat at the Council Board a member of the Executive which sent me to the United States—(Hear, hear.) Of that Council, too, my late deceased friend the hon. James McLeod, a Catholic himself, and representing a Catholic constituency—formed one. Sir, the last named gentleman had been for years my nearest friend and earnest supporter. He had stood by my side in many a hard fought battle. I subsequently stood beside his death bed, as I would stand by his memory now, and maintain his uncorruptible integrity—even if every Catholic in the Country were to desert me and my party to-morrow. Then, Sir, I say that if it was disgraceful and dishonorable in me to assume the responsibility of that mission, the Catholics in Halifax and the Country ever must know that the disgrace and dishonour were shared by the hon. Michael Tobin and by my friend the hon. James McLeod. But there was neither disgrace nor dishonour in the mission.

Did I desire to go? Was it a service to be coveted? The steamer had left; there was no way of getting to the United States but by a sailing vessel, and I was compelled to leave my family and business, public and private, at a notice of but a few hours. On communicating the decision of the Council his Excellency did me the honor to say, that as an old officer in a former administration, and possessing his confidence, it was his desire and wish that I should go. I put it to you sir, and every man of spirit and independence in this House, on either side of politics, liberal or conservative, whether such a command from the representative of sovereignty should not have been obeyed. There is not one who would not have gone and done his duty in such an emergency. If, then, the act was dishonourable in its inception, I give you the names of those who were parties to the dishonour. What right, then, have these men to claim the sympathies of this Country? in whole or in part—because the commands of his

Excellency were complied with. If, when the perils of impending war threatened the security of the empire, Joseph Howe was wrong to lend his aid in recruiting its decimated armies; in God's name do not let Mr. Michal Tobin escape the obloquy. Let him who assented to the errand share the blame. (Here the hon. member was interrupted by noise in the gallery.)

The hon. the Speaker said, these interruptions will not be permitted; if they are repeated again gentleman of this House has the privilege of exercising the constitutional right. A voice—"Then you must clear the galleries."

Mr. Howe resumed. This recruiting business then did not originate with me, but with parties in the United States, who expressed anxiety to serve in the armies of England. My first duty was, on returning from Washington, to put myself in communication with them—and immediately on my arrival in New York a person, at the request of an officer in the British service, called upon me, introduced himself, and expressed his anxiety, being of British descent, to aid in the object of my mission. (The hon. gentleman was here again interrupted by expressions of disapprobation from the gallery.) The Sergeant-at-Arms was here requested to enforce silence.

Mr. Howe again resumed. All public men must take their chance of these ebullitions of feelings—often have I seen the hon. member for Annapolis similarly treated. I can only feel that what is sauce for the goose is sauce for the gander. (Laughter.)

Hon. J. W. Johnston, humourously. To which of the sexes does the honble. gentleman conceive that I belong. (Great laughter.)

Hon. Mr. Howe.—I was proceeding to say that a party claiming to be of British descent, expressed his anxiety to serve in the Crimean Army, and stated that he was prepared to bring to Nova Scotia a body of men for enlistment provided a commission were ensured him. I have no hesitation in saying that I assumed the responsibility of promising that the position he sought should be conferred, provided he complied with the condition. That individual subsequently sent 60 or 100 men to this Province. If they were deceived it was not by me or with my approbation or consent. He who sent them was not such a fool as to believe that any power could compel them to enlist unless they desired it—and my impression has always been that those men knew where they were going, and for what purpose, although of that fact I had no personal knowledge, for at the time they left Boston I was in New York.

Sir, at that time the City of New

York was in a ferment. For every Irishman in Halifax there are 20 there. They are rather excitable here sometimes. I do not wish to offend them by saying that they are susceptible of excitement even in Halifax. And to so great a height had the mercury risen that with the transactions then convulsing the old world, that great city was boiling like a pot. Was it right then for Mr Wm. Condon, under such circumstances, to send telegraphic messages to the United States, if not to the outlawed criminals of England, at least to newspapers advocating principles antagonistic to her welfare, the effect of which was to point the finger of every excitable Irishman at my head? There are two gentlemen in this city now who called at my lodgings in New York, and saw me depart for an adjoining State—merchants of a highly respectable standing—they can tell the state of feeling then existing there. If any man, animated by a desire to do me injury, had pointed that mob to my hotel door, I do not believe that my life would have been worth an hour's purchase. (Laughter.)

Sir, I discharged my duty, fulfilled my mission and returned to Nova Scotia. I could not but feel that Mr. Wm. Condon had committed a great imprudence,—but did I call the attention of Government to the conduct of its officer? Did I make any vindictive attempt to deprive him of his office, or injure him in his private fortunes? I did not. On one occasion he undertook to give me an explanation of his conduct, and I then gave him warning that the sentiments he entertained, if acted upon, would in course of time involve him in difficulty and embroil him with this country. I gave him that advice but took no further action. Matters then went on until Her Majesty's Minister at Washington was dismissed and came to this City on his way from the United States to Great Britain. A public meeting was convened for the avowed object of passing an address to Mr. Crampton. I knew nothing of the movement, having been out of town until on the morning of the day when the meeting was to take place. I took up the morning paper at the breakfast table and there saw it announced. To the requisition I saw affixed the names of my hon. friends Mr. Esso and Mr. Annand, with others, strong supporters of the Liberal party side by side with that of Mr. Henry Pryor and many of the leading conservatives in this City, I did not believe it necessary for, or incumbent on me to attend that meeting, and I would not have attended it, were it not that while sitting in the Railway Office I was called on by the late Hon.

Provincial Secretary—the present Judge Wilkins.

[The hon. gentleman was here again interrupted with hissing and coughing.]

Mr. Tobin.—I regret, Sir, that order cannot be kept, the dignity of this House must be maintained.

Mr. Archibald—Unless the audience maintain that decorous respect and quietude due to this Assembly, I shall exercise the privilege with which our Constitution invests every member of this House, and move that the galleries be cleared.

Hon. Mr. Howe resumed—I did hope that these slight ebullitions of feeling might be spared. I should be better pleased if the audience would listen to the simple detail of facts which I intend to give in narrating the progress of this transaction. [Loud laughter in the gallery]

The Hon. the Speaker—Order must be kept.

The Hon. Attorney General—It is perfectly clear from the turn which this Debate has taken that unless the rules of the House are observed it cannot go on. I have marked, when in former years, when I was Speaker of this House occasional expressions by the audience of applause or disapprobation—which were always promptly suppressed. But during the delivery of the Speech of my Hon. friend from Windsor, certain parties in the galleries have interrupted him every ten minutes. Sir, every member of this House should be permitted to exercise the first privilege of an Englishman—freedom of speech, unchallenged and unchecked—and if these interruptions are to be continued steps will be taken to secure freedom of debate.

Hon. Mr. Howe again resumed. I was about to say, sir, that the present Judge Wilkins called upon me, and at his request I attended the meeting. I went, believing that the passage of that address was a mere matter of form; but, sir, before I had been five minutes in the room I saw that there were present men, the representatives of a party in this country, who throughout the Russian War sympathised with the enemies of England; there they were, palpably and evidently desirous to defeat the object of the meeting. But there were also present a number of highly respectable Liberal and Conservative gentlemen representing the good feeling and loyalty of this country. I sat there, as I have said, with a degree of indifference—believing that the passage of the address was a mere matter of course—my mind being fixed on other scenes and transactions; when, to my surprise, up got an individual belonging to the party to whom I refer, surrounded by

his friends, and commenced a tirade against Mr. Crampton, and which if sanctioned by the rejection of that address would have been equivalent to a vote of censure on myself. I put it, then, to any hon. gentleman whether, having gone upon a mission sanctioned by the Lieut.-Governor, performed to the best of my ability the service with which I was entrusted, and having returned, nothing having been done by me of which a British subject should be ashamed—was I to sit in that meeting, and see a small part of this population, whose sentiments I well knew, pass a vote of censure upon a British Minister who had acted in concert with this Government, under instructions received from the Crown. Mr. Speaker, I would have been a craven in heart and conduct, if I had sat by and allowed that disgraceful proceeding to pass unnoticed for a single instant. What did I do? The very moment I saw the intention and object of the combination present, I rose and vindicated the course I had pursued.

But sir, let me refer to the outrage which is familiar to every man's mind as the riot at Gourlay's shanty. What had I to do with that? Mr. Speaker the meanest man in Nova Scotia had ever from me a fair hearing and a manly decision on his case, and I think I am entitled to similar treatment. If I state an untruth, I do so in the hearing of those by whom I may be contradicted. What, then, I ask, had I to do with the origin of that riot? I had been for two and a half years Chief Commissioner of Railways in this Province, and conducted the business, with the assistance of able Commissioners, to the satisfaction of this House and country. During that period the poorest Irishman in Nova Scotia, had access to me by night and day; by me their belief was never stigmatized—their rights disregarded; and there is not a man in Nova Scotia—Englishman, Irishman, Scotchman—Catholic, Episcopalian, or Dissenter—who can say that religion was ever taken into account in the progress of those works, or nationality considered. Sir, of the riots at Gourlay's shanty I knew nothing until three Magistrates had gone up the Windsor road, conducted a long investigation, returned to town and reported to the Executive. On the following morning, their reports were placed in my hands. The Magistrates who performed this duty were Mr. James Cochran, Mr. Shields and Mr. Jennings. Their report detailed outrages of a character unprecedented in this country; and with these in my hand on that morning, I was sent for to go down to the Secretary's office. The Sheriff was commanded to arrest the guilty parties. His answer was, that he

dare not go into the woods to arrest them without troops. It has been said that I sent the troops. I had as much to do with sending the soldiers as you, sir. It was on the ordinary requisition of the High Sheriff that they were commanded to accompany him. I then thought it my duty to ride up the Windsor road. For what? To aid in arresting the parties? Most certainly not.

The machinery of the law was equal to that purpose, and I was too lame to go into the woods. But the Attorney and Solicitor General were both absent from town, and Mr. McCully and myself felt, both as Railway Commissioners and supporters of the Government, bound to grant to the Executive, in this extraordinary emergency, every assistance; and we felt that, in the employment of a military force, every precaution should be taken to guard against collision and bloodshed. Partly with an eye to these precautions, and chiefly to gather for myself, from knowing more of the people upon and along the line of the road than others, the real spirit of the scene and facts of the case, I got into a waggon and rode up to the half-way house with the Hon. Mr. Wilkins. Members around the benches can scarcely comprehend the state of feeling which the bloody atrocity at Gourlay's shanty had created all along the Windsor road. That outrage, perpetrated in the face of day, by 100 men, deliberately concentrated upon a lonely dwelling, had struck terror into every shanty on the railroad, and into every dwelling on the Windsor road. Every Protestant from the Eastern Counties—every Nova Scotian, of every creed, felt that his rights of industry, his life, his limbs, the sanctity of his dwelling, were held in sufferance—that he worked by day and laid down by night, at the mercy of a ruthless band of ruffians, organized and held together by some power, and for some purpose, which they could not comprehend. Let me illustrate this state of feeling. We applied to a person, naturally a fearless man, who was building a shop at Bedford, to give us some men to act as special constables. He refused, telling Mr. Wilkins and I that he dare not, for fear that his shop would be burnt in the night. He at last only consented upon our assurance that troops were coming out, and that the law should be vindicated, and the spirit of disorder put down. We went on and accosted a Farmer, a few miles further up, a man of cool judgment and naturally fearless temperament. We asked him to let his sons turn out.—His answer was, we shall be all murdered in our beds if they do. We went on, to the nearest magistrate, who, unsupported in a scattered hamlet, was unnerved and uncertain what to do. At his house we found

three or four men from Pictou and Cape Breton, with broken heads and bruised limbs; but the family were alarmed, as the rioters had threatened the inhabitants or those who gave the beaten shelter. We went on further, and in one house lay three or four fine young men, mangled and beaten in a miserable manner. The house where they lay was regarded as unsafe, and the women who nursed them believed that they were performing the offices of humanity at the risk of their lives. Such was the state of feeling on the Windsor road, and is it to be wondered at that I felt strongly?

When the law had been vindicated in this quarter, and tranquility restored, I rode over to the Eastern line, to ascertain if some of the rioters had not escaped in that direction. At Schultz's I was met by a messenger, on his way to town, to report that the Contractor and his Clerk had been driven off the line near Elmsdale. That the horses had been driven into the woods, Englishmen and Scotchmen beaten and frightened away, and that the works were in possession of a body of Irishmen, whom there was no peace officers in the neighborhood to control.

I went to Elmsdale, saw the Contractor and found it necessary to send to the Nine Mile River for a Magistrate—to investigate the matter. What were the state of the works in that quarter all that time? Sir, you may easily judge, when I say that few men went to bed in that neighborhood without weapons by their side. This was indeed a strange spectacle in Nova Scotia, where our people are accustomed to rest with doors unlocked in perfect security. From what I had seen and heard on the Windsor Road, from what I saw and heard at Elmsdale, I became convinced that there was a determination on the part of the Irish laborers to control the works, on both roads. Wherever there were a large number of Irishmen, and a small number of Nova Scotians or Scotchmen from the east, the latter lived from day to day in a state of continual terror and alarm. A disposition was evinced on both lines to control these public works. I had seen indications of it and heard from the Contractors that such was the case. What was my plain duty? Was it to countenance or discourage such a spirit? There is not one right-minded man who hears me, that in his heart and conscience does not approve of the course which I adopted. It has been asked what had the Crampton Meeting to do with the Railway Riots. Let me give this House, the country, and you, sir, a single illustration. I rode up the Western Road with Mr. Wilkins, and met two sub-contractors, one an American, the other an Irishman. It never entered my mind for a single moment, that either of these men would refuse their assistance to bring the perpetrators

of outrage to justice; and therefore when I met them I did not hesitate to consult with them to ask their assistance and advice. Sir, I subsequently had reason to believe, that one of those parties conveyed the information to the workmen on the Railway line, that parties were in search of the perpetrators: that, acting upon that information, some of the guilty were conveyed away. That information did not extend to the whole of the line, and therefore we were enabled to arrest some of the supposed rioters. Well, sir, when I returned to Halifax, I discovered that the rioters in the woods had a party of sympathisers in the city.

(The Hon. Gentleman was again interrupted by a noise in the galleries.)

When silence was restored—He said.

Those who do not like the truth told them at this moment, did not desire that these rioters should be arrested and brought to justice. Was it strange then, that, when at the Crampton Meeting, fresh from the woods, with these feelings operating upon my mind,—I saw an organized body of men entertaining and expressing sentiments hostile to the peace, and order of the empire, that my feelings should have been aroused; and that I should have felt strongly and spoken freely upon a subject so important as the maintenance of order and the security of life and property in our common Country. Sir, from the moment I declared my determination not to abet the treasonable and criminal proceedings of these lawless violators of the Peace—from the moment that I announced my determination, not to allow the heads of peaceful inhabitants to be broken and their shanties gutted—from that moment I was selected, and marked out by a party of this town, as the object of their especial vengeance; marked for degradation, slander, vituperation, and if possible for political extinction. Sir the day may come, when Joseph Howe, for attempting to protect the homesteads and hearths of our Countrymen—for maintaining the honor of England—and attempting to recruit her wasted armies and exhausted strength shall be condemned in Nova Scotia, but I think that day is distant. (Shouts from the gallery.) Yes, Sir, I am under the impression that that day is far distant; a chance combination, may displace this Government, and elevate their opponents to power. But Mr. Speaker, I have seen many dark days and sunny ones too in this Country—days when I had not as many friends around me as at the present hour, and when my hold upon the affections and feelings of this people, was not as strong as it is at the present moment. If the clouds should lower and the storm burst I shall meet the frowns of fortune with the same energy, firmness and determination with which I have en-

countered every vicissitude in my political life.

But, sir, did Mr. Joseph Howe come forward and attack Catholics as a body—assail Irishmen as a people, or as members of a church? He did not. He went about his business, and performed his public duty, giving no heed to what had been or to what might be done. How was he met? So exulting, so daring, so perfectly reckless had these people become, that no sooner were the ends of justice defeated than they came forward and boasted of it before the whole country, coupling my name with unmistakable threats that Protestants had better be careful lest they should be served after the same fashion; for fear Irishmen should break their heads and gut their shanties. When these publications appeared, I thought it high time that some man should speak out. Keenly as I felt, and knowing the feeling which would be aroused, I could not refrain from performing what I believed to be my duty. I was aware that some combination might endanger the position I held. Sir, let me say to the hon. gentlemen around me, that when I was previously in office, with 10 children depending upon me for support, that office was nothing—my public position was nothing—but what I believed to be just and true, that, regardless of consequences, I did. What I dared then, when office was of more consequence to me than it is at present, I dare now.—Therefore, sir, it is that I say I felt it my duty to brave the faction who were exciting in this city a spirit of disaffection to the British Crown, and whose conduct I felt would in the end produce alienation and dissension between classes in this country. It has been said that I entered the lists without challenge, in a needless, hasty, reckless manner. Sir, Mr. William Condon publishes two long letters, filled with gross personalities and scurilous abuse, aimed at my reputation, as a man and as a statesman, before I put before the country the views I entertained of his conduct. At last, some friend who had been looking on at this contest sent me an extract from the *New York Citizen*, which, till recently, I had never seen. Sir, I will put upon the table of this house a file of that paper, and by its contents I will let gentlemen judge of the sentiments it professes, and the policy it pursues with respect to England. There is scarcely a page which does not teem with foul abuse of the Mother country. It is filled with treason from one end to the other; and the information was conveyed to me that Mr. Wm. Condon was at one time, if he is not now, the agent and correspondent of that paper. I had borne with Mr. Condon's vagaries till at last patience was exhausted, and I felt that I should have been a party

to the treason if I had not put the information before the country.

Let me say, sir, in the face of this Legislature,—in the presence of those who have known me both in public and private life for upwards of 30 years, that no inducement however strong,—no lure however tempting, could provoke me to persecute any man or body of men on account of religion,—and, altho', for purposes which it is not difficult to understand some parties are attempting to propogate this trash now—the time will come when the principles which have guided my public career for 30 years will be recognized and discerned by my actions of to-day. I claim equal justice for myself, I claim equal justice for every Catholic in the country. Turn to your journals—to your reports—to the pages of the public prints, and you will everywhere see my foot-prints. It may be that the pressure brought to bear upon some of my own friends may induce them to desert their ancient standard, believing that something is to be gained or achieved by going into opposition.—A word or two to these gentlemen, and but a word—I do not come here to explain or apologize—what is writ is writ, and what is said is said.

Throughout a long political life—throughout a long parliamentary career—I have been true to the friends with whom I started—to the principles which I entertained. The time may come, I say, when some of these friends may desert me and their party—some may do it willingly, but others will do it most reluctantly.—When the new administration is formed, Mr. Howe's office will be at its disposal. He will take his seat on these benches an independent member—will say that which he believes to be true and do that which he believes to be right. And sir all the combinations which can be formed will never coerce or intimidate me, confident that the heart and soul of Nova Scotia is with me in this struggle.

During the time I was in the Government, I can confidently appeal to the hon. Gentlemen in this House, and ask whether or not I ever exhibited anxiety or desire to exclude Catholics on a count of their creed from a fair share of Government patronage. Look around sir—do we not see Catholic Clergymen in most of the School Boards of the Country; Catholic Magistrates and Justices of the Peace—in all the County Commissions—and there is scarce a public department in the city where you do not find a Catholic official. My public life presents undeviating adherence to one principle—equal justice to all—and while I have ever done and will ever do justice to every man—be he Catholic, Presbyterian, Baptist, a Churchman, I have no hesitation in saying that I cannot, and will not be coerced into the suppression of sentiments which I believe

to be just, and the prostration of the conduct which good men should condemn. For 7 or 8 years I was a member of an administration in which were into catholic members; and while in the cabinet, I have many times advocated the interests and claims of Catholics—when the men who sat beside me, did not know, or did not feel as much interest in their claims as I did. This I could prove if I dared to repeat the secrets of the Executive. How then do these men presume to assert that I have assailed the religious belief or the fair political standing of this body of Christians. I should be ashamed to perpetrate such an act, but I have attacked a party of Irishmen because I believed them to be disloyal and others, because I felt that they were prepared to sacrifice to faction and to party the peace and security of this country—if, in the performance of that which I believed to be a sacred duty, the disapprobation of those whom I had no intention to offend, follows the act, I must bear the weight of this censure as best I can. Sir, the foundation of all political respect must be principle;—men who band themselves together to uphold a party looking only to the dispensation of patronage and the reward of office, without regard to principle, or the measures which they intend to carry out, cannot long enjoy the confidence of the people, and do not form such an association as I believe our constitution contemplates. A party when its principles are gone, is little better than a dead carcase from which the life and spirit have fled—I thank the House for the attention with which they have heard me, and, I might almost say that I thank the audience. (The hon. gentleman was here interrupted by hisses from the gallery.)

The Hon. the Speaker.—Mr. Sergeant-at-Arms, order must be kept in the gallery.

Hon. Mr. Howe.—Oh, sir, I quite understand the influences at work. I know well the strings that move the puppets. I have not been so long mixed up in political life as to be entirely unacquainted with the elements of which society in this city is composed. Sir, I deemed it my duty to make this frank, and I trust clear statement of my conduct and principles; and, having done so, I leave the issue to be settled by this House. If the government is sustained, as I believe it should be, I am prepared to discharge my duty. If it fall, I shall share their degradation, and expiate my share in these transactions, by going into the cold shades of opposition.

Sir, I believe this legislature could be better employed than in this faction fight. The Kilkenny cats did something—they tore each other to pieces. But when the debate is ended, and we have divided, there will be

nearly as many on the one side as the other, and all of us physically and mentally uninjured. I was once asked by an old sportsman, with whom I went fishing for salmon, after I had caught two or three, how I liked the sport; pretty well, said I, but after all, it is not half so exciting as a fortnight's debate in the Legislature, and a doubt as to the division. (Laughter.) The real difficulty is that there are certain persons who would at the present moment go any length and do anything, provided they could only get revenge upon men who have performed their public duty; and then we know there are certain other influences at work.

Let me say to the hon. member for Cumberland, that if I believed there existed, on the other side, the elements necessary for the formation of a stronger, wiser, or better administration than the present, I might be disposed to offer them no opposition and allow the experiment to be tried. But I do not believe that we should gain much by splitting this house in halves, and having the Province governed by a majority of one, as in the days of Lord Falkland. Does not every man know that the weakness of the administration from 1844 to '47 formed a serious obstacle to the advancement and improvement of the country. We may remain and debate here for a fortnight, and even then, if the gentlemen succeed, what have we gained?

I believe that the country, at this moment, requires thought, care, consideration, and work in its government; and it would not take me long to show that there are measures of great public utility, not indicated in the programme of the hon. and learned member for Annapolis, which our time would be better spent in perfecting.

I thank you again, sir, and the house, for the attention you have given to these explanations.

TUESDAY, 10th Feb. 1855.

The House opened at three o'clock, and after the presentation of Petitions, which have already been Published—on motion of Hon. Mr. Johnston, the adjourned Debate on the amendment to the address was resumed.

Hon. Mr. Wier said—I am not surprised, Mr. Speaker, that the resolution before the House has been brought by the hon. member for Annapolis. Since I have had the honor of a seat in this House, year after year has that hon. gentleman brought a similar motion of want of confidence in the Liberal Government, which created long and useless debates, wasting the time of the House, together with the people's money.—There is one peculiarity, however, which characterizes this debate as different from those which have preceded it, and it is that

the people now will have the satisfaction of paying the whole expense—whilst on former occasions part was borne by the representatives themselves. But, Sir, no man has doubted, no man doubts now, that the good of the country is the last thing supposed to be at issue in bringing up these debates.—The love of office and of power, and not the interest of the people, is the real cause. The opposition, with this hope always in view are ready to do anything to sacrifice principle and everything else to gain that desirable end. Sir, I have said I am not surprised at the resolution being brought—but, I was surprised when the hon. and learned member for Annapolis brought in his bill of indictment—that was contemptible indeed, and the charges, if charges they can be called, have already been scattered to the winds by my hon. friends and colleagues in the Government. Was the fate of the Administration to depend on these being substantiated, it would stand as firm as a rock, but the real object has been kept out of sight we know from whence strength to the opposition is expected, and, I ask if our public works—the apparent and substantial prosperity of our Province—brought into existence and made permanent by the progressive spirit of the Liberal party, are now to be handed over to those who have ever opposed many measures of progress which has had for their object the real and substantial benefit of the country.

I do not believe Sir, that such is the desire of the very great majority of the people of Nova Scotia, I do not believe Sir, that the people have withdrawn the confidence reposed in the Liberal Party in 1855, at the general election. Look at the state of the Country now, as compared with previous years—the administrative functions of the Government have been well performed.

There are no complaints on this ground, if we except the appointment of some School Commissioners, in the County of Annapolis, whose political opinions are inimical to those of the Hon. Member for Annapolis, sir, it amused me much, to hear the Hon. Member for Guysborough, charge the Reciprocity Treaty as one of the offences, which, this Government had perpetrated, sir, I do not believe there is a single Member in this House who will sustain the Hon. Gentleman, in that opinion. Why, sir, I would easily bring the statistics, to prove that the treaty has already produced a most marvellous change in this country, that it has added, many hundred thousands of dollars to the wealth of our people, and is really the great boon which the mover of the measure pronounced it to be on its passage: Sir, I ask the Hon. Member from Annapolis, what the people of his county would take

and have their intercourse with the United States, placed upon the same footing, as it was previous to the passage of that act.

Sir, I think the people may take this charge which they fully understand—as a sample of others ignobly contemptible for which this administration is arraigned.—The hon. member for Guysboro'—also stated when referring to Mr. Condon—that he ought to have been discharged by the Government long ago—and that had he been in the Government Mr. Condon should have been walked out of his office, but says he—somebody else should have walked out too—I have no doubt when the new Administration is formed, they will do wonderful things, but wise as they will doubtless be—I think they will not be able to turn any body out, before they are in.

The individual to who the hon. gentleman alludes was not in office until 11 months after the transaction alluded to took place. Now, as regards that transaction—I have seen several remarks in the newspapers mixing my name up with the Telegraphs sent on with reference to the Foreign Legion. When the Irishmen arrived here—a good deal of excitement existed, and I used my endeavours to allay it. I called with Mr. Condon on the Provincial Secretary and an examination took place in the Secretary's office of several of the men, which resulted in Mr. Creelman being sent for and they were transferred to work on the Railway.—The Telegraph or correspondence I never saw until they appeared in Mr. Condon's letter of explanation. Some remarks were made in my hearing with reference to sending a Telegraph to the *Boston Post*, predicated upon the supposition of a deception being practised on the men. This is all I knew about it at the time or since, until the matter was again brought up in the various letters that have appeared on the subject.

The administration may be overturned, but it will not be because the people have lost confidence in it, but from other influences, over which they could not possibly control or prevent, nor do I believe the great mass of the free and intelligent people of Nova Scotia, will justify them when they have the opportunity, of making their decision upon the question.

Hon. W. A. Henry said—I consider it due to the people of this Country—to this Legislature generally—and to the Hon. Members who sit around these benches, with many of whom I have been long and intimately acquainted, to announce in my place here that I am no longer a member of Her Majesty's Government. It is not my intention at present to make any lengthened observations now as to the reasons which have dictated the action I have taken, or the course which I intend to pur-

sue; but ere many days have elapsed it may become necessary that I should define my position. I may state, however, that leaving the Government the fault was not mine;—and when the time comes, if it ever should arrive when my public conduct is to be made the subject of animadversion and comment, I shall not shrink from the fullest enquiry into all my public acts. In the mean time I would ask my friends—both in and out of the House to suspend their judgment until my explanations have been submitted; I have for years conscientiously supported the Liberal party,—I have given them that support because I believe that the principles they advocated were correct,—true to the pole star of my political life whatever changes in Administrations may occur I shall continue the same unwavering supporter of those principles.

Mr. John Tobin said.—I hold in my hand a letter from Mr. William Condon addressed to myself and which came to me accompanied by a request that I would submit it to the House. This communication was written in consequence of a statement made in a Morning Chronicle which I have always looked on as the organ of the government. That it is their organ I do not think the administration will deny. The letter reads as follows:—

HALIFAX, February 9th, 1857.

SIR,

In the "Morning Chronicle" of Saturday last, I noticed the following paragraph:

"The public will not be very much surprised to hear that justice has at length overtaken Mr. William Condon, who was, yesterday, dismissed from office for repeated acts of insubordination."

This charge I declare to be unfounded, as up to the hour when I was dismissed from office, the Government had not officially called on me for explanation on any subject. I now enclose you the official letter dismissing me from office, and which was the first intimation I had received of the displeasure of the Executive of this Province.

I will feel much obliged if you will make this explanation public.

Yours truly,

WILLIAM CONDON.

John Tobin, Esq., M. P. P.

PROVINCIAL SECRETARY'S OFFICE,  
Halifax, Feb'y 6, 1857.

SIR,—

I have it in command from the Lieutenant Governor to inform you, that His Excellency has no further occasion for your services, and that you have been accordingly removed from your office as

one of the Gaugers and Proof Officers for the Port of Halifax.

I am Sir, your obed't servant,

W. A. HENRY.

Now, Sir, it becomes my duty and privilege to offer to the House the views I entertain upon the subject under discussion. The hon. and learned member for Annapolis in moving his resolution in amendment to the address remarked, that from the Complexion of the House at the close of last session, if a vote of want of confidence had been moved, the government would have been defeated. I do not entertain that opinion; I believe that in such an event the confidence of the House in the government would have been asserted by a majority. I believe that a majority desired to give them an opportunity during the recess so to shape their policy and perfect their measures that when this House again met they might submit measures generally acceptable to hon. gentlemen around these benches. The government did not understand our feelings or perhaps we did not thoroughly comprehend theirs. The Municipal Incorporation Bill has been referred to; I voted to make that Bill obligatory or the Country because I believed that the policy of that measure was wise and beneficial—the movement failed and the Country has lost the benefit of that act. I voted against the Maine Liquor Law Bill, because I was opposed to it on principle; its operation in the neighbouring Province of New Brunswick was familiar to me and I felt that if carried it would only result in diminishing the revenue while it failed in effectuating the object for which it was intended. Again, Sir, on the Educational Bill, I assisted the government up to the very last moment in their endeavors to perfect and carry through a measure which would prove of general public utility; I gave them my co-operation and support throughout in good faith—however, that Bill was lost—or rather was abandoned when every chance of carrying it was gone. So much, Sir, with respect to the acts of last session up to the close of which I had no fault to find with the government; my present course has been altogether decided by what has since transpired.

Now, Sir, the hon. member for Windsor has delivered a speech, but I do not know that he has placed himself in any better position with respect to the matters upon which he touched than that previously occupied by him. I may say Sir, that up to the period when that hon. gentleman made his speech at Temperance Hall, I never heard from that portion of the community with which I am more particularly connected, one word condemnatory of the course pursued by the hon. member for

Windsor. After his return from the mission he sat at the board of the Charitable Irish Society, and after the business was transacted and we drew around the table that hon. gentleman rose and offered some explanations with respect to his mission. He then stated that he had not influenced a single Irishman to enlist, and that he knew nothing of the men who came to this province from the United States via Windsor, and that if deception had been used it must have come from the Boston Agent. Sir, I was in the United States at the time alluded to by the hon. member for Windsor, and went there in the steamer which brought the news of the death of the Emperor of Russia—with one of the mercantile gentlemen to whom the hon. member for Windsor alluded; a gentleman who stood high in the friendship of the hon. member for Cumberland. Well, Sir, we went to New York, and taking up the New York *Herald* one morning, I ascertained that Bennett had got hold of the Enlistment question—and sent a special Reporter to 91 Chatham Street, where the recruiting was going on. I know something of this place and the proceedings which transpired there. On the 24th March 1855, Mr. John McKeon the District Attorney closed the Shipping Office, 36 Pearl Street, and Mr. Angus McDonald told the reporter of the *Herald* that he had closed the recruiting offices, in compliance with the notice of the District Attorney. Several very influential gentlemen of the city of New York enquired of me if the hon. Mr. Howe was engaged in the Enlistment business. I informed them that it was my impression that he was in the United States collecting information as to the best modes of constructing Rail Roads, he being the Chairman of the Railway board, and if he wanted men it was to work on the Rail Road; labourers being scarce with us. I did not think the hon. gentleman was engaged in the Enlistment business, and I stated what I believed at the time to be true. I do not believe the telegraph sent by Mr. Condon had the slightest influence in putting a stop to the Enlistment. The Press of the United States denounced it on the 23d March, and exposed the Agents, and the Offices were closed on the 24th; so that Mr. Condon's telegraph of the 7th April, could have had no influence whatever. I attended the trials of alleged Rail Road rioters, and I know it was the subject of remark, my reason for doing so, was to ascertain the truth, as I believed it was impossible to get it through any other channel except at the witness box. I have nothing to say about those trials, the hon. Attorney General conducted the prosecution and the hon.

and learned member for Annapolis the defence, and I leave these gentlemen to deal with it as they may see fit. I will now Sir, give my reasons for the course I intended to pursue in reference to the resolution before the House. I said that up to the Crampton Meeting, I never heard the hon. member for Windsor's mission to the United States in reference to the foreign Enlistment questioned, and I was somewhat surprised when I heard that the observations made by Mr. Cunningham were seized by the hon. member for Windsor as the ground of attack on a body of people who were in no way accountable for Mr. Cunningham's opinion, and it seemed to me somewhat singular that the hon. gentleman should have considered the opinion of one young man of more weight than the opinion of 300 or 400 members of the Irish Society drawn from all classes of the community, and affecting the opinions of the Irish and Catholic body of Halifax, besides, Mr. Cunningham is not an Irishman and he is not obliged to the hon. member Windsor for designating him as such; he is a Scotchman and never saw Ireland, hon. Mr. Howe also persist in calling Mr. Condon an Irishman, Mr. Condon is a Nova Scotian, was born in the city of Halifax; it has also been alleged that Mr. Condon disturbed the Crampton meeting, this is not correct as Mr. Condon only asked the Honourable member for Windsor who he meant after he delivered a very inflammatory speech, a speech which, his own friends said, was truly uncalled for, and out of place. I will now, Sir, with the consent of the House read the Editorial in the *Halifax Catholic* I cannot understand how the hon. gentleman could with such a letter in reply to an article so conciliatory exhorting peace and forbearance. The Editors of the *Catholic* requested the Editors of the *Chronicle* to publish the Editorial which appeared in the *Halifax Catholic*, in order that their readers might have an opportunity of judging the merits of the case at issue; this was refused on the ground that one journalist did not publish the editorial of another. If this will be taken as a sufficient apology by my hon. colleague, Mr. Annand's, constituents I am content. The *Morning Chronicle*, edited by the Editor of the *Royal Gazette*, and looked upon as the organ of the Government, took up the religious crusade entered on by the hon. member for Windsor; it was echoed and re-echoed by the *Pictou Chronicle* and *Yarmouth Tribune*—papers all edited by the subordinate officers of the Government and reflecting the opinions of the Liberal Party. The Government remained silent, and I could only draw one conclusion from

their silence, and the opinions of their party press made it evident to my mind they were ready to go with the movement. I remained entirely free to act when the proper time arrived; I made up my mind to oppose the Government, and refused all communication with its members. The day after the House met I was sent for by the Provincial Secretary.

Hon. Provincial Secretary rose and said—The message was intended for the members of the Government.

Mr. Tobin—I accept the explanation. But one hour after I refused to attend the meeting Mr. Condon was dismissed.—I have never made the dismissal or non-dismissal of any of the officers of the Government the ground of my opposition. The violation of the principles of the Liberal party is the reason why I forsake them. The Liberal party was constructed on the principle of religious liberty and equal rights—as soon as a different policy was propounded by the Leader of that party approved by the organ of the Government, and supporters, my connection ceased; had I remained with the party I should also have had to take upon me a responsibility which I would by no means assume. Hon. Mr. Howe put himself at issue with the Government, and demanded the dismissal of Mr. Condon—had I promised to support the Government, and Mr. Condon was not dismissed Mr. Howe and Mr. Annand would have gone into opposition, and the logs of their offices would follow as a matter of course, and if Mr. Condon was dismissed, I would have had to bear the responsibility of his dismissal—these responsibilities did not belong to me, and ought to have rested on the Government, and they should have dealt with them before the House met. In parting with old friends and associates I must express my sincere regret, I fully acknowledge the kindness and courtesy of every Member of the Government to me since our first acquaintance, and nothing but what I consider a sacred duty to my country would induce me to part with them.

The hon. Member from Windsor in addressing the House yesterday said to the hon. and learned Attorney General that as he had driven away from him the support by which he had hitherto been sustained, he must now endeavour to build him up; and although the opposition might be strengthened by their new Allies, they would count for something at this side of the house. I fully acknowledge the talents and abilities of the hon. Member for Windsor, and the learned leader of the Government, there is no principle to fight for, accord-

ing to the speech of the hon. Mr. Howe, but a way which he said it was impossible to put two heads into, and if this was disposed of it would be easy to form a very strong Government—this I do not believe, I believe there is a most sacred principle involved—a principle upon which the Liberal party stood, and as soon as violated by the hon. Member for Windsor the key stone was taken out of the work and the entire fabric fell to the ground. I shall henceforth be found fighting in the ranks of the opposition for this principle by the side of the hon. and learned Member for Annapolis, and although I can not boast of exalted talents, still we may count for something at this side of the house before this debate is brought to a close.

After a pause of some minutes Mr. Annand rose and said, Mr. Speaker, my hon. colleague for the Township of Halifax closed his address by preferring a charge against the Government of having connected themselves with a religious proscription of the Catholic body.

That charge I emphatically deny, both on behalf of the Administration, and in defence of the Press so unjustly assailed; and I may venture to assert that as the Liberal party never have, they never will combine for the purpose of narrowing the boundaries of civil and religious freedom. Sir, the conductors of the newspapers referred to, the *Halifax Chronicle* and the *Yarmouth Tribune*, and the *Eastern Chronicle*, would have been recreant to their principle if they had not spoken out in the manner and in the spirit which they did of the lawless and brutal outrages which had excited such a deep feeling in the country. Sir, my hon. colleague has said, that the sentiments of which he complains were published in papers conducted by Officers of the Government. I care not by whom they were published, and the only question the country will ask is—are they sound and true? And then we are told that the *Chronicle* is the “organ” of the government, and that I am the Editor. It is unnecessary that I should either admit or deny the accuracy of the statement, but this I am free to say, that I have written a good deal for that paper, and that I hope to write a good deal more. That it is the “Organ” of the Government I distinctly deny. So far as I know, the Government of this country have no organ, and I have long felt that the Administration would have occupied a much better position if they had given their confidence to some gentleman connected with the Press, to shadow forth their policy, and defend their acts. But, sir, there are other “organs” besides those to which my hon. colleague has referred—organs of religious as well as of political opinion. There

is the Catholic organ, representing the views and speaking the sentiments of those who influence and direct the movement of that body—the Organ of his Church—his own organ.

Mr. Tobin.—Are there not six organs of six religious bodies in this city, my opinion is let them take care of themselves.

Mr. Annand—But, sir, if one set of gentlemen are to be held responsible for what appears in certain papers, other gentlemen must not shrink from a similar responsibility. The article in the *Halifax Catholic*, which drew out Mr. Howe's first letter, did excuse the conduct of the railway rioters on the plea of religion, and week after week passed without a word of apology or explanation, from the leaders of that body, of the statements which had created so deep a sensation in the minds of the Protestant community. With presumptuous arrogance the Editors of the *Catholic* attempted to excuse an outrage unprecedented in the annals of the country, and to fasten a charge of persecution upon the Chief Commissioner for attempting to bring the perpetrators to justice. My hon. colleague has said that, previous to the meeting at Temperance Hall, he never heard a single individual of that portion of the community with which he is connected, find fault with Mr. Howe's recruiting mission to the United States. My impressions, Sir, are very different. There was at the time, a good deal of feeling manifested on the subject, and I could name one rather prominent member of that communion who objected to voting for me at the last general election, because my friend the hon. member for Windsor had taken so prominent a part in the enlistment affair. Far be it from me to attribute disloyalty to the whole of that body, or even to a majority of them, but that will spread dissatisfaction to the Crown and Constitution of England does exist is apparent to every one who has read the *Halifax Catholic* during the last two years. Sir, I could point to article after article which studded the pages of that journal weekly during the war with Russia breathing nothing but disaffection and disloyalty, indicating the hope and desire that ignominious defeat might attend the armies of England. Sir, let me read one extract from the *Halifax Catholic* of the 27th of December last, long after the war was over.

“The year fifty-six was ushered in amidst the clash of arms, the booming of cannons, and the dreadful conflict of European powers for victory, conquest and glory. The morning of the last new year of the political world was gloomy and terrible; and no one could have anticipated aught except the dreadful and inevitable consequences of a war which threatened to bring within its range every power on the earth. The wise policy of Austria, the prudence of Napoleon the Third, and the conviction throughout Europe

of the decline of England's power, calmed the troubled waters, and restored tranquility and peace to Europe. At this side of the Atlantic, we have had a striking illustration of the fact, that little men, under certain circumstances, have the power of causing much commotion. A recruiting expedition in the United States proved to England that the Americans will sustain their laws, and that *England must humble herself at the feet of the self sufficient and boasting Republic of know-nothings, fillibuster's common schools.* We had anticipated, as a good consequence of the Anglo-French alliance, the removal of English Protestant prejudices, and the suspension of the insulting interference of England with the religion of the great majority of civilized Europe. In this we have been disappointed.—However, we have reason to console ourselves with the results of Palmerston's political and diplomatic attempts in Spain and Italy. *Napoleon the Third is a good Catholic, and the pious Eugenie is a Spaniard; this makes us hope for the once chivalrous, and always devoted, but too often misguided Spain. The King of Naples has good friends, who will empty their treasures and spill the last drop of their blood, rather than permit the Union Jack to flutter over the magnificent Bay of Naples.* Whilst we deplore the bigotry, and are disgusted with the inconsistency, and smile at the boasting and blundering of British Statesmen, so evidently manifested during the past year, *we on the other hand have reason to glorify God, and rejoice that England is at last understood, and her power to do evil therefore circumscribed.*”

These, sir, are the loyal sentiments of that loyal and religious journal! these are the influences which operated on the minds of its editors and which actuated the party to which it belonged. Now, sir, the Government is sought to be overthrown because they removed Mr. Condon. I assert here in the face of this House and Country that he was guilty of repeated acts of insubordination. What did he do? To form a correct opinion of his conduct we must enquire a little into his antecedents. He belonged to a class who called themselves the young Ireland party, a party whose representatives may be found to a more or less extent in the United States, in Canada, in New Brunswick, and in this Province. Antagonism to England was the principle that gave them birth, and they have preached and practised nothing but disloyalty ever since. Mr. Condon, I say, was one of that party, and during the deadly struggle that raged in the Crimea, he did not even affect to conceal the desire he entertained, that the armies of England might be humbled, and her enemies triumph.—Sir, when the recruits for the Foreign Legion came here, I believe that he associated himself with those who attempted to persuade them that it would be of greater advantage that they should take five shillings a day to labor on the railroad, than one shilling and go to the Crimea. He forwarded a despatch to Boston and New York, to parties known to

be hostile to British views and interests. That despatch contained nothing treasonable, yet I believe from the bottom of my heart, that the object of that despatch was not solely to prevent Irishmen from being entrapped, but that the object and intention was to frustrate the designs of the British Government,—and I felt that the moment the Government became aware of the course he had pursued that officer should have been dismissed.

We have heard much of the Crampton meeting during this debate, and it has been said that Mr. Condon was not there to prevent the passage of the Address. I have it from undoubted authority that after the meeting was over, he was taunted for not having divided it, and his answer was—"it was no use there were too few of us present." I ask if this did not prove beyond doubt the animus of the man—if he had the power, the representative of England treated with contumely by a foreign nation, would have been insulted by her own colonial dependency.—I ask was not this of itself sufficient to have occasioned his dismissal? What occurred afterwards? A band of desperadoes attacked a peaceful dwelling, and committed an unjustifiable and disgraceful assault upon its inmates. Where did we find Mr. Condon? Openly and without concealment organizing to defeat the ends of justice, and secure the acquittal of the rioters—confronting and opposing his official superior, the Attorney General, who was conducting the prosecution on behalf of the Crown? Where else do we find him? In correspondence with expatriated rebels in New York, who in a paper, the *Citizen*, have given us the following beautiful illustration of the character of the paper itself, as well as the Editors own opinions of Mr. Condon's loyalty.

**BRAVO HALIFAX!**

It is with no ordinary feeling of pleasure we refer to a preceding page in this week's *CITIZEN*, for a report of proceedings which took place at Halifax, N. S., on the occasion of presenting Mr. Crampton with an address. Such open disaffection and liberty of speech in a British province, and such evident sympathy with America and her institutions, are truly refreshing. We cannot too much admire the spirit and pluck of one of the speakers and writers—Mr. William Condon, who, although holding a government situation, bears the old toothless British lion in the person of his cubs, Sir, Joseph Howe, who confesses he came on a skulking, kidnapping, dirty mission to the United States, in the year 1855. The exposure of his plans by a telegraphic despatch sent to the *CITIZEN*, by Mr. Condon, was mainly instrumental in defeating the schemer. Hence the ebullition of his wrath. This political apostate, like many other mountebanks who turn to patriotism as their last refuge, was swelled into factitious importance by the liberal party, which he now kicks at, he would a ladder by which he ascended to notoriety. We do not

envy him the castigation he has received, and we trust there is more in store for him.

It is true that it may be denied, as it has been that Mr. Condon should be held responsible for the sentiments of a New York journalist, but if so how comes it that they were allowed to pass, and it was only after Mr. Howe published the extract, that Mr. Condon volunteered to offer any explanation? that with the paper in his possession (for he was its agent,) he allowed his character as a loyal man to be traduced, and never, until he was threatened with dismissal, attempted to wipe away the stain!

I contend then that on three several occasions Mr. Condon deserved dismissal—for the part he took at, and immediately after, the Crampton meeting,—for the hostile position he assumed towards the Officers of the Crown when the Railway Rioters were on their trial, and when the extract from the *Citizen*, re-published in one of the City papers, removed all doubt as to the motives which influenced his conduct. I had made up my mind, said Mr. A., that if Mr. Condon was not dismissed I must have resigned my office, and I would have done the same thing if that gentleman had been my own brother. All I asked was that the same principles of Administration which deprived Mr. Geldert, Mr. Miller, and Mr. McNaughton of office, should be applied to Mr. Condon, and that Catholics as well as Methodists, Episcopalians and Presbyterians, should be subjected to the same discipline and the same punishment when guilty of insubordination.

Sir, I do not envy the hon. and learned Member for Annapolis; he may succeed in carrying his motion, but it will be by the sacrifice of principle. The alliance—the unholy alliance, as it has been termed, may be consummated, and with it the degradation of the Conservative party, who will be the slave of the section to whom they are indebted for their elevation. The hon. member must pay the price of their adhesion, and upon this point there can be no mistake. The Editors of the *Halifax Catholic*, in their last issue, charge the Administration with overlooking the claims of the Catholic body, and then they point to the hon. Member for Annapolis, who they have dubbed their leader, as the man who will do them justice. The hon. and learned member for Sydney (Mr. McKeagney) re-echoed the sentiment in his speech of last evening, and the style of his addresses to the House, ever since he entered it, has been of the same character. Sir, the Government may have overlooked the claims of the Catholics, but the impression throughout the country is very different, and the complaint is, not that they have

received too little, but that they have got too much from the Liberal Administration

Mr. Churchill said. Mr. Speaker, I rise, Sir, not so much for the purpose of attacking the present Government, as to give the alarm to those who support it. There is a report of a ship being on shore to the Westward, and which is causing much excitement inasmuch as her cargo is of great value.

But, sir, allow me to say that there is another ship in a dangerous position on a lee shore, and being driven fast to leeward. In vain effort is being made to save her, and she will assuredly be wrecked; altho' no lives will be lost. Now, sir, my advice to those on board is that they make for the shore with all possible speed. I remember of hearing a story of Colonel Crane who was one day crossing over from Parsboro to Windsor, when the packet upset; upon which the old Colonel advised the crew and passengers to swim for the shore. "Swim boys, swim, for if you are drowned in this place every one will laugh about you; see one has already jumped overboard, and you had all better do the same and get to land."

On coming to the house as a new member, one has strange feelings which are not easily described; and on my arrival here last year I found that I had been previously measured, weighed, cut and carved. I was immediately jostled through the lobbies by the Sergeant-at-Arms, but soon concluded I was not the man to suit their purposes. It reminded me of the green Yankee at Washington who went around that place selling chickens, when one day he was told by some such mischievous persons as we have around these benches that a certain large building was the market house, and the place for his business; they then instructed him to go inside where he would see a person, who was the principal one engaged in the business, and who would not like to have any other person interfere with him; but for him not to mind, as he would get a good price for his chickens. So, in goes the yankee, shaking his two large strings of fine chickens as he went, while they made a great noise, and their feathers were flying everywhere over the house. The speaker immediately ordered the sergeant-at-arms to put out the person. "Ah," says the yankee, "I know you to have chickens to sell, but I don't care for that." So a squabble then began, but the yankee being too much for his opponent, there was no alternative for them but to purchase the chickens, and so get rid of him as soon as possible. After coming out the yankee was asked how he had managed. "Ah," says he, "It's the

worst place that I have ever been in to sell chickens."

But, Sir, there is one matter that I have against the Government. Last winter I requested the learned Attorney General and leader of the Government to recommend to his Excellency the appointment of two magistrates for Hantsport, as that place contained nearly a thousand inhabitants and that no magistrate lived nearer than a distance of 5 to 7 miles. I wished him as a favour to consider the matter. The learned Attorney General promised me that he would do so, and required me to give him their names, which I did in writing, such names being William and George, upon which he remarked that one of them was a very pretty name, and deserved some notice. I then took it for granted that something would be done, but I heard nothing more of the matter until the Attorney General came up to Hantsport in the summer, when I made sure that we would be thought of; but nothing was done, and I despaired of ever having a magistrate at Hantsport. When, however, the Hon. Joseph Howe was elected as member for Windsor, I felt certain that through him these appointments would be made.

And now, Sir, this brings me to another matter which I took notice of last winter, when the Liquor Bill was before this house. I was elated and pleased at the able manner in which the Attorney General supported that Bill, and of the way he spoke of its merits. He said that it was an important Bill—one of great magnitude. He spoke well for a time, and seemed to be influenced in a proper manner. But, Sir, all at once the learned gentleman took a cant, and deonstrated directly against the Bill. I thought it very strange. He also told us that the opposition could never enjoy any portion of the public Revenue unless the Government thought proper to allow them, or words to that effect.

Now, Mr. Speaker, there is one thing due from me to my friend, the hon. member for Windsor, and which is in reference to this Foreign Legion. We happened to have a vessel commanded by Capt. King, leaving on a voyage to Boston, and one day—about the time she was expected to return, it was reported that the *George Washington* was coming in. I went down, and saw a vessel which I thought I knew, but could not imagine why her decks were covered with men; when, however, she came closer to the wharf, they all gave "three cheers for Sebastopol," and we on shore returned it. Now, Sir, having knowledge of this, I thought it would be unfair to withhold it from the hon. gentleman.

When Napoleon Bonaparte, with his four hundred thousand men (the pride of France, and the glory of the world), marched into Moscow, he never imagined that the Russians would burn and destroy that city, and as such an occurrence never entered his mind, he was wofully disappointed;—so, in proportion, do I think the learned member is disappointed, for he never imagined that the step he has taken would be the means of thus overthrowing this Government.

Mr. McLellan said—Mr. Speaker, the Bill of Indictment preferred against us by the hon. and learned gentleman from Annapolis has two phases; the one expressed, the other understood. Of the latter and most important, I would only observe, that whatever might be said of Catholics generally, one could not easily forget that there had been among them a Father Mathew, and that the members of that body had most nobly assisted in establishing a constitution worthy of the country in which we live. My attention, when a boy, was drawn to the Act which forbid the giving to a Catholic priest, even a night's lodging, under pains and penalties; and to the state of feeling then existing in the old country, where neighbours' families I grew up entertaining a deadly hatred towards one another, the very children imbibing the poison apparently with their mother's milk; and all for no other reason than because they worshipped their Maker in different ways; and, sir, I have formed such a dislike to religious wars, (so called,) but in fact are the devil's wars, that I shall avoid entering into one as long as I can help it.

The introducer of the amendment has shown so much taste that one would have thought that he was full of such disclosures as would overwhelm the Government by showing up some jobbing, some shameful dereliction of duty during the recess. But, no; not even that gentleman's eagerness to detect, and his known good will to expose, could find anything wrong until he was obliged to go back to the Liquor and School Bills. A greater compliment could not well be paid to any Government.

If there was no other business but Temperance I would certainly take the hon. and learned member from Annapolis as leader. The Government has it is true, gone pretty near the mark on the Liquor Bill; but they have kept within the constitution, and did only that which might have been expected. And as to the School Bill, I think it is the last thing which the Conservatives should mention. They were invited to assist, and were told that without that it could not be carried. But the chance of tripping up the heels of the Liberals could not be allowed to pass even at the expense of the poor innocent children of this country. Did the hon. mover or any conservative expect a single vote on account of the course the government have pursued in relation to these two Bills? No, it was a make believe, a sham.

The hon. and learned gentleman from Cumberland gives a slap all round. The Reporters do not report correctly. Editors have inserted communications against the Corporation Act, making erroneous impressions, that if once adopted it could not be got rid of, and would increase the expense;—that the government had not only burked the Bill, but that they had introduced a bad principle in asking the people's consent and opinion in a matter that purely concerned themselves, as was done by adding the optional clause, and that thereby this country had sustained a great loss. He tells us that editors should not shew fair play, and allow both sides to be heard. As straws shew which way the wind blows, so does the opinion of a man even on small matters shew the natural bent of his mind. These communications he said had created erroneous impressions. It is true there is one certain way of a man getting rid of a Corporation—to drown himself; but I would like to hear the hon. gentleman explain how a host is required to work the Corporation, nearly as numerous as a the locusts in Egypt, and yet the expense not increased. The Liberals say that he defeated the Bill, and Mr. Tupper explained that he had said that it was the office-holders who had done so, as it was their interest.

The hon. and learned gentleman has told us that the government had burked the Bill, and it was their influence that had defeated it; therefore the influence must extend through the Liberals, if at all. In the district in which I reside, four per cent. of the votes were for the measure; in the adjoining district, in Cumberland, a Conservative County, only one was found to vote for it, and that was said to be a mistake. I believe I have seen all the communications alluded to, and their fault is, that they do not tell us of half the evils of the Bill. And I will say that if the Government did not burk that Bill, and the country have lost that which is such a valuable measure in the opinion of the hon. member for Cumberland, long may they continue to do so, and may the country meet with such losses.

The hon. gentleman told us when a Liberal wanted office all he had to do was to show disaffection. He ought to have shared the feelings of his new friend from Sydney, and not to have been one of Job's comforters by telling him in unmistakable language that he had acted most foolishly; if he had not hastily deserted his old friends, but had exercised some patience, he would have got that which his heart desired.

The hon. gentleman told us of a member who in consequence of ill-treatment to his relative voted with the Opposition, but had since accepted a seat in the Government; and he then told us of an English Premier being asked why a certain man was in his Cabinet, and the answer was, "Because I want to have a fool there, that I may get the information of what fools say of my Government." When the hon. gentleman was reading English history, it is a pity he did not

read a little further on and see what a British Statesman says of a member of the House of Commons, who coolly, and without provocation, grossly insults an inoffensive member who is not in the habit of speaking, and who is consequently, unable to defend himself. If he had but done that the feelings of the members of this House would have been spared on Saturday last.

The hon. and learned gentleman from Sydney has laid it down as a rule that when a man asserts that which he does not know to be true, he asserts a falsehood, even if such assertions are true. There is another rule:—A man may repeat the exact words of another and say that which is false by withholding a part, giving it thereby quite a different meaning from that intended; for instance I stated last winter on these floors that when I was first told that the member for Sydney was insisting upon having the Chair, I said at once, give it to him; but remembering the hue-and-cry that the Conservatives had lately raised about Catholic ascendancy, I felt that the people's feelings had been aroused—the alarm had been given, no matter how unjustly; yet there was something due to those feelings, and I did feel that no Catholic who was a friend to the Liberal party or to the peace of the country, could wish under the circumstances, to be himself or to see a Catholic at the head of this House, especially while there was one at the head of the other branch of the Legislature. Not that a Catholic should not be speaker of this House at all, but that because they had then a fair share, and to give them more, especially then would be unwise and improper.

In a subsequent speech, the hon. member for Sydney was made to say, that the only reason why the speakership was not given to him was, because he was a Catholic, and he construed it into religious proscription; and the hon. gentleman, I am told, on his way home was presented with an address, sympathising with him for the ill treatment he had received.

I had noticed at the time the hon. gentleman was making his speech, that he was putting my views in a wrong light; but I felt that it mattered little, as it was so well understood, and as I had represented Londonderry so long—the present member for that Township is frequently made as it seems he is in this case to fatter my children. So much for the past.

As to the hon and learned gentleman for Sydney's present budget of grievances,—they remind me of an old woman I have heard of who was as fine agreeable old soul as ever lived, if you only gave her what she wanted; but without that there was no living with her—everything in the house was wrong and must be upset, even that which she had assisted at much trouble and pains herself to put in order must be undone; and it was no use to try to reason the matter—that money was scarce, the horse had lost a shoe, the waggon broke, or that anything else was out of order, nothing would satisfy

her but what she had set her mind upon, and the best way was found to be just to leave her alone.

Now the hon. gen. gentleman from Sydney acts very much like this old woman;—all was right with him when he had office; but without office all was wrong—he desires to upset everything, even the work of his own hands. I therefore think the treatment offered to the old woman would be beneficial to him, and that our best course is to leave him alone in his glory without wasting reason upon him.

WEDNESDAY, February 11, 1857.

Mr. Wilkins said—It was not my intention, Mr. Speaker, to have occupied the attention of the house during this debate, as my opposition to the present administration since I entered the house in 1851 has been steady and persevering, and I have on many occasions found it necessary to express my opinions adversely to measures introduced by them, and to the policy they have adopted. I could refer to the published debates to shew that my opinions have been invariably hostile to the condemnatory of the administration, and therefore I would not have trespassed on the time and attention of the house, had it not been for some remarks which fell from the hon. member for Windsor. I was in hopes that that gentleman, considering the unhappy dilemma in which he has involved himself and the government by his extreme imprudence, would have had the wisdom to imitate the example of Iago, and sealed his lips on the present occasion.

He has, however, adopted a different line of conduct, and introduced subjects which I feel incumbent on me to notice. I do not intend to travel over the acts of the administration, as my opinions on that head are recorded, and I dislike repetition. The hon. gentleman has told us, among other strange things, that before the opposition has a right to call on the administration to resign, it is incumbent on them to show not only that the acts of the government have been characterized by injustice and incompetency, but that we are bound to disclose all the beneficial measures we intend to introduce. Where he picked up that extraordinary doctrine, I am at a loss to conceive, having never had the fortune to hear it propounded before, nor to find it in any work on political philosophy with which I am acquainted. To that strange doctrine I cannot subscribe, and to illustrate its illuiveness, I will suppose Responsible Government to be a very splendid edifice erected in the colder region of the temperate zone—richly furnished with every imaginable luxury, and fitted up with every comfort and convenience and intended for the accommodation in all its apartments for those successful and happy few to whose keeping the inhabitants of that region have for the time been entrusted. Those not permitted to enter its doors, must content themselves with shivering on the outside of this splendid habitation, the luxuries and enjoyments it affords

being intended only for the use and pleasure of its happy occupants. Now, sir, the occupation and enjoyment of this delighted abode depend solely on the will of its owners, the people and the majority of their servants and representatives—the people are the landlords, and when the inmates are found in a minority, it becomes the privilege of the majority on the outside to demand possession. After this demand has been made, and notice to quit has been served, if the inmates for a moment overhold, they are trespassers and wrong-doers. Shall those trespassers then be permitted to say to their lawful landlords, who claim the possession as a pure matter of right, we will not admit you till you tell us what you intend to do when you get in—what you are going to do with the wines in the cellar, what company you intend to entertain—how you will take care of the furniture,—and how you intend to conduct yourselves. Again, suppose my horse is stolen, and I overtake the thief in possession, have I not a right to demand the restitution of my own property without condition or qualification? Has the thief a right to say—“I know the horse is yours, but I will not restore him to you until you tell me what you are going to do with him—I am afraid you will ride him too hard—you shall not have him till you promise to use him well, and give him so many gallons of oats per day.” (Laughter.) These simple illustrations clearly shew how untenable the position is that has been so strangely assumed by the hon. member.—A majority of this house, representing the people of Nova Scotia, are demanding of the administration a restitution of that power which indefensibly belongs to them.

The hon. member has, I think somewhat imprudently referred to his unfortunate mission to the United States. I do not think that subject should have been introduced, and I would not touch it, were it not that matters of grave and serious objection arise out of his disclosure, and are made to bear on this discussion. I understood the hon. member to say, that the British Government having sent out certain dispatches, relating to the enlistment of men in the States to serve in the army, the Governor had submitted those documents to the Executive Council while Mr. Tobin was at the board, and that he and his colleagues had sent the hon. gentleman to the States, after he had advised them to send one of their own body. Now, Sir, I have heard quite a different version of this affair, and one which seems much more consistent with the reality, and I will thank the hon. member to explain the matter and correct my statement if it is erroneous. The dispatches were forwarded to Sir Gaspard Le Marchant not in his official capacity as Governor of Nova Scotia, and they were not submitted by him to his council for any action on their part, as they had no manner of connection with the administration of the affairs of Nova Scotia. His Excellency, and not the Council, selected the hon. member for the mission, and the only reference made to the

council was leave of absence from the Province of their officer, the Chief Commissioner of Railroads.

But I ask the house, if the Executive Council, by permitting the hon. gentleman to visit the United States on a recruiting Expedition have not furnished matter of serious charge against themselves. The hon. gentleman receives from the funds of the Province a handsome salary for discharging the duties of a most important trust, involving the outlay of a vast sum of money and the highest responsibility, and which duties must of necessity require his undivided attention. It appears to me sir, that it was exceedingly improper in the Executive Council to withdraw from his office a functionary charged with such heavy responsibilities, and to send the Chief Commissioner of Railroad, on a recruiting expedition to the United States, which he must not only vacate his office but the valuable services of that important officer be lost to the country, but his life—so inestimably precious to the people of Nova Scotia—be exposed, as he assured us, to the ruthless violence of that outrageous mob of cannibal Irishmen, who according to his graphic account, have taken possession of the city of New York. If the hon. gentleman could absent himself without detriment to the public service it proves that his office must be a sinecure, and he is overpaid for services which he does not perform.

The next subject to which I shall turn the attention of the House is the character and conduct of Mr. Condon. I shall not attempt to mince matters by assuming him to be guilty of disaffection. I assume what I am bound to assume as a man and as a lawyer,—investigating the evidence that Mr. Condon was a perfectly innocent man; and I shall state the reasons upon which I found this belief. Some time in the year 1856 sixty Irishmen landed at Windsor, found their way to Halifax, and made application for employment on the Railway. I am now dealing with facts and evidence. I shall not indulge in suspicions, nor draw any unjust or unfair inferences, but treat the subject with impartiality. When they reached this city, being in a state of absolute destitution, they applied to the Irish Society for relief, stating that they had been kidnapped in the United States and were informed that they were required to be employed on the Railway; and they stated that they had never been enlisted or promised to enlist for service in the Crimea. These were the statements made by those immigrants I ask, then, if it was not incumbent on the hon. member for Windsor to shew—first that these men had actually come to this Province for enlistment, and secondly that Mr. Condon knew that fact. When those two primary facts have been ascertained and proved, it will then be quite a time to inquire into the conduct of Mr. Condon, to ascertain how far he overstepped the bounds of his duty, as a servant of the Government, to prevent men from

enlisting. As is it possible, will any hon. gentleman tell me, that these sixty men could not have been employed to serve in the British Army and the government not know it?—Would not the first act of an agent have been to communicate the fact to Government and State?—"I have in accordance with your instructions forwarded sixty men for enlistment in the British Service."—Has anything of the kind been done?

(Hon. Mr. Howe.—The moment Mr. Grant telegraphed to me, I telegraphed to the government announcing that these sixty men had been sent.)

Hon. M. I. Wilkins—I have not heard the gentleman declare that these men were enlisted; but even if so, it does not alter the case at all unless a knowledge of the fact is brought home to Mr. Condon. I assert that he did not know that these men came here for enlistment, and as it is a well known rule that the *onus probandi* rests upon the party who maintains the affirmative of the issue, it is for the hon member for Windsor to show that Mr. Condon was cognizant of the fact. Sir, if His Excellency had known that they had come here for enlistment, he would have dressed them in uniform and sent them to the Crimea. But how stands Mr. Condon? He sends his countrymen here in a strange country, destitute and in distress. As Irishmen, they claimed his sympathy and assistance, and as an Irishman he gave it, and when these men told him they had been seduced under false pretences to come here, was he not, in the absence of evidence to the contrary bound to believe them? Suppose he did believe them, what was his duty as a man, as a Christian, as a Nova Scotian—nay, even as a servant of the Government? Was it not to use every exertion in his power to prevent a repetition of the wrong that had been done? Was he not, more particularly in the capacity to which I have last alluded, under an obligation to prevent this country from being inundated by paupers, by men who came here in *forma pauperis*, and compelled to throw themselves upon the Charitable Irish Society for support? What did Mr. Condon do? As President of that Society he simply telegraphed to a public journal in the United States in words, as follows:

Halifax, 7th April 1855.

Sixty Irishmen entrapped in Boston, as Railway Laborers, sent here for the "Foreign Legion." Publish and circulate his.

W. CONDON,  
President C. I. S.

Mr. Wilkins having read the despatch sent by Mr. Condon to the United States, continued as follows:—

It was not to be wondered at that men would prefer digging in the railway trenches at five shillings a day to fighting in the trenches before Sebastopol at one shilling a day. The natural interpretation to be given to the telegraph is, some wily Russian Envoy,

some enemy of England, is basely engaged in sending men into the Colonies under false pretence.

I am not very well read, sir, in the history of these transactions, but if my memory serve me, a letter written by the hon. member for Windsor called public attention to the conduct of Mr. Condon on January the 15th, and it is quite evident from the tone of that letter, that the part he had taken in these transactions was known to the government long before. If then the government had reason to find fault with Mr. Condon on the 15th January, for pretended disaffection, was it not their duty at once to have investigated his conduct, but at all events from that time till the House met, and a vote of want of confidence was moved, no steps were taken to try, condemn, or punish him? And then, sir, how was he treated? This government being on its trial for various offences against the public weal, should surely have been careful that their subsequent action was not open to cavil or complaint. Is it right or just that an administration having appointed an officer should have dismissed him without enquiry into his conduct, or the grounds of the complaint preferred against him? Is there any department of public business where such a doctrine is acted upon.

The conduct of the government reminds me of an old judge, who in punishing a magistrate for convicting a man without summons or investigating the complaint against him, made this quaint remark:—"You need not have gone to any profane law book to have learnt your duty, but might have referred to that most ancient of all law books—the bible—for instruction; for that book tells you that the first man ever judged had a hearing before he was condemned, for the Almighty said unto Adam—Where art thou? And it was not until the naked, trembling sinner had been called on for his defence and pleaded guilty that he was ejected from the garden." Sir, to convict without trial is a violation of the very first principles of natural justice. Had it not been for an admission of the hon. member for Halifax, (Mr. Annand) I would not have been able even to form a conjecture as to the cause of this strange conduct. That hon. gentleman's prudence, was not, however, proof against his passion. He tells us that the administration had so little power and authority, where sunk to such a depth of incapability and imbecility, that they were compelled, at the instance of the hon member for Windsor and others, to sacrifice Mr. Condon on the altar of their malice. *Hear, (hear.)*

Mr. Annand—I said nothing of the kind.

Mr. M. I. Wilkins—I will tell him directly, what he did say. He said that he would

have gone into opposition had not Mr. Condon been dismissed.

Mr. Annand—No.

Mr. Wilkins—Sir, I have looked into the history of England—a country for which I have the highest regard, and for whose institutions I entertain the most profound respect, to find some example for so strange a procedure. I have found one, and one only which is booked, and admitted to be, where ever English laws prevail and are administered, an everlasting and eternal blot on its judicial annals. I allude to the case of Admiral Byng, who was charged with disaffection and cowardice; he was tried, and in that respect the case differs from the present. Admiral Byng was dismissed not from office but from this world; and if his punishment exceeds that of Mr. Condon in immensity, it also exceeds it in the chance afforded him in making good his defence. He was tried for the 12th Article of war for not taking his ship into action. He made out a defence which should have procured his acquittal but the Ministry of the day, like ours, were in difficulty—a sacrifice was required, and, therefore, that Admiral was put to death that a sinking, dying administration might be saved.—A sacrifice was required here: a sinking, tottering administration hastening to their fall, required the immolation of some victim, and Mr. Condon was at hand.

Sir, before I leave this subject I desire to make an observation or two respecting the attacks made by the hon. member for Windsor on a paper called the Catholic. It filled me with astonishment to find that hon. gentleman, who was once one of the ablest editors in this Province, and who, while in that capacity, exerted his uttermost influence to sustain the boasted freedom of the press, indulge in the utmost licence. I say, it filled me with astonishment to find him preferring wholesale charges against a religious body, because a newspaper edited by a member of that body inveighed in somewhat strong language against the Russian war.

Mr. Tobin—The *Catholic* Newspaper never did condemn the Russian war.

Mr. Wilkins—Don't be afraid. (Laughter.) It has been said that articles had been put forth in that journal instigated by disloyalty. Now, sir, I was myself doubtful at the outset of the prudence and propriety of that war. It is easy for a man to purchase a set of types, and covered by the doctrine of the glorious liberty of the Press, to publish all and every thing he pleases. Who told Russia the feebleness of England? Who proclaimed to all the world the incompetency of her Generals and Statesmen?—the maladministration of her public affairs in relation to the conduct of that war? The boasted free press of England. But, sir, suppose I should have the hardihood to maintain the

opinion that it was wicked on the part of Christian England to enter into an alliance with a country which but a few short years ago was infidel; which had abolished religion, expelled and decapitated its priests, and shut up its churches. Suppose that, influenced by morbid religious sensibilities, I had conceived it impious to assist an infidel to crush a Christian country, in order that a Mahomet or Dynasty might be sustained would there be any thing unlawful in denouncing that which I believe to be improper and unjust in expressing the hope that the flag which I believe to be desecrated in such a war should be lowered in defeat. The hon. member for Windsor will recollect the famous invasion of Denmark. The ministry had received information that the Danes had agreed to put their fleet at the disposal of France, to assail the maritime ascendancy of England. An expedition was planned, a friendly country was invaded, and the Danish fleet was seized by force of arms. How many people in England on that occasion felt humbled and humiliated by the supposed injustice of that act. The British Press teemed with denunciations of it; and many a prayer was put up that the flag so desecrated might be humbled. It turned out many years afterwards that the British Ministry had at the time received information that justified the proceeding, but which they were not then in a position to reveal.

Again, Sir, suppose a paper in this Province, the organ of the great Liberal Protestants, had, during the Canadian rebellion, published to the world articles in support of the principles of the leaders of the outbreak. Would it have been just to have charged the whole Liberal Party with disloyalty, to denounce them as disaffected, and to exclude them from every office in the country under government? No man would support such a doctrine. If then, under these circumstances, the great Liberal party—who, of course, are the most loyal people in the world—are not obnoxious to the charge of disloyalty, how can it be laid at the door of the Catholic body in this city for anything that may have been printed and published by a member of that communion?

Now, Sir, having disposed of Mr. Condon and the charges against the Catholic newspaper, let me refer to a matter of equal if not of greater importance. Let me ask if the Administration have not reason to complain of another public servant who has abused their confidence and damaged their position?

I allude to the hon. member for Windsor, and in dealing with this branch of the subject, I shall, as the hon. member himself often expresses himself, speak in all frankness. I affirm that he has committed a crime against the present administration of a dye infinitely deeper than that preferred against

Mr. Condon: Sir who are the present administration? Of what are they composed, and how are they supported? We who live in the country have witnessed the conception, the birth, the early infancy, the childhood, the "vigorous manhood," the old age, the sickness and death of the Liberal party. It was discovered some years since, by persons who thought themselves wiser in their day and generation than their fellows, that the men then in power were a pack of knaves, that the public affairs were maladministered, that the government officers were too highly paid, that family compact and official factions existed, and that the poor people were eaten up by pampered officials. We were told that the days of progress had arrived, that retrenchment and economy were necessary, that old obstructives were to be put down, and a new party created, who having the privilege of christening themselves by any name they pleased, chose a euphonious one, and called themselves THE GREAT LIBERALS. A Roman Catholic alliance was sought for, and that body were cautioned to put no confidence in the party then in power. It was asserted that they were dangerous men, given to cupidity and the love of filthy lucre, that the new party would redress all existing grievances, and scatter the blessings of peace, plenty, and prosperity over the land,—that civil and religious liberty was every where to prevail, and the Roman Catholic, confiding in the promised blessing, the delicious fruits which this modern Eden was to produce, gave in their adhesion, and the Great Liberal party assumed the reins of power. How have they discharged all these obligations? How have they fulfilled all these promises? The Roman Catholics little knew what a revolution in the English Language had occurred—how Johnson's dictionary had been perverted. They were not aware that liberality meant selfishness, cupidity, lust of gold; that the terms retrenchment and economy meant "throw away money as fast as you can." These confiding people believed that all the words made use of by the great liberals meant just what Johnson defined them to be. But, however much deceived, they were faithful and true; they performed and fulfilled all their obligations with a fidelity worthy of a better cause. They were blind enough not to see that while they were doing all the work the great liberals were receiving all the pay; for at this very moment, all the salaries of all the Roman Catholic officials in this Province do not amount in the aggregate to one-third of the sum drawn from the treasury during the past year by our great liberal Protestant officials.—Take the case of Mr. Doyle. He was a member of the party and deserved something at their hands. What did he get? His services were

not requited as they should have been; he never deserted his party, and we well know the value of the Catholics to the liberal party, for in the conflicts we have often felt the weight of their strong arms and the thrust of their swords. I say we always felt their strength for when they charged we knew that the Enniskillens were upon us.—(Hear and a laugh.)

The hon. member for Windsor, receiving a salary under the present administration, should have supported it; but for some reasons, best known to himself, which I confess I have never had penetration enough to discover, he in the month of December thought proper to make a most outrageous assault on these supporters of the government, who were the very bone and sinew of the party,—an attack fiercely levelled at the strongest, the best and most faithful allies of which that liberal party could boast. The hon. member says that he has not attacked the whole but a part of those supporters. I have read his letter containing that attack, and shall do him no injustice in commenting upon them, let the letters speak for themselves, and I will leave this Province to decide between him and me,—between his statements and the position I intend to assume. Sir, I assert as a first proposition that in his first letter he charged the Railway riots upon the whole Catholic body as the fruits of their intolerance; and secondly, that in his letters he endeavoured to create a prejudice against that body, and to array and combine the whole Protestant population of Nova Scotia against them for their injury and destruction. And, sir, I shall prove these propositions without the slightest fear of contradiction. A number of men, employed on the railway being offended, and others, got up a row,—no doubt there was plenty of rum at hand to stimulate the passions,—and under the influence of these passions they committed a riot of a very aggravated character. Why this riot should have to be attributed the whole denomination of Christians to which the rioters belonged, I am at a loss to understand. This is not the first riot that has occurred in Nova Scotia, the hon. Attorney General saw one at Cheticamp, and I have seen them at Pictou, of which, however, I shall say but little, as I do not wish to stir up feelings of which have long since subsided.

I have under my hand the letters of the hon. member for Windsor, from which I shall make a few extracts to establish the propositions I have undertaken to prove. Listen, Sir, to these extracts from his letter of the 27th Dec. last:

"Who can doubt, now, with this avowal before him that this diabolical outrage was deliberately planned, that it was perpetrated

in the name of religion—that it was a Catholic foray in the heart of a protestant country—that something worse than bad men was at the bottom of it, and nothing worse or better than that infernal spirit of religious intolerance and persecution which has borne its bitter fruits wherever it has appeared.”

In the same letter he numbers the Catholics and Protestants of Halifax, and adds:

“The right to discuss theology, and to laugh at what they cannot believe, will not be very tamely surrendered by the 25,000, or I am mistaken.”

Then he actually threatens that his 25,000 Protestants shall break the heads and gut the houses of the 13,000 Catholics, as follows:

“If heads are to be broken, and houses gutted about religion, the mercurial gentlemen, who pretend to be over sensitive, will find that bad lessons are soon learnt.”

If, Sir, an outrage was perpetrated by a few miscreants on the railroad, what right has the hon. member to charge it on the whole denomination to which they belong, and to impute to those who are daily inculcating lessons of peace a participation in murder and bloodshed? The right to laugh at the ceremonies of religion, claimed by the hon. gentleman, he surely possesses; but it were wiser to abstain from its exercise, as men are sometimes made to laugh, according to a common expression, on the wrong side of the mouth. (*Laughter.*) Now, sir, the hon. gentleman admits that before writing his extraordinary letters “the consequences of this plain speaking he duly weighed and measured;” and then he claims for himself a new privilege, that of scoffing—

“When he comes, says he, to propagate his religion by the bludgeon—when the liberty to criticise and scoff, which he claims and exercises, he attempts to deny to the Protestant population, my path is plain and I tread it utterly regardless of consequences.”

This great Protestant right to scoff our neighbours and their religion is peculiar I presume to the great liberals. As for the conservatives, they lay no claim to such a privilege, and are perfectly content to live without it. I verily believe sir, that the hon. gentleman, when he indited those letters, was as ignorant as he was regardless of the consequences, or he surely would never have penned them; and I regret that he now seeks to justify that which really admits of no justification. His letters were calculated, and I believe designed to stir up in this peaceful Province a spirit of religious persecution—that demon spirit which every Christian must from his very soul detest and abhor.

I shall now, sir, cite a few passages, to show that the hon. member attempted to form a combination or confederacy of the Protestants against the Catholic subjects

of the Queen in this Colony. His letter of January 6 has the following passages:

“In the first place loyal subjects of all origins and races, united and erect, confront the foreign faction, that in their midst, from the commencement to the end of the Russian War, sympathized with the enemies of their country, and who, through their organ, at the close of 1856, had the audacity, in the heart of this British community, to thank God publicly for the humiliation of England.”

“These foreign sympathisers laboring in our midst, stand now unmasked before the community, whose nationality they would undermine, whose flag they would abuse, whose feelings they have outraged. All the elements of society, aroused to consciousness of what they are about, have united to oppose them. Personal differences and animosities, party ties and predilections, the rivalries of public men have all sunk into insignificance in presence of the overmastering determination of the people to vindicate the great principles which lie at the foundation of our organization as a British community.”

“The citizens of Halifax and the people of Nova Scotia, so far as they have gathered any knowledge of the sentiments promulgated, have formed but one opinion and that is, regardless of all other questions or considerations, to unite for the preservation of all that this foreign faction hate, but which Nova Scotians and British subjects everywhere cherish and hold dear.”

“But the mass of the people who are sound at heart, fearless, and outspoken, have made up their minds to confront this faction, &c.”

He will be able to explain whom he intended by that “foreign faction.” Can any man doubt that it includes the whole Roman Catholic body in Nova Scotia?—If such be not the case, let him point to any passage which proves that it was confined, as he now pretends to say, to William Condon and a few other restless Catholics of Halifax.

After shutting the Catholics out of the pale of society, it was the hon. gentleman's benevolent intention to introduce a political millenium among the great liberals and conservatives. What a happy state of things it would be to find the hon. and learned member for Annapolis consorting and coalescing with the hon. Attorney General! How affectionate we should all become!

This attempted combination of the Protestants against the Catholics has its foundation in immorality, irreligion, and injustice. That pure christianity which we enjoy condemns and utterly repudiates persecution and intolerance in every shape

and form. It commands us to love our neighbors as ourselves; to do justice; to love mercy; to do unto others as we would that they should do unto us, and tyrant and usurper, though he be, "to render Cæsar the things that are Cæsar's."

What, sir, was the duty of the government when they found an official in their employment assailing and veriting a strong body of their faithful supporters? when this functionary madly endeavoured to combine all other denominations in a foul confederacy for their subjugation? Why, sir, for a government so situated to have submitted to such an insult for one week after the celebrated letters made their appearance, was to lend their sanction to the outrage, to expose themselves to the suspicion of countenancing, if not encouraging, the diabolical attempt. But, sir, when they not only retained him in office, but have accepted him as their leader, while they have dismissed from their service an innocent Catholic officer, they have pronounced their sanction of his outrage on their allies in the most unmistakable language, and they have openly declared themselves accomplices in the iniquity. Had they sincerely disapproved of his conduct, they would instantly, on the appearance of his first letter, have required him most distinctly to retract and apologise for the insult offered their friends on pain of instant dismissal from his office.—They not only did not so act, but by the encouragement they have given him they have countenanced the insult to the Catholics; and are they now surprised that the Catholics have deserted them?

Let me now make a remark or two, of a somewhat personal character, in reference to the hon. member for Windsor. He is eternally boasting of his popularity, and never addresses the house without reminding us of the wonderful obligations under which he has laid the Province by the improvements he has introduced in our political institution. His prevailing fault—and he must excuse me if I express myself with openness and candour—is an overweening egotism. He claims to myself the origination of what is called responsible government. I do not now intend to discuss this subject, as this is not a fitting occasion, I have explained my views on his subject before; but this I will say, that the responsible government which has been worked out by the present administration is, in my estimation, inferior as a political fabric to the simple institutions enjoyed by Nova Scotia when in the hands of the aboriginal sachems.

The party which the hon. member has established in power, under the name of great liberalism, is based on the sandy

foundation of paid deception and hypocrisy. If he was the author, so has he become appropriately the finisher of that party organization. He has now dealt it its death-blow; and he may say, in the eloquent pathetic language of Grattan, when lamenting the extinguished liberty of Ireland, "I sat by its cradle, I followed its herse."

He has warned us, Sir, that he will assume the leadership of the Opposition in this House. We will endeavour to submit to this dispensation with the consolatory conviction that if he conducts the opposition with the same ability and prudence with which he has conducted the administration into their present enviable position, we shall not have much to apprehend from his leadership.

He has spoken of a little perplexing wig. Wigs were always dangerous and unmanageable articles. "There is one wig," says he, "and two heads." Well, Sir, let me ask the hon. member to explain on which of these heads it was his intention to place this emblem of dignity had it been his good fortune to have succeeded in arraying the Protestants against the Catholics. Let him declare whether it was not his benevolent intention to withhold it from the young whig and place it on the head of the old tory?

When the hon. gentleman threatens us with his future power and influence in the country, I would recommend him to consider the strength of his position. He has driven the Catholics into opposition to his great liberal party. If that party, with the aid of the Catholics, was scarcely a match for the Conservatives, what figure will they make with the Catholics and Conservatives united against them? Why, Sir, they will be but a miserable remnant of the population, and when we deduct from this remnant those conscientious liberals who must condemn his attempted religious prosecutions and those who cannot fail to perceive that their party has been destroyed by his folly and imprudence he will find that his supporters in this Province have almost entirely disappeared. Let him but survey the gentlemen who sit beside him, and he will perceive the strength of that party he has so recklessly detached from the great liberals. The Attorney General, the Provincial Secretary, the Hon. Mr. Wier, and I know not how many others hold their seats as the gifts of the Catholics, whom he has despised, insulted, and rejected.

I will now briefly notice the relation which at present exists between us and the Catholics. Nothing is more common than for a government of to-day to lose its power to-morrow, by the detachment of a

considerable body of their supporters. The Catholics who have hitherto firmly supported the administration, have at length discovered the deceitful foundation on which the fabric of great liberalism has been reared in this Province. They have discovered the hollow-heartedness and faithlessness of that party. They are at last convinced that the liberal professions of justice and tolerance have degenerated into injustice, intolerance and bigotry. They believe that the conservative party are actuated by higher and nobler principles. Driven away from the liberals by injustice and threatened oppression, they have sought an alliance which they deem more favorable to the maintenance of civil and religious freedom. Unsolicited, they have generously stepped across the House, and lent their aid in the noble work of crushing and forever destroying an arbitrary and detestable tyranny, and in so acting they have laid this Province under a deep and lasting debt of gratitude which shall be paid them to the uttermost farthing.

And what have the Great Liberals done? They have insulted and attempted to oppress the most faithful of their allies; they have violated towards them every principle of justice and gratitude. In losing the support of the Catholics, they have lost the power, the strength, the bone, the muscle, the sinew, of their party. I observe a forced and unnatural smile; let them smile if they can, but that smile will soon be converted to a tear; but—

"In vain with tears their loss they may deplore—  
In vain look back on what they were before,  
They sink like stars that set to rise no more."

Yes, sir, the Catholics were the very back-bone of the Liberal party. They had not sense enough to treat them with common justice and decency;—they have insultingly cast them from them, and "Like the base Judson," they have thrown "a pearl away richer than all their tribe."

The people of Nova Scotia have had enough of great liberality. The present administration is the very worst that ever existed in the Province. They can no longer be endured, the day of grace is past, and an insulted and indignant people expel them from the Council Chamber with the emphatic valediction of Cromwell—"Get you gone," "Give place to better men," "The Lord has done with you."

Hon. Mr. Howe.—Sir, I had not intended to address the House to-day, but after the singular and extraordinary speech to which for the last two hours we have listened, I feel it necessary on the instant to answer the statements it contains. It is not necessary that I should read over my polished letters, they have been before the

country for some time, and I presume every member of the house has read them. Their true meaning no man, with an unbiassed mind and unwarp'd judgment, who reads them with the purpose and object of ascertaining the views and intentions of the writer, can fail at once to perceive. Sir, let me say to the hon. and learned member for Pictou that he may take from the Bible passages which justify every crime in the decalogue, he may call portions from Shakespeare which would prove that great poet to be an idiot; but let him read the Bible as a whole, and interpret it according to the meaning and spirit of its entire contents, and the delusion will vanish.

Let him read Shakspeare as a whole, and that which seemed when isolated, disjointed, lame and unnatural, will, when in its proper place, appear all natural, all fair, all proportionate. Sir, does any man but the member for Pictou believe that I have charged rebellion, disaffection, or crime on my old and esteemed friend from Clare? A more inoffensive gentleman, distinguished for his religion and piety, for his attachment to his church, and for his manly deportment, there is not in this House. If I had assailed his church, or ridiculed his creed, how could I, for a moment, expect a continuation of his personal or political friendship? If anything I had written, or could write, assailed generally the body of christians to which he belonged, then indeed would I be the very feeble inadequate, and miserable politician which the hon. and learned member for Pictou has described me. I take my hon. friend, Mr. Comeau, now in the Legislative Council, as a representative of the gentle manners, dignified demeanor, and cultivated mind, of the French Catholics—who has sat beside my hon. friend from Clare (Mr. Bourneuf), in many a political struggle and for whom I entertain a personal friendship, cemented by long years of unrestrained personal intercourse—a friendship not the creature of a day, born of a chance combination, but resting on the solid basis of mutual respect and confidence—a friendship lying deep in the heart of either, fostered and sustained by unity of purpose and similarity of opinion. We reared together, Sir, and developed the proportions of that political system which gave to this people a free constitution—that structure which the hon. and learned member for Pictou and his compeers did their utmost to overthrow, and which he has reviled to-day as something worse than the governmental system of the Aborigines.

Who that reads my letters aright, can discover any attack on Mr. Comeau, his

church, or their country from which his blood was drawn; What reasons are there to tempt such a man into alliance with the learned member from Pictou? Sir, I state again—let any man calmly read and fairly construe the letters I have written, and I feel assured that he cannot come to the conclusion that they were not intended to apply to the Catholics as a body, but to those only who had broken the peace, uttered disloyal sentiments, and outraged the feelings of Protestants.

The speech of the hon. and learned member for Pictou began and ended in fallacy. Of his entire arguments let me give but one specimen, and I need not say that I have in my life time refuted cart loads of such arguments. Let intelligent Catholics, of all countries, statesmen, politicians, and the world at large, judge of the weight to which his reasoning is entitled by this single illustration. He has dealt with possibilities and probabilities, basing his entire argument upon assumptions without foundation, and giving expression to flights of imagination not justified by anything in the facts of the case. He has been playing Cromwell here, without the bauble, assuming to himself and his party the power to dismiss governments and parliaments; but I ask that hon. and learned gentleman, in the presence of the representatives of this people, of the Catholics whom he would delude with false promises and inflame with unholy passions, how comes it that he has the power by a hostile vote to displace the government? If the ministry are incapable, or imbecile, from whence does he derive the ability to turn them out? Does he not know and feel that under the old constitution, in the palmy days of Tory rule, his utmost efforts would have been derided and laughed to scorn, by the irresponsible office holders in the government. How, then, is it that at this hour, if he can find a majority to support the views of himself and his party in this house, the existing administration must resign and give place to them? Does he not see and feel that this "political botch," which term the hon. gentleman was pleased to apply to the constitution of this country, alone gives him that power; and, sir, I thank God, if my public position and office are lost to me to-morrow, that in my day and generation I aided in establishing in my country the constitutional machinery by which bad governments can be displaced. Sir, I do not value office for office sake, and I never did; but I do value those principles which have conferred on our countrymen the privileges and humanities of free men.

The hon. and learned gentleman has spoken of Mr. Condon's dismissal, and

dwelt at great length on his not having been heard, in extenuation of the charges preferred against him. Sir, what he claimed for Mr. Condon, I claim for myself; but I distinctly and emphatically deny, and have ever denied from first and last, any desire to, or intention of insulting the Catholic religion while guarding the rights of Protestants, or casting opprobrium upon the Irish as a nation, while denouncing the acts and sentiments of the Brigade. Did I say that Gourlay's shanty was destroyed on account of religion, and I pause for a reply. Let the hon. and learned member point to the passage in my letters, bearing the construction. He cannot find them.

When I came here from the United States and for months afterwards, I had to bear the imputation of having entrapped and deceived these men. I have had to bear these slanders ever since, for I never had sufficient evidence in my possession to clear myself of these charges—until the hon. member for Falmouth made the explanation he did yesterday. I thank him for the frankness with which he made the statement. He is no political friend of mine—we may sit upon opposite sides of the House and may have to differ upon many questions, but however that may be, I shall always think kindly of him as an hon. man, for his manly explanations on a point which deeply affected my public character. Now, what did the hon. member tell you? Why, that these 60 men came from the United States in one of his own vessels, to Hantsport, before they arrived at Windsor—and that as they passed the shore where he was standing, they gave three cheers for Sebastopol. Does this look as if they had been kidnapped? Do you think they would have done this if they had been expecting to work on the railroad?

Sir, who does not remember that, in the year 1847, when the Liberal party in this country were struggling for constitutional government—that the cry of Catholic ascendancy was raised for political purposes, by the very party with which the member for Pictou is now connected? From hustings to hustings, from school house to school house, from meeting to meeting, was the cry borne by the emissaries of his friends, and the influence and effect of that argument I was compelled to meet and combat. These are the men who would now have the country believe that they and they only are the friends to civil and religious liberty—that the unyielding advocates of that principle through long and troublous years, having ignored the very basis upon which the structure of their political principles was built. Sir, no

knows right well that we are not obnoxious to such a charge. Was it not natural then that I should feel, when the newspaper professedly the organ of the Catholic body in this Province, came out and attributed the outrages committed at the railway works to the course that I had pursued, and connected that imputation with the threat that the exercise of free Protestant opinions might be met by similar outrages. When I read that article I felt deeply grieved and wounded. It became matter of necessity that I should give a caution and a warning to those who were promulgating these sentiments—and I reasoned on the possibility of that crime being committed on account of religion. I spoke of a Catholic foray in the heart of a Protestant country, and referred to the consequences and results which of necessity must ensue, if such acts were justified by such argument. Does any man believe that I coolly, dispassionately, and intentionally penned those letters for the purpose of producing antagonism between Catholics and Protestants? Were they intended to consult the feeling—to outrage the religious principles, or alarm the prejudices of Catholic body? No!

The object was to show that outrages of so flagrant a character could not be perpetrated by Catholics on Protestants, without meaning that just condemnation which the acts themselves deserved. Now, Sir, despite what the hon. and learned member for Pictou has asserted, I assert that I have given the ear, the manly, and the just interpretation to the letters, which I felt it my duty to indite. But, Sir, there may be other persons interested in giving them a different interpretation. At first I did not quite understand who those persons were. Some light is now beginning to dissipate the darkness. The constituency of the country at the last election, returned a large majority in favor of the Liberal party, than they had ever done before. What convulsed the serenity of the political atmosphere? What disturbed the Liberal camp? Surely nothing that was done by the honorable member for Windsor; but convulsions and disturbances there were last session, religious feelings were appealed to, and an attempt was made to break off the connection existing between the Catholic and Protestant Liberals. Did Mr. Howe do this? Why, Sir, I can only say that instigated by a natural curiosity to ascertain what was going on in the political world, hardly had I entered the floor of the Assembly when my arm was seized by a Catholic Liberal, who said—“Never mind, Howe we are going to break up the Government in a week or two, but we will see one of

you.” And it is patent to all the world that the Catholic Liberals at the last session led up an opposition against the then existing administration. Did I not hear one day after day, call upon his co-religionists to come out and oppose the Liberal Party? We now discover that the call meant something, it did not originate with Mr. Howe, I beg his pardon for naming him—(laughter). How did it originate? After ideas had been expressed by Catholic Liberals, antagonistic to the administration, and flung broadcast over the country, towards the close of the session, the President of the Legislative Council suddenly and in a most extraordinary manner threw up his office as President of that body.—In the midst of the business of that session then untransacted, with almost no notice, he created confusion and gave trouble to his party by resigning the position he held. Surely, Sir, this indicated the feelings of a portion of the Catholic supporters of the administration; and considering the relation in which that person stood to the hon. Attorney General, who for a long time has been associated with the Liberal party, it was at least ungenerous and unfair—endangering, as it did the office he then held, and the seat upon the Bench to which he might reasonably aspire.

I do not mean to say that every quality of the Attorney General comes up to my idea of a perfect statesman; I may have thought that a display of a little more firmness sometimes and a little more animation at others would have become him better. It is quite possible that in some half laughing expression I may have given utterance to similar ideas, but we are not here to discuss the relative proportions.

I do look with pride and reverence upon the structure which our united efforts aided to uprear, and I cannot but view with distaste every effort made to shear it of its fair proportions, or what is quite as bad, transfer it to the tender mercies of men who entertain such ideas and express such opinions as the hon. and learned member for Pictou, who has gravely informed this House that it is no better than the paternal tyranny exercised by the wild tribes of the forest, before the progressive foot of civilization had touched our soil—men who, if they had the power, would not leave one timber of that structure upon another.

Sir, although I may speak warmly and earnestly on this subject, let me the hon. and learned member believe that I am actuated by any feelings of mere passion. I speak earnestly because my feelings are interested deeply in an object which has been the aim of my life to accomplish.

Now, Sir, suppose—and I will take the worst view of the case—I had written letters bearing the interpretation put upon them by the learned member for Pictou; suppose that, in the course of 25 years' arduous public service, I had committed one indiscretion, or in the excitement of the moment given expression to ideas that my calmer moments might condemn, would I not be entitled to something of forbearance and generous feeling on the part of my old friends? I say, Sir—assuming that all the member for Pictou says is true, and he has not failed to use every argument that would tend to cement this newborn political alliance, or inflame the passions of those for whom, for the first time in his political career, he has manifested the least regard; I say, sir, assume that hastily and thoughtlessly, I had written or said something which jarred upon the feelings of my associates in the struggle for political freedom, should a single act in the current or course of a long political life of 25 years be sufficient to procure my condemnation, without, at least, some opportunity being afforded me for a full and ample explanation.

I do not mean to say that every quality of the Attorney General comes up to my idea of a perfect statesman; I may have thought that a display of a little more firmness, sometimes and a little more animation at others would have become him better. It is quite possible that in some half laughing expression I may have given utterance to similar ideas, but we are not here to discuss the relative proportions of Hon. Gentlemen on either side—nor in any respect attempt to overthrow the Government or hamper their proceedings. When the letters were written I assert most positively that no personal motives actuated me; I believe in my heart that there were persons in this country attempting to make bad blood, to create disunion and disseminate rebellious sentiments in the country. When the attempt was made at the last session to split up and divide the Liberal party, I can only say that I gave no assistance or aid to those who desired to accomplish that object. The hon. and learned member for Sydney, Mr. McKeagney, did not hesitate to express open unqualified opposition to the Administration; with that I had nothing to do and therefore did not interfere, and it was not until I saw that acts marking an undisguised object and intention to disturb if possible the relations subsisting between this colony and the empire, that I felt it necessary to take a hand in. It has been said that Mr. Howe should have been the last man to have taken up his pen in such a cause. Sir, I think I should have been the first man, for I stood on ground which left my motives far above suspic-

ion. There is not a man either in public or private life, who can say that since he has known me I ever sneered at his religion or reviled his church. Sir, I have mingled in the most exciting scenes that political life can afford—I have sat in social hours at the festive board when hearts speak to heart and I challenge contradiction to the assertion, if it can be given, when I state that not one word has ever escaped my lips derogatory to the religious belief of any man; that I have ever claimed for myself—for any man or any class of men any right which I was not prepared to demand for the Catholics of this Country. Sir, my argument was and has ever been this—you claim and exercise the right, day by day to argue against and laugh against the Protestant religion, and yet you deny the exercise of that right to Protestants on pain of broken heads and gutted shanties. Why, Mr. Speaker, was there insult in that? Will my own friend from Clare believe that I desired to scoff and laugh at the Church to which he belongs. Sir, I have studied history too deeply and know too much of Nova Scotia—even if I had the desire, to attempt that. Nothing that this or any other country could afford would tempt or induce me to become a religious persecutor. It is because I have temperately but firmly endeavored to enforce a principle which I trust in God no Protestant in this country will ever entirely abandon, that this charge has been preferred against me. I pay to the Catholic Church that respect to which as the most ancient—the most widely extended and historical it is entitled,—but, sir, I do deny its right and title to any higher or larger consideration than we accord to any Christians. The battle in which it may fall, if it ever does must be fought out in different arena. I assert that in heart and soul I am a protestant, but that does not interfere with the respect I entertain for the honorable and sincere Catholic gentlemen who sit around me, and who I am well assured would not respect I entertain for the honorable and sincere Catholic gentleman who sit around me, and who I am well assured would not respect me if protestantism, I was afraid or ashamed to avow the belief.

Sir, I assert again that no man ever has heard me revile the religion of another; and whatever may be the position I now occupy in the eyes of some men, true to the principle which I have always believed in and acted upon—though taunts and insults may be heaped upon me now, I am conscious that the day must arrive, when the soundness of my views and the correctness of my principle will be understood and expressed on all sides. Sir, I will perill all office, all position, and bear with patience those taunts and insults, to maintain the broad principle of our common Protestantism. Even if the

course I pursue shall alienate from me every Catholic friend either within or without this house. Sir, I feel bound by every manly principle to stand by and uphold the religion I profess and if for so doing, Catholic gentlemen refuse me their support, although I may deeply regret it, will yet be supported by the consciousness of having performed my duty. Old ties of personal friendship and kindly regard may be sundered—that I will regret. For the loss of office I care nothing, but I will not disguise from the friends who have stood beside me in days gone by, that it will occasion me the deepest sorrow to place the principle for which we contended in the hands of such men as the hon. member for Pictou, whose speech of to-day must of necessity produce distrust in the mind of every right-thinking Novascotian. The honorable and learned member says that I have miscalculated the breadth and strength of the feeling which pervades this country. He may be correct, but I am much mistaken if the sentiments I have expressed will not find an echo, not only in the breasts of hon. gentlemen on both sides of the House, but in the country generally. I may have said that Nova Scotia thinks and feels with me; perhaps I was wrong; but if the people of this Province do not entertain the sentiments I have expressed, I can only say that they ought to feel and think as I do upon them. The hon. and learned gentleman drew a very humorous and amusing picture, and compared Responsible Government to a mansion in which the inmates are but tenants at will, and being called upon to vacate possession and deliver up the property to the lawful owner, refuses. This is another of the fallacies with which the hon. and learned gentleman's speech abounded, needing but a very few words to expose.

Who are the proprietors? Are we, or are the gentlemen on the other side? No, sir, the people of this country are the proprietors of this mansion. The hon. and learned member for Annapolis knocks at the door and serves a writ of ejectment. Has not the hon. Attorney General a right—nay, is he not bound on behalf of this people to examine the writ and ascertain whether it is water tight. That is just what we are doing. Suppose we believe that this paper has been got up for a fictitious and unlawful purpose—that the proprietor does not wish his tenant to be disturbed—have we not a right to test the genuineness of the hand-writing—to pause and ascertain whether the old gentleman is satisfied or not.

The hon. and learned gentleman even yet does not entirely understand the nature of the structure on which he so fluently descanted—even if the writ had gone into the porch, (but it is not there yet), we should still have right to scan the document and

test its legality and accuracy. But, I should be the last to advise my hon. and learned friend the Attorney General to retain possession for one instant longer than with propriety he should. If the Administration is to be broken up, on false issues, deserted as the government has been by a considerable section of its supporters. It would be unmanly to surrender at dictation, without first attesting the propriety of the claim asserted, and giving the proprietor a chance to right himself. Sir, I would be the last to advise my hon. friend to set at nought the well understood and deliberately expressed wishes of the people. Once having ascertained their views—the manly—the clear—the constitutional course, is to surrender immediate possession. Let us say to the hon. and learned member for Pictou that although I may express myself warmly and earnestly I feel no unkindly sentiments towards him in consequence of the speech he has delivered to-day. I appreciate the classic taste, the good feeling, and the research displayed. He took credit for not speaking often and charged me with having passions for breaking up Administrations—perhaps there is good reason for his silence—his hon. leader could not afford to allow him more than one or two such speeches in a session. It is said that misery reconciles us to strange bed-fellows. The truth of the adage is forcibly illustrated by the connection recently formed by the hon. member and his friends with a party in this House. In my view the bed-fellows will not agree very well together, and after this faction fight is over, and the excitement is somewhat cooled, then they may become somewhat established with each other. If the hon. gentleman is at all acquainted with Irish literature, he will recollect the anecdote of a pig driver, who, accosted by a friend, was asked how he managed to induce the stubborn animal to proceed so quietly, said, while he held up his finger to enforce silence,—“It's true, I am taking him to Kildare.” —(Laughter.)

The hon. and learned gentleman complained that I was sent to the United States, and neglected my duties here, when in the receipt of salary for making railways. I am prepared to admit, that of the two employments of constructing railways and raising recruits, I would prefer the former. But, Sir, I engaged in the recruiting service at the request of Her Majesty's representative, and at a time when the exigencies of the public service demanded that some effort should be made to repair the loss which the casualties of war had caused in the armies of the Crimea. I did not solicit the appointment, but requested to perform the duty, and I went, having had no other competent Engineer—a good accountant—and a staff

of gentlemen, in every way capable of transacting the business. The Province suffered no loss—the public works were neither delayed or injured. But, Sir, am I the only official who has been absent from office—the Province pays the Hon. Mr. Justice Bliss a large sum for the performance of certain Judicial duties, and yet he is now absent from this Province on a five or six months tour, with no ends in view save his own private and personal gratification. Who is their who does not think that that learned Judge will earn his salary, even this year by a judicious exercise of his ability when he returns. Would I deny to him, or to any other public functionary, the privilege from time to time of travelling abroad and having their minds expanded and enlarged by contact with men of a higher order of intellect, refined by education. I believe that they will come back better judges and better men, and the country will be in no wise the loser by their absence. If then, it was right for Judge Bliss to go abroad with no object in view, connected with his official position, I cannot be blamed for having yielded a ready compliance with the commands of my Sovereign and for doing my best to discharge a delicate and important public duty. The hon. gentleman has attempted to exonerate Mr. Condon from all blame, in the attempt made by him to frustrate the design to raise a Foreign Legion. He has most signally failed. With Mr. Condon I have never had a private or personal quarrel. His family have been my staunchest and firmest supporters, and it has not been my habit to ask for the dismissal of even my political opponents. From 1847 to 1854 I held office, and did not displace one official with the exception of Mr. Wallace; with that single exception, I have never attempted to remove or injure a public officer upon personal grounds. But, Sir, I hold that the Queen's commission runs throughout this realm—that every constitutional mandate of Her Majesty's loyal subjects are bound to obey; and that he who attempts to thwart and oppose the objects of the Imperial Government, is a disaffected and disloyal subject.

The hon. gentleman referred to Admiral Byng. That Admiral was charged with neglecting to take his ship into action, and he was shot. But suppose, instead of fighting he had corresponded with the enemy; suppose he had diverted 50 or 100 seamen from their intention to join the fleet of England; suppose he had warned the public not to ship, and had attempted to excite feelings of hostility to the crown and his country, instead of deploring his fate, we would feel that the punishment was but just—an adequate reward for his treachery and treason. In the case of Admiral Byng and Mr. Condon

there is not a shadow of the shade of relevancy. And here, sir, I beg to return my obligations to the hon. member for Falmouth, who spoke yesterday. If there is a trial which a public man is compelled to endure more distressing than another, it is to be compelled to fold his arms and bear uncomplainingly a false charge. Hon. gentlemen will recollect that that kidnapping is a crime. That charge, circulated from end to end of the United States, I was compelled to bear.

I thank the hon. member for Falmouth for what he said yesterday. He is no political friend of mine; but he is an honest honorable man. He told you that these men, whom I accused of kidnapping came in his vessel from the U. States, and as they passed Hansport (before they arrived at Windsor,) they took off their hats and cheered for Sebastopol. My evidence was not complete on this point until this statement was made. Can any one believe, after this, that these men were going to work on the railroad. This expression of feeling shows that they were going to recruit the army in the Crimea. I thank the hon. member for Falmouth for his frank avowal. We may differ in opinion, and sit on opposite sides of the house, but I will always endeavor to think kindly of him for his manly expressions upon the point narrowly touching my public character.

It is evident then that these men were about to become soldiers, else what prompted the expression of exuberant loyalty which gave rise to the cheer for Sebastopol. Had that piece of testimony been in my possession sooner I would have been spared. The Hon. and learned member made another statement. He questioned the propriety of bringing men to Nova Scotia for the purpose of enlistment. Sir, no law was violated—no act was done—of which the representative of Her Majesty, and the people of this country would not approve if fairly submitted to them. It was well known, that all the bayonets of the soldiery of this country could not have compelled a single Irishman to have enlisted if he chose to refuse. If brought here for enlistment, the last act of any loyal subject of the Queen would have been to attempt to alienate them from alliance which it was their intention to make, and the assistance they intended to afford to the decimated armies of England.

What should have been Mr. Condon's course? An officer of the Government receiving a salary—was it not his duty to have aided and assisted rather than have obstructed the action of the Imperial Ministry. If he could not support the policy of the government, he should with manliness and candor have said, I cannot receive your pay—I tender you my office. The acts in which you are engaged I do not approve. That would have been the course of any honorable

man would have taken—instead of violating ties of personal friendship and jumping to foreign conclusions—instead of writing telegraphic messages to the enemies of his country, and attempting to excite a feeling hostile to the interest and position of England. That act cannot be defended. In expressing the views he did, and pursuing the course he adopted. Mr. Condon laid himself open to censure, and I think the government should have dismissed him when the evidence of his misconduct was complete. But that testimony was not perfect until his messages were commented upon by a foreign newspaper which communicated the fact that through and by Mr. Condon's interventions, the British government have been thwarted and opposed. But, Sir, the government could not act without evidence conclusive of guilt.—Eugene Aram committed a murder; years elapsed before the chain of testimony was complete; but at last the body of the murdered man was found and the link supplied which fastened the crime upon the perpetrator, till then, and not till then, was the charge brought home and the punishment awarded. Until the effect of Mr. Condon's telegraphic message was known, until the course he adopted became patent to the government of the country—the administration would not have been justified in acting. But when complicity was clearly proved against him; and beyond the possibility of a doubt it became apparent that he had consorted with and abetted the openly avowed enemies of England, the Executive were compelled either to dismiss him from office or resign. They chose the former alternative, and in my judgment they acted correctly.

Sir, during the Russian war, the British Army in the Crimea—Englishmen, Irishmen, and Scotchmen,—not only sustained the heroism and energy of their race—but performed prodigies of valor, and lent new glory to an escutcheon never tarnished. Sir, I thank the House for the patience with which they have listened to me. I felt it necessary to reply to some of the remarks made by the hon. and learned member for Pictou on the instant. It may be that I have passed over some statements requiring an answer; but I feel convinced there is no man who appreciates the value of liberty, and understands the obligations of a statesman, either within or without this house, who will not accord his approval of the statements I have expressed.

#### THURSDAY, Feby. 12.

Mr. Chambers said,—Up to the present moment, I have refrained from expressing my views on the important subject under debate. My reasons for so doing were, that I am practical rather than theoretical, in

my mental characteristics, and I am not so much in the habit of speaking as of acting. I believe, Sir, that I never was intended for a politician,—my habit has always been to speak the truth, let it affect what it may. In my opinion, Sir it is necessary that the leader of a party, before he attempt to usurp the position of another, should indicate the policy he intends to pursue, and define the position which he is prepared to assume.

I have listened with much attention to the arguments adduced in the course of this debate, in the hope and expectation of hearing something of argument from the hon. gentlemen opposite in support of the positions they have taken. I have waited and listened in vain. From the course pursued by the hon. and learned leader of the opposition at the last session, I was prepared for his withdrawal from the political arena. In the funeral discourse with which he favored this House, he expressed a desire to withdraw from political conflicts, and announced that it was no longer his intention to mingle in party strife.—That he had thrown his maniles over the youthful and ambitious politician for Cumberland.

Dr. Tupper.—I deny that any member of this House made such an assertion.

Mr. Chambers said,—This is not the first time that I have been interrupted by the hon. member for Cumberland. He has on several occasions thought proper to interfere with the free expression of my sentiments, and attempt to put me down. But let him be assured that he will be unsuccessful in the future as in the past, and that I treat his efforts with entire disdain.

Sir, the true reason for the attack made on the government by the Catholic body is that a quarrel arose between them and the Hon. Joseph Howe. That quarrel ensued in consequence, as they assert, of Mr. Howe having charged on the whole Catholic body sentiments disloyal to the crown. On that point Mr. Howe joins issue with them, alleging that his remarks were confined to a certain section of the Irish Catholics who are usually called the Young Ireland party. Sir, I read the letters, not hastily, with a mind inflamed and excited by passion, but quietly and calmly by my own fireside, and I must say that my conviction is that they were intended, as the hon. member for Windsor represents, only to apply to that section. Was it not reasonable that he should feel deeply when in the heart of our country outrages, such as took place at Goutlay's shanty took place, and that when he found Mr. Condon and those who feel with him openly and avowedly lending the supposed guilty parties their countenance and support, he

should have taken some steps to shew his sense of the indelicacy and impropriety of the course which they pursued. The picture which the hon. member for Windsor drew of these outrages was not at all over-coloured. Let me inform the House of one fact, to which I have heard no allusion during this debate. About four miles beyond the half-way house lived a family of Catholics called the A'Herns; though poor, they are a credit to the creed to which they belong, and their example not only Catholics but many Protestants would do well to copy. At the time of these riots two young members of this family were at work on a ship at the head of Bedford Basin,—one of them was requested to point out the scene of the riot to the soldiers who were sent to arrest the perpetrators,—he did so, believing that in aiding to bring criminals to justice he was doing his duty. Would you believe it, sir, that threats were made to the effect that the house belonging to his father would be fired and the lives of his family taken, in consequence of which for a month afterwards he was obliged to keep watch nightly for fear of a surprise. Had that man gone to Newport I would have had no hesitation in ordering that special constables should be sworn in to preserve his life and property. One of the sons removed from the ship-yard to work at Mount Uniacke, returning home at each Saturday night. On one occasion his life was threatened, and on his return on Sabbath evening, while passing the shanties, was violently attacked by a gang of some seven or eight, but having in his possession a sword he successfully defended himself. Now, sir, all that we require is that the Catholics should apply the same rule to themselves that we are willing to apply to all Protestants. If they claim exemption from the consequences of crime committed by any of their body, I scarcely think the good common sense—the equitable feelings of the country will sustain such pretensions. But I am now about to take broader ground, it is well known that at the last session claims to appointment to office were urged upon the ground that its claimants were Catholics. During the illness of the Speaker a hon. member of the House openly asserted his right to the appointment on the ground that he belonged to that religious body, and it is matter of notoriety that the then President of the Legislative Council sought to compel this House to grant him £200 from the public treasury on the same ground. There is not a member in this House who does not recollect that the hon. and learned member for Sydney reiterated, day after day, the claims of his co-religionists to

office because of their creed. This, then, sufficiently indicated the course of policy which thereafter they intended to adopt.

Much has been said of the dismissal of Mr. Condon. Who dismissed him? The people of Nova Scotia. I have no hesitation in saying that I, as a representative of the people, demanded his dismissal, because he had violated the principle laid down before the General Election by the leader of the Government, and which was acted upon in the case of Mr. Geldert, the Post-master of Windsor. But the Government are charged with having refrained from dismissing Mr. Condon for nine months. The answer to that is clear: until recently they were not in possession of testimony conclusive of his guilt; but so soon as that testimony was obtained, they acted with spirit and decision. I do not believe that the elements of which the combination is formed will long cohere together. It is said that the list of the new Administration has been already formed. If so, I would be obliged to the hon. and learned member for Annapolis if he would let me look at it. (Laughter.) Where there is no sympathy of feeling there can be no harmony of action; and it may suit gentlemen at present to overthrow the Government that, if possible, they may gratify certain feelings of revenge and malice. Can the hon. and learned member for Annapolis give to the Catholics any greater share of public patronage than they have received from the Liberal party? Has he been the unwavering friend of that body which he would now make you believe? Previous to the Election in 1847—the country resounded with the cry of Catholic ascendancy from his supporters and the organs of his party; and the Protestant community were time and again called upon to band themselves together and unite to oppose the Catholics. Where was the hon. Member's love for Catholics then; and I believe it to be utterly impossible that any man could so change the whole current and course of his Political life, as the hon. member professes to have done. I shall not detain the House longer at present—but if necessary avail myself at some future stage of my right to address the House a second time. The charges made against the administration have been so thoroughly dissipated by the hon. and learned Attorney General, that I do not deem it necessary to say one word as to them—but shall content myself in conclusion with announcing my determination to record my vote in favor of the Government.

Mr. McDonald said,—I shall, at this late hour, detain the House, but very shortly, with an expression of my opinions

on the questions now under consideration. The whole matter being now in a measure before the house, from the various speeches of the opposition and of the members of Government in defence of their policy; every person has had an opportunity of calmly deliberating and making such course as his own judgement may dictate.

The objections now offered against the longer existence of the Government, I find to be of a two-fold and very anomalous character. In the first place we have on the table of the house the resolution moved on the first day of the session, by the hon. and learned member for Annapolis, a pure simple expression of want of confidence in the Government, based apparently on the past conduct of that body, and the absence in the speech from the throne of any general measures of importance to be submitted for our consideration.

The hon. member for the township of Annapolis, (Mr. Whitman) also, defined his own position and that of his party last evening, when he informed us that the conservatives stood now as they had ever stood, and even would stand, like a small band of Spartans, basing their opposition on principles clearly defined and unmistakable in their character.

Then on the other side we find the hon. member for the township of Halifax, stating that he had given the government his support up to the end of last session, and that he should then have voted to sustain their power at that time had they been attached, but that his present opposition was based entirely on certain acts of theirs, done since the prorogation.

As to the first objections then, it is incorrect to say that during the last session the government had not the confidence of the country, the divisions show the contrary to be the fact and the hon. member for Halifax, whom the hon. and learned member for Annapolis, now probably numbers among his supporters, also contradicts it.

All the allegations made on this occasion are nothing more than a rehash of the charges made last winter and then disposed of.—There is no hint or charge that the Government have misused or misapplied the revenues of the Country, and no insinuation even that the railway affairs or public works have been mismanaged. We have been prevented by the course of the Opposition, in their hasty rush to clutch the reins, from having a sight of the public accounts, and we may fairly infer that in all these matters, now almost the only ones of essential interest to the people of this Province, if anything improper could be found, the keen sagacity of the hon. and learned leader of the Opposition would

long ere this have detected it, and dragging it forth would have altered his course of proceeding and by permitting the public accounts to be laid before the House, have found something substantial on which to ground his attack.

I do not feel called on, sir, to enter into any discussion of the various points that have arisen during this debate, as they have already been amply considered, and will therefore leave them in the hands of those more qualified than I am to dispose of them. But in the course of the debate several things fell from hon. and learned members that struck my mind as strangely anomalous and inconsistent.

The hon. and learned gentleman who last session acted as leader of the Opposition and has at this time presented, perhaps the most elaborate list of grievances, in all his speeches during last winter adhered to one idea—He kept up one long continued dolorous whine about the wrongs and injuries of Cumberland. This tinged and colored every speech, and formed the nucleus around which clustered the most brilliant emanations of his mind.

He has now however changed his tune, and attempts to draw from the course taken by a portion of the press of the Province, grounds of attack. In connection with the hon. members for the townships of Halifax and Sydney, he animadverts upon certain attacks made on the Governments by the Morning Chronicle, Eastern Chronicle, and Yarmouth Tribune, arguing that these attacks prove the want of confidence in the Government, and also that a ministry that will allow itself to be snubbed by its subordinates, and that purchases silence by giving offices, is not entitled to the support or confidence of the people. The hon. and learned member for Cumberland, in particular expressed himself in very strong terms regarding the E. Chronicle, and said that he was disgusted with the vituperation characterizing the attack of that journal on a certain honorable gentleman who had lately joined the administration. This was the language used by him, though I observe that in the printed part of his speech these inconveniently strong expressions have with some caution been expunged.

The object with which this attack was made is quite too clear and significant to be misunderstood. I do not feel myself called on to defend the course taken by any gentlemen who conduct these various journals; with respect to the E. Chronicle I will only remark that it has always maintained an independent course, it is said to have done good service to the cause which it generally advocates, and perhaps the best proof that could be given of its

standing is that the hon. and learned member who has now assailed it, has condescended to speak of it in terms of general approval and commendation. He has even become a subscriber for it. But to shew the sincerity of the views now expressed by him, and that those great gentlemen to whom he is now extending his open arms may understand the truthfulness of the sentiments now thrown out regarding them—let me add one simple fact by way of commentary on what he has said. He has already informed us that the journal alluded to had animadverted on the factious course taken by him on the education bill of last year, well, sir, after that occurrence he discontinued the paper, but no sooner did the attack alluded to the hon. gentleman who lately joined the government appear, than to shew his deep disgust at it, he immediately renewed his subscription.—(Hear, hear and laughter.)

Take another instance, Sir. The hon. gentleman boasts of his liberal principles, and says that he will advocate the perfect equality, religious and political, of all classes and sects, and that had he been in the Legislature when the claims of the Church of England and the Dissenters came into collision, he would have been found as a dissenter of the Baptist denomination opposing the claims of the former. Contrast this, Sir, with another fact and we shall again have an opportunity of testing his sincerity and truthfulness. It is well known, Sir, to gentlemen round these benches that last winter that hon. and learned gentleman during all the time he could spare from depicting the woes of Cumberland was employed caballing, and endeavoring to organize a coalition government of some kind, the basis of whose union was to be exclusion of Roman Catholics from power.

But, Sir, supposing that gentleman to be perfectly sincere in his expressions of disgust at the conduct of the press, let me ask what principle he and the hon. members for Halifax and Sydney would wish to establish. Do they desire to have a slavish venal press to be at the disposal of a government? are we to have a censorship of the press so that no person shall be at liberty to write or publish any opinions excepting such as may suit the taste of their masters? Are we to have our institutions assimilated to these of Naples and Austria; and is the political atmosphere of those halcyon climes to be established here? Is this one of the principles to be emblazoned on the banners, under which this new combination are about to rally and unite? There is little doubt that this would be most congenial to the taste and principles of this new party, but it is not

the sort of press which in my opinion the people of this Province will either tolerate or support.

Let me also, for a moment, allude to the speech of the hon. and learned member from the Township of Pictou. I listened to him, sir, as I generally do, with pleasure, viewing his speech as a mere literary effort, apart from its political character. I admired the dramatic power, the wit and classic taste displayed by him; but, sir, when I heard him openly defend the conduct of the party whose acts have been the object of the animadversion of the hon. member for Windsor, I could scarcely credit my own senses, and believe that he was the same person who, some weeks ago, declared that had he seen the article in the *Catholic* newspaper referred to in this debate, he himself would have taken up his pen to denounce the sentiments contained in it.

Mr. Johnston.—I presume the hon. gentleman is not aware that the hon. member to whom he is now alluding, is not at present in the House.

Mr. Marshall.—I will inform him. (A laugh.)

Mr. McDonald.—I was not aware of the fact till this moment; but there need not be any misconception about it. If no other member will mention the allusion now made, I shall myself take an opportunity of informing the hon. and learned member for Pictou.

It is also charged upon the hon. member for Windsor and those who act with him by the new party of the opposition, that they intend to carry on a religious and political proscription of Catholics. Sir, this proposition I repudiate as utterly untrue, as not existing in my mind, and so far as I am aware, not existing in the minds of any supporter of the Government. The conduct of the Liberal party in the past clearly dispenses any assertion of this kind; and I am not aware of any opinions having been advanced by any member of it sanctioning such a supposition.

As far as I am myself concerned nothing could be more unfounded. I have been honored, sir, with the confidence of some 300 or 400 Scotch Catholics in my own County; men whom I believe to be as loyal subjects and as much attached to the British Crown, as any set of men in this Province, and who heartily and sincerely repudiate and detest the disloyal conduct and sentiments of the small party of Catholics in this city who have lately disturbed the harmony and peace of the Province. I never could, therefore, basely enter into any combination to sacrifice them politically, to cast opprobrium on their religion or insult their faith.

But, sir, between these two kinds of influences, originating in different causes, impelled forward apparently by distinct and contrary means, but still tending to a common point we find the ship of state placed in state of extreme jealousy. In the course of debate it has been spoken of as a ship on a lee shore with breakers in sight. I, sir, would use a different figure. I had thought the ship in perfect safety in the open sea with a favourable breeze and all sails set and drawing, when suddenly two strange objects appear on either horizon, which, as they rapidly approach each other, are found to be icebergs, likely to cross her path. They start from different points, are impelled by contrary currents. The ship may escape, and they may be crushed between them, she is in a critical position, but, whichever event happens, the certain consequence must follow that they, antagonistic in their moving power, must eventually grind each other to pieces.

The hon. member for the township of Annapolis speaks of his party as a band of Spartans, standing proudly erect on their own principles, but not refusing the co-operation of any section of the liberal party that may choose to unite with them. But, sir, a more correct description would be to say that they are now on their knees begging, with out stretched arms, of the Catholics, a section of the liberal party, to place them on their feet. A proud position, certainly!—Well, sir, they may by this means get into place and power once more, but they cannot claim the victory as the effect of their own principles, they will be the creatures of a fragment of the liberal party. They will be the creation of the Catholic party, and, therefore, their slaves. The union will be an unnatural and unholy one, and productive of no good effect. The alliance between Catholic and Protestant liberals was founded on a similarity of political feelings and principles, mutually assisting and depending upon each other, they built up their party and rose together into power. Whatever trouble or inconvenience may have arisen from the clashing of the respective claims of these two sections of the liberal party in the past, the evil will be increased ten-fold by the present union where there is no sympathy or bond of union, but, on the contrary, a principle of natural antagonism.

Whatever the result of this debate may be not being connected with the administration, having no office to lose and none to gain, and my only object being to serve, to the best of my ability, the people who have sent me here; I feel that, to myself, personally, the issue can be of little consequence, but were I a member of the go-

vernment, I should, considering the strange influences that are leading to their expected defeat, entertain a feeling of joy rather than sorrow. I should feel myself in something like the position of Mark Tapley one of Dicken's characters. One of the principal objects of this gentleman's existence was to feel jolly under all and particularly the most depressing circumstances. He at one time thought of taking up the business of grave-digging, in order to have an opportunity of coming out strong in his attempts at cheerfulness, but I should say to him that if he would have a favorable condition for cultivating his peculiar virtue, he should get into a government with a very probable chance of a defeat.

I should feel, sir, that looking to the ultimate consequence of the present union of parties, there is more cause for satisfaction than regret, it is a union of persons with no mutual bond of sympathy and therefore bearing within itself the seeds of self-destruction, and, sir, I should feel proud at the thought, that if a government must die, it, at least, descends into its political grave with clean, and not dishonored hands.

Hon. W. A. Henry, said, Mr. Speaker, I, some days since, intimated to the House that my Office as Provincial Secretary of this Province had been resigned, and my connection with the government, as a member of the administration, had ceased. I also stated, that, when the proper time arrived, I should make such explanations as to the course which I had pursued as I conceived essential. The position I occupy does not require that I should go much into detail;—nay, Sir, I could not possibly without an infringement of the obligation of secrecy which I assumed when I became a member of the government reveal anything which transpired at the Council board, or confidently between my colleagues, and myself. This I may, however, without any breach of confidence assert—that the policy I have pursued has been consistent throughout—that the course I adopted was taken weeks ago, after due and nature consideration. With the enlistment question I have nothing to do; I am here neither to assail nor defend it: nor have I any personal quarrel with my late colleagues—I part from them with much regret, but I felt it due myself and due to those whose feelings and opinions I represent no longer, to continue a member of the Cabinet, in the policy of which I could not acquiesce. Sir, I stand here in a position entirely independent and there is not a single man either inside or outside of this House who knows I am going to vote on this question, nor is any person bound to me or am I bound to any one. The position of parties as they now stand is

not of my devising or concocting. I had no act or part in creating the state of things that now exists in this country,—and if in my public conduct my colleagues have anything to complain of,—here we are on one broad platform before the House and Country, where their changes may be made openly, and an opportunity afforded me of as openly refuting them. Sir, all sorts of rumours have been put in circulation—all sorts of motives assigned for the course I have pursued; I have listened and said nothing, feeling that the channel of communication between myself my colleagues and the public was through the medium of this House. I therefore wait the fullest inquiry how often have I said to my constituents, when unfounded charges have been circulated to my detriment in the County of Sydney,—“Wait until the day of Election comes any if any man will then repeat them, and I do not prove them untrue, vote against me.” so do I say at this moment. I have nothing to conceal,—nothing that I do not earnestly desire should be made public; and I now state that my resignation was dictated by views which I entertained for weeks before I adopted that course. Let me then, without the slightest feeling or temper state to the House what those views were. In June last I read a letter over Mr. Condon’s signature; I forwarded my own opinion upon it; what that opinion was it is not for me now to say,—but since that period it became apparent to every man that the government was opposed and snubbed by the Hon. Members for Windsor and Halifax and up to this hour I have never been able to draw any distinction between the course pursued by those Hon. Gentlemen and Mr. Condon. It may be said that I assented to Mr. Condon’s dismissal and the retention in office of these other gentlemen; my reply is,—let me be told that now, and I will give the reply on the instant. My position was one of peculiar delicacy and difficulty—representing a constituency composed of 11,500 Catholics, and about 2000 Protestants. The Hon. member for Windsor had written and the Hon. member for Halifax published letters which tended to alienate from the government a large part if not the whole of the Catholic constituencies in this Province. As a liberal, with the policy of my whole political life hearing witness for me, I assert that nothing would tempt me to enter into an alliance for the persecution of the Catholic or any other body; situated as I was it would have been a base betrayal of trust. My course then was clear; I was compelled either to endorse the opinions of Hon. member for Windsor, sanctioned by the dismissal of Mr. Condon or resign my office. As a man of honour, I felt bound to adopt the latter alternative, and take a position in opposition

to the Hon. member. Mr. Condon was not dismissed until after the meeting of the Legislature,—and I confidently point to the course of the administration upon the point in question up to that period as entitling them to the respect and confidence of the people. But the Hon. member for Windsor before the evidence, which he admits was necessary to implicate Mr. Condon, had come to the notice of the Executive—had taunted them with weakness and imbecility and reproachingly asked on more than one occasion,—“Have we a Government.”

Hon. Mr. Howe. The Government were not blamed for not acting up to that moment, but it was assumed, that with the evidence before them of the Executive did not act they were to blame.

Mr. W. A. Henry. The evidence was in the possession of the hon. member for Windsor only, the Government knew nothing of it, until it appeared in his letter—and it that letter, charges were preferred against the administration, for not acting upon information which had never been conveyed to them. As an officer serving under the Government, the hon. member was bound to submit the evidence,—ask the action of the Government, and, if they differed with him, and he chose publicly to assail and taunt them, he was bound to resign. The information came to the Government, in the most offensive manner possible. Now, Sir, I have given as explicitly as possible—the reasons for my resignation. It matters not to me whether the administration is, or is not broken up. Mr. Henry is prepared to go down to private life with the consciousness, that as a public man he has to the best of his ability performed his duty to himself, his Colleagues and the Country. I may be taunted with having played a game, as has been insinuated elsewhere,—but a little reflection will prove conclusively to any reasonable mind that such could not be the case. The office which I held was one of the most lucrative and honorable in the Country,—the salary being £700 per annum, that office I freely resigned—and once more taken my place after seventeen years of political life, on the floor of the House, to serve as I best can my constituents and the Country, in conclusion, Sir, let me say, that my political course hereafter will depend on circumstances,—or this however. Hon. gentlemen may rest perfectly assured that the platform of Liberal principles which I adopted at the commencement of my political career I will adhere to still, no matter what power may be brought to bear against them or what temporary success may be achieved by those who now oppose them.

Mr. Morrison. Said, I have for some days past, listened in sober silence, and as contentedly as I could to the reasons urged

by the opposition against the administration and it is with much diffidence, that I approach the consideration of a question pregnant with such consequences, as that now under discussion. When I came to this House, some twelve months since;—and for the first time took my seat on these benches, I thought it necessary to sketch out for myself a line of policy. Among the questions discussed at that Session was a charge, preferred against the Government, for having dismissed a subordinate officer: I allude to the Post Master at Windsor, and, sir, after a full and ample investigation, I came to the conclusion that the policy of the Government was correct, and they were altogether justified in pursuing the course they did, with respect to that officer. When I came here at the opening of this Session, I did so under the belief that the Government would not properly exercise their executive functions, if a certain Subordinate Officer were not dismissed,—and that if he were retained, I could not conscientiously support them. In the discussion which has ensued on the amendment to the address moved by the hon. and learned member for Annapolis. Much of the debate of 1856 has been reiterated; charges then refuted have been repeated with all the coincidence of conviction, and an attempt made to shew that the existing administration has forfeited all claim to public confidence and respect. These charges have met a second refutation, and the attempt has proved entirely futile.

We were told at the commencement of the debate by the hon. and learned member for Annapolis, that if a vote had been taken at the close of last session, the administration would have been defeated. Sir, does any man who then sat in this House believe that he would have allowed a golden opportunity like that to escape; that he would with a majority at hand have permitted a whole year to elapse before he plucked the fruit, for which his soul was longing? No! Sir, with a majority of seven or eight recorded on the journals the government successfully resisted every attempt to defeat them—and yet in the face of this, the hon. member presumes to make that statement. Sir, he was thrown down the gauntlet at the feet of the administration—I will venture to cast mine at his and defy him to adduce any evidence whatever in proof of an assertion so recklessly made. Sir, there is sufficient circumstantial evidence, before us to shew that the hon. gentleman did not believe his own statement—and that if he were sitting as a juror on a case supported by such evidence he would, without leaving the box acquit the party charged. The next point to which the hon. member for Annapolis alluded was the action of the Attorney General with reference to the Maine Bill of

Law of last session. The Hon. Gentleman charged the Attorney General with humility—This reminded me of a story of two Dutchmen, one of whom had bought a quantity of liquor and sold it to the other, and when he applied for payment the purchaser said “You’re a tutch rogue”—“Deed an real” replied the other—“the cookoo cry his own name.” So I think I can distinguish the cuckoo cry in the action of the Hon. member, timidity indeed! I ask him what became of that Bill? It was drowned in the cider clause of 1855. Hon. and learned gentleman himself not wishing to face his constituents with that clause added to the bill, was there no timidity here sir? I came here in 1856 and found this sister child of a would-be philanthropist deserted by its parent.—I took it by the hand and did my best to carry it through the House.—Did he suppose that I could not see through the sophistry wound round his action in regard to that bill? Let him not lay the flattering unction to his diseased political soul, that I could not understand his motives.—(Laughter.)

What could be more timid than for a man in the hour of trial, to forsake the offspring of his own political loins? (Laughter.) He charges desertion of faith on the administration—why sir, it is evident to all that the hon. member for Annapolis has become politically an infidel. He tells you that the hon. Attorney General was the Delilah who had shorn the modern Sampson of his locks. Though pleased with the eloquence of the expression, I could not accede to the truthfulness. He must recollect that the ancient Jewish Lawgiver, to whom he referred, spent a portion of his life in attempting to catch certain animals to destroy the corn of the Philistines. He is now attempting to catch certain animals to destroy the interests of the Liberal Party. Sir, I will unkenneled this fox, and shew him how untruthful and baseless are the arguments he used. We have all heard the story of “to the victors belong the spoils.”

Come with me Commoners of Nova Scotia, roll back the billowy tide of time; unfold the mouldering record of ages, and search, but search in vain you will, for a parallel to the action of the opposition, in reference to this expression,—which was inadvertently dropped in the heat and excitement of an animated debate as a mere figure of speech, and was not enunciated as a principle of action,—and when it was charged upon the speaker, that he intended to announce it as a portion of the policy of the Government—and he at once emphatically denied any such object or idea, and gave the reasonable interpretation to the expression, should not all reasonable and honorable men have been satisfied? but were the opposition? No! indeed, twice again was the statement made,

and twice was it contradicted until the house voted it down, and declared their dis-approval, of the course adopted. But opposition again manufactured the expression into a political bolus, to be gulped down into their hungry maw, there to remain for 18 months until it was belched up to be mastilated over against this session. The Hon. member from Guysborough said the other night that the members of Government were not men but things which God had made to draw trousers on. I will not follow his example and say that the members of the Opposition are not gentlemen. No! that I won't. But this I will say, Sir, that the principles and motives by which they appear to be actuated in this case are such as should not restrain the bosom of any high or noble minded set of men. The action of the Opposition last winter reminds me of the old gentlemen who being about to leave home with his wife said to the eldest son who was of the same name as his father—"Now John you must be a good boy while I am gone; for if you don't I will whip you when I return." But the old lady says: "I think John we had better whip you before we go." So it was with the Opposition they wished to swear the Government to their principles before they would let them do the business of the country. Let us illustrate this in another way. Certain jealous-minded persons choose to assail the character of a virtuous maiden; they send the news-mongers around the streets in order to obtain some evidence of her guilt; but they fail in their attempt. What than, Sir? Why they seize the unfortunate female by the arm and drag her into a Court of Justice and make her swear to her chastity.

The gentlemen of the opposition have thought proper to refer to the past; my memory may be as tenacious as theirs. In the course of a somewhat animated debate last session the hon. member represented his constituents on the floor of this house as hungry wolves and dogs; it will be remembered, sir, that it was while speaking of a tour made by him over the northern declivities of his own county, a short time previous to the late election, that he said there were the hungry wolves and dogs peering into the carriage upon him. I called his attention to it at a subsequent period of the debate. He came forward like a gentleman and apologised. From that time to this I never mentioned it on the floors of this house; but not so was it with them, they reiterated the expression—"to the victors belong the spoils"—over and over again. Well do I remember the feeling that passed over me from the crown of my head to the sole of my foot, when he represented his constituents as hungry wolves and dogs; and when the

feeling had passed off, I looked around to see where his compeers were, and there they sat on these benches as statesmen—dumb, and seemed to quake beneath the satirical lash of their great metropolitain coadjutor. Why, sir, to represent the intelligent yeomanry who had girdled the mammoth birch and laid low the lofty mountain pine, and by the hand of industry had uprooted the majestic oak and established in their stead the peaceful domicile, and by their energy made the late wilderness to rejoice with the melody of song, and their gardens and surrounding hills to bloom as the rose;—to hear these people so represented was more than I could bear. I had traversed the Bay of Fundy and viewed their pleasant landscape, and been on shore and partaken of their hospitalities, and I determined that at least one man would stand forth and defend the character of the peasantry of the County of Annapolis.

There is just one more arrow in my quiver, and when that is sped I will leave the learned gentleman to his own serious reflections; and, sir, if I had the bow or the strong arm of a Callum Dhu might be tempted to let fly a shaft that would carry the summons to political death on its wings. But, sir, I have a feeling in my bosom (and I thank heaven for that feeling) which inspires me to, charity, and I will therefore only endeavor to aim as did William Tell, and split the political diadem from off his brow, leaving his cranium untouched. He seeks to overthrow the present government. If he succeed a new election of members to fill the seats of those vacated must take place.

Before he returns to Annapolis he had better equip himself for his canvassing tour with his Municipal Corporation Bill in his right hand and his action on the Coal Mine question at the last session in his left, with my Lord Falkland's proscription Despatch for a feather in his cap; and that he may not want anything to complete his costume the last article in the *Halifax Catholic* for a breast plate. Thus clothed I would not fear to contest Annapolis or any other County in the Province with him.

The hon. member for Cumberland said it was only when principles were at issue that the hon. and learned member for Annapolis would buckle on his armour and spring to the fight, and accounted for his apathy now by stating that no principles were at stake—a clear admission that the only object of the opposition is the attainment of office and power. But, sir, I think there is a principle of jealousy. They want the loaves and fishes; they covet the position of the Executive. He says that

the late Provincial Secretary and the Solicitor General obtained their Offices because they proved restive and opposed the Government; and again, that it is the desire of the government to concentrate office in the hands of a few individuals. Here are a mass of contrarieties from which I leave him to escape as he best can. He animadverted on my public conduct, and called me an eminent statesman. Sir, I am sorry I cannot return the compliment, my candour prevents me. When that hon. gentleman came from Cumberland and presented himself here as the leader of the opposition, there was not a third rate politician on either side of the house who did not see the mark of the hounds teeth in his heel.—(Laughter.) That is what the sailors say, sir, when they see lubbers trying to go aloft, and hon. gentlemen thought they could see a political lubber trying to climb last winter.—(Laughter.)

The hon. member for Guysborough comes next in turn, and I think, sir, I might be pardoned if I call him learned, for he appears to be about as flippent as any of the legal gentlemen on these benches. He wants a government to have great moral courage. Well, sir, I think he had better not take the hon. member for Annapolis as his guide, for I think I have already shewn that gentleman to be as timid as any member of the present government can be, whenever his own political position is at stake. He charges the government with having given away the fisheries without getting an equivalent for them; but how is he going to help the matter? Put the hon. member for Annapolis into power that he may give away the Coal Mines and other Minerals of this province to his friends of the Mining Association? Two wrongs never make a right. He boasted of his great moral courage, and declared his intention of annihilating the present government—made use of many high sounding words, and at length asked who dismissed William Condon? Wonderful stretch of moral courage to ask a question, the answer having been known to the whole country for several days. He referred to a mighty Judge of Israel, and introduced an Episode relating to an old gentleman and his ass. I thought he was about to enact Sampson, and that the member for Guysboro' intended to slay the Liberals as Sampson did the Philistines at Lehi. I kept my weather eye open, ready to dodge the missile, but judge of my surprise and consolation when I found that his onslaught was to be made with the tongue, and not the jaw-bone.—(Laughter.) He reminded me of the man and his wife; the former was always in the habit during a domestic broil of coming into the kitchen

and scolding the old lady. On one occasion she took down the bellows and began to blow; "What are you doing?" cries the husband. I am answering you, honey, with your own argument. (Laughter.) So I, sir, not having one of these instruments at hand I am compelled to answer him with such weapons as God and nature has given me.—(Laughter.)

Sir, we are told by the speakers on the opposite side of the House, that there is no disloyalty in the country. Why, sir, the very gods in the gallery are momentarily contradicting the assertion. When any hon. member rises to speak in favor of the mission of the hon. member for Windsor to recruit the wasted armies of England, these gentry visit him with hisses and groans. I have heard before of such disloyal manifestations being permitted within the walls of a British Parliament. And the hon. members of the opposition sit quietly by, and seem to enjoy the expression of this Anti-British feeling. Sir, I am of opinion that the opposition were somewhat premature in moving the amendments to the address, and that they would have better subserved the interests of the country by allowing the necessary public business to have been first transacted. If they had taken this course—and then, sir, if the opposition could have shewn any just ground for want of confidence in the government, I might have given them my support; but on this question I cannot think of supporting them. The charges preferred against the government have been frittered away to nothing. We are told that the ship of state is about to founder. I have been a seaman for twenty-five years and never yet touched a rock; but if the political craft which I have embarked is to go down I shall calmly fold my arms and sink with her, casting a full look at heaven, conscious of having faithfully performed my public duty, and with the full confidence that no vessel ever foundered with a better chance of rising again to usefulness.

Mr. MacFarlane.—I must congratulate the honorable member from Londonderry on being eased of the portentous windy speech he has just delivered. Since the commencement of the debate, it is well known his suffering has been great, and that he was overcharged with dangerous material, "which must have vent in froth or wit, else, by the pipers, he would have split."—(Laughter.) Now that the explosion is over, and the hon. member has doubtless silenced the opposition and saved the Government, it is to be hoped he will feel easier. He asserted that the principle announced last session by certain members of the Government and their supporters

that, "to the victors belong the spoils," was a mere chance expression dropped inadvertently and seized upon by the opposition. This is not true. It was deliberately stated and defended by them until they found the House would not assent to so abominable an avowal of tyranny and proscription, and the hon. and learned Attorney General was forced to declare his ambiguous but modified interpretation of the rule. The hon. member for Newport avowed himself the champion of civil and religious liberty, was for equal justice to all, and as a proof of the purity of his heart told us, that although a Presbyterian, he would not for a moment support any part or sustain any government in which even they possessed undue influence or numbers. If he be sincere, I ask him to state upon what principle he supports the present one? A Presbyterian myself, I naturally feel desirous for the advancement and position of that class of the people. But, Sir, it is well known that the Presbyterians form a majority of the present Government. I believe the religious creed of a man should form no barrier in this country, to prevent his filling any situation his talents, character and position qualified him to fill; and that, as all alike contribute to the revenue and resources of our country, so in the distribution of office and patronage the just claims of all dominations should be fairly and honestly considered.

The hon. member charges the opposition with preventing the Government carrying any measures during the past session, and particularly with defeating the Attorney General's celebrated Education Scheme. Is the hon. member able to comprehend that in honestly avowing this fact he admits the truth of our charge, that the Government is impotent, and unable to deal with the various important measures the country justly demands from them, and therefore are no longer entitled to its confidence, and should quit the position and place they now fill.

He told us the Catholics were greedy office seekers, and that among their other bad acts they forced into this House the young gentleman who sits as Assistant Clerk at your table, to fill the place of a better and more competent officer, and that, in consequence of his inability, an additional clerk had to be appointed, at an increased expense to the country. The hon. member voted for the appointment of Mr. Tobin; I did not. But, Sir, I have much pleasure in saying—and in doing so, feel that I state the general opinions of this House—that he has discharged his duties with efficiency, diligence, and courtesy, and that the appointment of Mr.

Twining as Clerk of Bills was rendered necessary by the increased business of the House and not in consequence of any incompetency on the part of the Assistant Clerk.

Among other strange statements, he charges Catholics with being a curse to this legislature.

Mr. Chambers—I did not allude to the Roman Catholics.

Mr. MacFarlane—I distinctly state that the hon. member did make the statement, and that I noted down his words at the time. If he now denies it, to whom, then, does he refer?

Mr. Chambers—To half-bred lawyers.

Mr. McFarlane—If the hon. member alludes to me, and cowardly denies his previous assertion, I treat his charge with the contempt it deserves. But the hon. member boasts that he possesses a potent influence over the government, says, "I insisted on the dismissal of Mr. Condon," and as the hon. member from Londonderry tells us he made a similar demand, it is not to be wondered at that the government was forced to yield to such potent threats, and I fear the hon. member for Windsor will have to resign to them, at least, a portion of the glory of the act.

I shall now address myself more particularly to the subject of debate. The government and their supporters assert that the bill of indictment laid to their charge by my hon. and learned friend from Annapolis, is merely a repetition of the charges made last session, and having been sustained then, they have done nothing since to forfeit the confidence of the country. I am far from admitting this to be true; but even if it were so, the numerous charges then made still remain unsatisfied. Their sins of omission and commission charged upon them in 1856 remain unredressed in 1857, and in these I find ample grounds for renewing the vote I then gave.

Among other acts of injustice and wrong, I then taxed the Liberal Government with, is that of having for years been guilty of gross and continued acts of tyranny and proscription in the county which I have the honor to represent. The Hon. Attorney General said he was surprised that such a state of things should exist, and that if I would give him a list of the persons holding offices in the country, the Government would examine into it. I prepared and handed him a written statement, a copy of which I hold in my hand, exhibiting the names of the parties, and offices they held, and shewing the political party to which they belonged. In that county, which for years had returned con-

servative representatives to this House, the list shewed this unjust state of matters.—Of Magistrates the Conservatives number thirteen; the Liberals have 50, and the Custos to boot. The same dominant clique have 5 Collectors of Dupes, we one; Postmasters, 3 to one; Lay Commissioners of Schools, six to three; Coroners, three to two; all Surveyors of Shipping; Insolvent Debtor, six to three; Commissioners to select Pilots, six to three. They have the Sheriff Registrar of Deeds, Registrar of Probate, County Surveyor, Fish Inspector, Fishery Warden, Light House Keepers, Seizing Offices, and in fact monopolize nearly the entire offices and local control of the county—from many of which offices honest and capable Conservatives, who enjoyed the confidence and esteem of the people, have been driven to make way for hungry, greedy office seekers, whose only claim on qualification consisted in the unscrupulous support they had given to defeated Liberal candidates, and a rancorous desire to crush and put down every Conservative in the county. Sir, I did expect—having brought under the notice of the new Liberal Administration this tyrannical and unfair state of parties in the country—that some remedy would have been applied, some redress given.—This evil still exists, without, as far as I am aware of, even an enquiry having been made. The Government take credit to themselves for having committed no new acts of injustice—that they have done no further wrong, and are therefore entitled to our support. I thank them not for their pretended generosity. In Cumberland the measure of their injustice was complete. They had crammed a liberal into every office they could find, and only ceased to do wrong when they had no further opportunity. But how have they acted in other counties? Who did not listen with indignation to the statement of my hon. and learned friend from Annapolis in reference to the exceedingly unjust appointments to the new School Boards in that country? Why, Sir, that act satisfies one that their pretended repentance is but a sham.

We are charged by the government and their supporters with forming an unholy alliance, and taking unfair means to overthrow the Administration. I deny the charge. No such alliance has been formed, nothing unfair resorted to. If a section of the old liberal party, disgusted and driven off by the conduct and treatment of the government they had for years sustained, now seek shelter in our ranks, what had we to do with the quarrel? It was got up, fostered and fomented by the members of the government, and their

friends, not by members on this side the House, and having now been prominently introduced, and forming an important element in the present debate, it is the duty of every member to give it a full and impartial investigation. Now, Sir, I have carefully read the letters of the hon. member for Windsor, examining into the circumstances connected with the Railway riots—to which they particularly refer, heard the hon. gentleman's explanation in this House, and having done so, feel bound to admit that the causes assigned do not in my mind, form any just or adequate grounds for the wholesale denouncing and proscribing of the large body of people whose loyalty and religion are so virulently assailed therein; and were I a member of that body, I hesitate not to say, that I should feel myself bound to oppose any government or set of men who would sustain and defend the sentiments contained in these letters—sentiments which I believe do not, and will not, receive the sanction or support of the people of this Province. No person regretted more than myself to learn of these unfortunate riots, which inflicted serious injury upon a number of innocent, unoffending people. They justly created a feeling of sympathy for the sufferers, and I am satisfied it is the anxious desire and fixed determination of both representatives and people that the same sacred protection which surrounds life and property throughout the Province, must and will be extended to our Railway and public works. No man pretends to excuse these riots, or justify the conduct of the lawless, abandoned men who committed them. It is well known, and admitted, that the really guilty men—the ringleaders, of the riots, were never taken, and from the statement of the hon. Railway Commissioner himself, it is pretty clear the Government did not take the prompt decisive steps they should have taken to prevent their escape. But, I ask this House, is it just, because a set of ruffians, Catholics they may have been, committed these outrages, that the whole of that body should be proscribed, and held up to the world as dangerous men, disaffected and disloyal?

I look upon these riots to some extent, as the natural fruits of bringing into the Province, the abandoned class of men which usually attend the construction of great public works, and the hon. Railway Commissioner has himself been largely their cause. I well remember when he commenced his railway agitations in Cumberland, that at the numerous public meetings held, I and other persons fire-told and pointed out to him the demoralizing and dangerous results which would

follow the introducing into the country the profligate and abandoned of other lands, and the laugh of scorn and ridicule with which the hon. gentleman met the objection. He then boasted of the great benefits that would be had by importing the innocent navies, who would settle on the lines of railway, increase the population, and benefit the country. The hon. gentleman has lived to witness the truth of our predictions, and having been instrumental in bringing hither the scum and floating population of the American cities, to whom we are indebted for these riots, should not charge upon the whole body of Catholics their guilty acts.

The hon. member for Windsor, now for the first time in this Province, seeks to separate it into religious political parties, and calls upon the Protestant portion of the inhabitants to band themselves together, under his leadership, in a religious crusade. I do not believe there are any just grounds for the alarm he seeks to create, and am strongly inclined to suspect the purity and design of his present movement. The Catholics number scarcely a fifth part of our population, and surely the remaining four-fifths are in no great danger of having their throats cut, and houses burned. Should the day arrive when our common Protestantism in this country is endangered, no man will be more willingly or eagerly than myself to grapple with the foe that would attempt in any way to contest or interfere with our political or religious freedom; but I will not unnecessarily lend myself to raise in this hitherto peaceful province the demon of religious discord.

The political divisions and party feuds which in times past set one portion of the people in hostility to the other, were bad enough. They severed ties of friendship, divided family, and sadly retarded the prosperity of the country. But under the free constitution we enjoy these are the natural results of party conflicts, and may be considered incident to the free discussion of public questions, in which diversity of opinions naturally arise. If, however, with our political contests are blended the animosities of religious proscription, I must fear the railway riots will sink into insignificance when compared with the scenes of strife and bloodshed which many parts of our Province will unfortunately exhibit.

Now, sir, one word to the hon. Solicitor General, who, with a skill and fertility of invention which no man in this house knows better to avail himself of than that hon. gentleman sought to fasten upon me a charge of inconsistency in my votes and conduct in reference to the Maine Liquor Law last session. He endeavored to justify the inconsis-

tent course taken on that occasion by certain friends of the bill and supporters of the Government, by comparison with mine. The hon. gentleman stated, that if they were inconsistent and changed their votes under the pressure of party obligations, they should be excused, as there was strong reasons to suppose that I had voted and changed my views under similar party pressure. Now I conceive that there is a very marked difference in our cases, they were its advocates and pledged to the bill. I was not. I did not believe it would have the good results its friends claimed for the measure; and seeing the evil consequence flowing from a similar act in the province of New Brunswick. After the bill had been fully discussed and a division was about to be taken, I moved its postponement, until we should see the action in our sister province. My motion was lost. A division then took place, and a bill was sustained, by a large majority, among whom were several friends of the Government who had also voted against my motion to postpone. The then Solicitor General, the hon. member for Sydney, wished to give notice to rescind. I refused, stating that as the whole of the members were present, and the bill had received a deliberate vote, and been sustained by a large majority. Although I doubted the wisdom of the act, I would give it a trial, and should vote against rescinding. And when that hon. member moved to rescind, I voted against his motion.

But where were those supporters and tried friends of the Bill, whose conduct the Hon. Solicitor General seeks to justify by comparison with mine, found on that occasion? While some voted against the measure, others found it convenient to be absent, when the division took place, and under the pressure of the Government, or some unseen influence, changed sides, voted against the Bill, and defeated it.

I, sir, hold consistency to be a sacred duty of every member of this house, and he should even be ready to explain any act which he might imply a departure therefrom. The reasons given are, I trust, a satisfactory explanation of my conduct on the occasion referred to, and I leave hon. gentleman to justify the course they thought proper to take as they best can. But this I tell the hon. Solicitor General, that the party with which I usually act in this house then had, and now have the consciousness of having performed their duty, and if any charge of inconsistency can be preferred, it rests upon the hon. gentleman not of conservative opinions, but belonging to the party of which the hon. Solicitor General is a member.

Dr. Tupper said—I rise, Mr. Speaker, to give on the instant, the most emphatic denial

the statements just made by the hon. and learned member for Pictou, Mr. McDonald. I feel sir, that in not only bringing the private conversation (or that which he asserts to be such) of his hon. colleague into discussion on the floor of this house, but in making statements here of what he professes were my actions out of this house last winter; he has placed himself almost beyond the pale of gentlemanly intercourse. But I will not allow a moment to transpire without giving the most unqualified contradiction to statements he has not hesitated to make here as facts. He says that on my having been attacked in the *Eastern Chronicle*, I discontinued the paper, and re-ordered it again as soon as it published the article against Mr. McKinnon. This is untrue, months after that attack was made I directed Mr. Chipman, the agent of the paper at Amherst, to discontinue it at the end of the year, and soon after, finding it necessary to have local information, request him to re-order it for me. I did say, and do say, that after a disgusting attack upon the government for appointing the hon. Mr. McKinnon to the Council, in which, if my memory serves me, they said it was necessary for a person to make the government "eat dirt," in order to get office, the editor, a brother to the hon. member, received the office of Registrar of Deeds! This is a small matter, but I now, in distinct terms, charge him with making a statement as to my conduct last session, which is entirely destitute of truth.

He says I spent last session in cabaling to form an administration which was to exclude the Catholics. Sir, I affirm in the presence of this house and the country that this is an unqualified falsehood, and I challenge him to adduce a tittle of evidence in support of his unfounded assertion.—Not only is there no truth in his assertion, but I am prepared to prove, even by those in the Cabinet itself, that in discussing these matters with members (consistently with the principle I laid down the other night that there is no impropriety in the members of this house, conferring freely at any time as to the improvement of the administration,) I frankly avowed my determination never to be a party to the formation of any Government that did not give the head of a department to the Catholics, as I felt it was their due. (Cheers.) Passing on from this personal matter, which must be offensive to this house as to good taste, I will refer to the argument used, that no charge of dishonesty in dealing with the public funds has been urged against the government, and that therefore we are entitled to ask for their dismissal.

Why, sir, does the hon. member not know that the administration formed and led by the hon. member for Annapolis was displaced by a vote of want of confidence, although the house and the country, looking at the high personal character of the gentlemen who composed that government, had the most unbounded confidence in their integrity;—and well they might, for in discharging

their duty with fidelity they did not shrink from the painful task of laying their hand upon a friend; and exposing a political associate. But, sir, can this government put in that defence after the declaration one of their friends and supporters—I mean the hon. member for Newport—just made to this house, that coerced by their supporters, they had not hesitated to perpetrate a disgraceful job, which involved putting their hands in the public treasury and wasting £200 per annum of the people's money! Sustained as his statement is by collateral testimony, it may be received; for, I feel, sir, that after the exhibition we have had of that gentleman denying language used in the presence of this house not an hour ago, unsupported evidence would not receive much attention. Sir, he may apologise to this house for the expression he used, but he must not deny them—they are too fresh in our recollection.—After exposing the secrets of the government caucuses of last winter, and giving proof of the demands made upon them by the Catholics for office after office, he stated in that connection, in unqualified language, that there was a class of men in this house who were a "curse to this country, and ought to be swept out of this Legislature!"

Sir, I tell the hon. gentleman who sneers at "half-bred lawyers," that if he did not mean the Catholics he does not understand the English language or the import of the words used by himself. I did not intend intruding again upon the patience of this house during this debate, for I feel anxious that this house should at the earliest period consistent with due deliberation be in a position to resume the practical business of the country. But, sir, as I have been called to my feet by the attack of the hon. member for Pictou, I fear that it would be considered disrespectful to the hon. member for Windsor were I to sit down without noticing the two lengthy and eloquent addresses with which the hon. gentleman has favored this house. Had that hon. gentleman continued to occupy the neutral course he long ago marked out for himself, devoting his energies to the construction of the great work in which he has induced this country to embark, and which I think this house will be disposed to agree with me in thinking will require consummate ability to conduct it to a successful termination, I should not have considered it necessary to make his position and views the subject of special consideration. But, sir, he has descended from that lofty position; and the man who the other day standing before the conservatives of Windsor, (who might have something to say about his coming here) declared that all party questions of public policy being settled, there was no longer any need for the separation of parties, divided only by an imaginary line, no sooner places his foot on the floor of this house than he assumes the attitude of a decided partizan, tells us unhesitatingly that he is prepared to resist his liberal flag, and return to his old trade of a politician. I ask this house how much a declaration of this

with his statement yet fresh in our recollection that "the foundation of party must be principle, and that a party without principles must be a dead carcass!"

Does he intend, sir, to endeavor to reanimate the dead carcass of defunct party in this Province? It can only be done by making the abode of a nest of hornets, and considering, as has been said of a leading member of the House of Commons, that that hon. gentleman has a "forty thousand horse power of stinging," the simile may not be considered inappropriate. Sir, I did hope that excited as the public mind has been by the letters of that hon. gentleman, that after this House had listened for hours to his eloquence, we should have been able to understand the somewhat anomalous position which he at present occupies; yet, sir, although this House has listened with the closest attention, which that gentleman's eloquence never fails to command we are as much in the dark as ever as to the policy that guides his somewhat erratic movements. His speeches are alternately suppliant and defiant. At one moment you suppose, that he has decided to assume the, for him, novel character of a Protestant champion, and combines and leads up Protestants of all creeds against the Roman Catholics of the Province, and thus cripples and controls that body,—but in the next breath we find him exhausting his remarkable powers of cajolery in inducing the Catholic members of this House to believe that he is not only one of their warmest personal friends; but that no man in this country is so intent as himself in giving place and power to that body of Christians. Nay more, in answer to the pungent attack of my friend, the hon. member for Sydney, he has entirely backed down, and declared that not only has he not intended to do anything offensive to Catholics, but that he has never proposed, and does not propose by combination or otherwise, to take a position at all antagonistic to that body, to whom he owes so much, and to whom he will ever be so devoted. He goes further sir, and tells us that rapacious as we have just been told those people are for office, when he sat at the Council Board with two Catholics, he was constantly pressing the claims of that body—claims which they did not urge—in fact that he was a better Catholic than they.

Now, sir, the hon. Mr. Howe has told us that his letters have been misrepresented here by reading isolated passages, and that like the bible they require to be taken as a whole; in order that they may not be misunderstood. I accept that statement, and after having given them that careful study and consideration which letters from such a source deserve, I am bold to say that if those letters meant anything at all; they were intended to convey the impression that in the present condition of this country, the Catholics had perpetrated an atrocious outrage in the name of religion—that they possessed such an undue ascendancy in this country, that the Government was paralyzed, and dare not dismiss an insubordinate officer, and rebel,

because he was a Catholic—and that the Crown was unable to convict others brought to justice, because Catholics on the jury would perjure themselves to acquit their co-religionists—that in fact, bending beneath the pressure of this dominant persuasion; the Government was *effete* and impotent to enforce law and order; and that the leader of the Government dare not discharge his duties as a Crown Officer against members of that persuasion, guilty of the most heinous crimes—even an attempt to murder! Further, sir, that the object and intent of these letters (for no man in this country is better calculated to gauge the effect and influence of incendiary and inflammatory appeals to the masses of the people,) was obviously intended to induce a Protestant combination against a powerful and dangerous enemy to the state. Nor, sir, is he ignorant of the flame that has thus been kindled.

We have been told by the hon. member for Windsor that Mr. Condon is a disloyal man, has ever been the head and inspiration of a foreign faction who sympathized throughout with the Russians during the late war, and yet, strange to relate, he told us in the course of his speech that this same Mr. Condon was his warm personal friend and supporter, up to the period that he went on the recruiting expedition. Now, sir, I have very slight acquaintance with Mr. Condon, and am not his defender, but I will call the attention of the house to the evidence of a portion of the press supporting the government, I mean the *Morning Advertiser*, and from the well known fact that this press obviously started to sustain the present tottering administration; and the known venality of the editor, I mean Mr. Weeks, Senr., we may conclude that nothing appears there without the consent of the government. I see the hon. Attorney General making a note of "venality." Is it not true? Do we not all know the history of that individual? That he came here and connected himself with the conservative press; that the hon. Mr. Howe seized his pen and with his blighting, blasting hand soon stripped him of all disguise—feeling that all that was necessary to render his venom harmless was that his character should be known. Mr. Weeks finding that the enlarged powers of abuse on that side of the house were too great for a man so open to attack, took the earliest opportunity of going over and fraternizing with them. Need I point to his exacting course in dealing with the government, or the former Provincial Secretary in proof of his venality. But enough, I will give you the evidence of his new mouth-piece of the Government.

Let us not us not be misunderstood. We do not approve of Mr. Condon's dismissal at this late hour of the day. The time had long passed by when the Executive might have been, with some show of reason, pressed to such a conclusion—the act of covering the Leader of the Government, at this time, and upon this point favors rather of an spirit of vindictiveness, than of stern justice and con-

est patriotism. We have elsewhere, and, in another form, given strong expression to our disapprobation of Mr. Condon's great *indiscretion*, we say *indiscretion*, for the act which has ultimately led to his ejection from office, in one word, amounted to nothing more.

"Of the acquittal of the parties tried on the charge of having been among the perpetrators of the ferocious attack upon poor Gourlay's peaceful home, and its unoffending inmates, we have only to remark that, had we been a juror, in the case, (regarding our oath to render a true verdict *according to the evidence*,) we could have arrived at the same conclusion as that come to by the intelligent jury to whom the investigation was entrusted. Our conviction is, that the parties really guilty were not within the borders of Nova Scotia when the trial took place. An *alibi* was clearly proved in respect of all the accused, save one; and consequently to have found a verdict of guilty, would have been simply to set at nought the merciful and truly British maxim give 'the prisoner the benefit of the least doubt.' Nor do we fault Mr. Johnston for having faithfully and fearlessly used every effort to establish the innocence of those men."

In the same paper of February 12th, they again say:

"We reiterate, in no measured terms, our entire disapproval of Mr. Condon's dismissal at this late time of day, and unreservedly record our disapprobation of Mr. Howe's ill-advised insult, so undeserved and so keenly felt by the Catholic body of this capital."

Now, sir, if this venal and dependent organ of the Government thus exonerates Mr. C. I ask you what position they stand in themselves? and still stronger is the case against them, when we know that they placed the Hon. Mr. Wier in the Cabinet, who was party to the very transaction for which they dismissed Mr. Condon. I ask why did they dismiss him? The answer is obvious. They acted upon the only principle of right and wrong they recognize. They find out what their supporters demand, and then do as they are told. They, like the Dutchmen, to whom I referred in an anecdote the other day, "Have the principles of the majority."

Mr. Howe confidently asks this house if they are going to allow any one to take "revenge on Howe."

Sir, no such feeling animates, or as far as I know, any one of our friends. Sir, there is a gentleman in this house, aye, sir, sitting at this table that might justly ask for revenge on Howe,—a gentleman who, when Mr. Howe "was false to old principles and old friends" forsook him and his other friends, and embraced the earliest opportunity of entering a coalition government, and accepting for himself an office of emolument. (Sir, the hon. Attorney General in the bitterness of his soul, did not hesitate to say that Howe had sacrificed him. May he not a second time say that he has been immolated on the altar of Mr. Howe's vengeance! Why sir, if after all that has transpired between those gentle-

men—after the school bill of the Attorney General having been held up to public execration by Mr. Howe—after the government itself having been held up to public ridicule, and represented as effete and impotent, and even the Attorney General denounced for shrinking from the discharge of his duty as a crown officer, as also leader of the government in the case of McCabe;—if I say, after all this, which is patent to the world, those two gentlemen can present themselves to this house in an attitude of fraternal friendship, a good many people will believe they are *Arcades ambo*, and with the "Catholic" translation.

The hon. member for Windsor says not only that "he has never been false to old principles and old friends" but that he has always given every one a hearing.—Sir, does he dare hold such language in the face of intelligent members? does he dare make such an assertion to outraged Nova Scotians, when from end to end the Province is groaning under the effects of his high handed and unredressed tyranny? Ask the hundred magistrates dismissed at one "fell swoor," to made room for their inferiors, because they were his creatures. If they had a hearing, when with conscious rectitude and innocence they demanded the reasons at his hands of the ignomy to which they were subjected?—Ask McNab of Pugwash who was immolated on the altar of Howe's vengeance because he exercised the rights of a freeman in recording his vote as he had always done? Ask Chandler, the late Sheriff of Cumberland, who was immolated on the altar of Howe's vengeance, not for any overt act, (for the Attorney General was driven to admit last session, that "he was dismissed on account of his political reputation.") but because a victim must be sacrificed to appease the wrath of a rejected candidate. Is this the man, sir, who insulting the intelligence of this house, and the country, represents himself as all that is noble, generous and just. I sir, have had some little experience of that hon gentleman before,

At the close of the poll at Parsboro', during an election which was characterized by manly courtesy on both sides, that hon gentleman believing, as I think, that he and I were the successful candidates, and having some doubt as to the parliamentary majority, made one of the most delightful speeches to which it was ever my good fortune to listen. He told the electors that he believed he would be triumphantly returned; but, said he, assuming that we are beaten, there are no two gentlemen in the county I would rather see represent you than Dr. Tupper and Mr. McFarlane, and turning to me with the bland and insinuating manner for which he is noted, and which is so difficult to resist, said: "I offer him my hand, and as we thus bury

and forget any little asperity that may have been engendered by our recent contest, so may our mutual friends be reunions, like the waves of the sea, &c." It would be wrong, sir, with my feeble power to attempt to portray his soul-stirring eloquence.— Suffice it to say, that I gave him my hand, and unsophisticated youth that I was, thought that he could not be so much of a bad man, after all. We met a few days afterwards, on declaration day, at Amherst. Sir, I would not have known him to be the same man.— What had changed him? He had just received a telegram, saying that the government would be sustained by a majority of nine, and "ever valiant on the strongest side," the disguise was at once discarded. Would you like to see his speech on that occasion?— read the "rehash" of it (to use the elegant phraseology of the member for the county of Pictou) "dished up as an editorial of the *Morning Chronicle*," on his return to Halifax. Now, whether it is the organ of the government or not, few persons will doubt that it is Mr. Howe's organ. I will read some of those "elegant extracts" for the edification of the house:—

The Conservatives have, by fair means and foul, won the two County seats, but what else have they gained? They are in a hopeless, helpless minority in the Assembly. As Mr. Howe laughingly told them in Amherst, a few days ago, when the people were assembled to witness the Sheriff's return, their new members have not the power to make a magistrate, to dismiss one, or even to restore one who had been dismissed."

Thus adding insult to injury; for who that has heard the crushing statement of my hon. colleague just exhibited in the able appeal he has made, can doubt that the majority of our constituency is, and has been, ground down under the despicable tyranny of an irresponsible minority? But, sir, I have a graver charge than any yet preferred, to bring against the Chief Railway Commissioner. Not only are offices of honor and emolument to be parcelled out without regard to the wishes of the people as the reward of political support of the misnamed Liberals, but that great experiment, in which the hon. Mr. Howe has induced this country to embark— an experiment which for ought we yet know is to realize all the ruinous consequences predicted by those who opposed it,—the railway operations of our country, with enormous expenditure of money involved, are also to be prostituted at the shrine of Mr. Howe's average.

(The hon. member for Windsor here stated that he did not write the Editorial in question, and it was in print.)

Mr. Anand avowed that he was the writer. Very well, said Dr. Tupper; then we will hold the Government responsible.

The Attorney General disavowed the article. Dr. Tupper—Will nobody own the Queen's Printer?—(Hears of laughter.) Then, Mr. Speaker, I will read the article as an embodiment of the views of that distinguished states-

man, and we shall see that a work, which this House and the public were foolish enough to suppose was to be constructed upon commercial principles and with a view to public utility, is also to be made subservient to purchasing political support in this House, and revenging the independent action of the country.

"As for the Railway, it cannot be supposed that the Chief Commissioner is under any particular obligations to take it to Cumberland now. The Counties that have spoken out in favor of the Government policy have established preferential claims—Hants first, and then Colchester and Pictou. It will be for the new members to give Cumberland a Railroad—when they can."

This, I suppose, accounts for surveyors being sent at the public expense to stick up poles with pieces of white rags upon them, on the day of the election at Pictou, to influence the votes there. Will this country consent, sir, to see an enormous work which will involve us in the frightful debt of one and a half million of money, prostituted as every thing else has been at the shrine of the interests and malice of a few individuals.— Further on we read in this Government directory.

"There are two or three officials about Amherst Corner who should be made examples of by and bye."

And true to his official intimation, Sheriff Chandler was soon driven ignominiously from his office, without the shadow of a charge; to make room for a young man who had actively interfered for Mr. Howe.

I will now briefly allude to the desperate resort to which the hon. Mr. Howe, (who appears to have taken charge of the government,) has been driven to intimidate the members and influence the votes of this house upon the present important decision. After having with very questionable taste, boasted in the course of his speech of his influence with "Sir Gaspard," he has boldly threatened us with a dissolution in case the government are not sustained. Sir, I am much mistaken if there is a man on these benches so craven and spiritless as to have his vote influenced by a threat of dissolution, a threat alike offensive to good taste, unparliamentary and insulting to the head of the government of this province, a gentleman whom we have yet to learn will stoop from the high position he occupies, to lend himself either to party or to individuals. I accept the doctrine laid down by the hon. member for Windsor in his first speech (and before he found his situation so desperate) as strictly constitutional. He said—"if the government are beaten, as from the list in my hand I presume they will be—by a small majority, we will have the Falkland administration over again, and it will last about as long. If, on the other hand, the government are sustained by a majority of one or two, if not able to re-construct the government so as to strengthen their hands, then we will have a manly appeal to the people." This, I say,

sir, I accept as sound and constitutional; and I must require something more than the confident threat of the member for Windsor to induce me to believe that his Excellency will adopt any other course. Do not for a moment imagine that I deprecate a dissolution in the present position of public affairs: we should, I am confident, carry the country by an over whelming majority. But sir, are we in a situation to render a dissolution possible? I think not. The hon. Solicitor General says we could pass the revenue bill at once. Could we? Is not the government in a perfect state of dislocation? Has not the President of the Legislative Council resigned and left that body without a head? And is the government in a position to fill his place? The office of that important functionary, the Provincial Secretary, is vacant, and they do not attempt to fill it. Pass a revenue bill indeed! Do not the government know that a really financial crisis has occurred and that if the money for the roads and schools is not to be withdrawn, they must come down here, and ask this house to largely increase the ad valorem, duties, or stop! Is that a matter to be accomplished by an impotent government in the heel of an afternoon?

But, sir, I would enquire, on what new issue are we to go the country? Has the Government raised any? No. Have we raised any? No. Has Mr. Howe raised any? Why, Sir, that might have been so considered until he backed down before the vigorous logic of the Hon. Mr. McKeaguey, and declared, that he had never insinuated that the Catholics are dangerous to any body—that he has never proposed any action here or elsewhere to control them,—and in fact, that he is one of their warmest friends, and has ever been so. One more remark, sir, and I have done. We are threatened with something far more terrible than a dissolution, a no less frightful public calamity than the resignation of the office of chief Railway Commissioner!—who has threatened, in case the Government (for which he has such new-born love) is defeated, that he will 'take his office as he has his life for the last nine months in his hand.' Well, sir, if his office fares as well as his life, I think, it will have no occasion to complain, for the hon. gentleman appears to be in pretty good ease. Now, sir, I know not what consequences might not have resulted from such an announcement had we not been incidentally told in another communication that the Railway Board is in such a state of efficiency, and the gentlemen around it so adequate to the vigorous and thorough management of its affairs, that the work proceeded quite as well during the months that the Chief Commissioner was engaged in matters foreign to it in the States and elsewhere. Let me tell the hon. Chairman that he must not be too eager to relieve himself of the responsibilities devolved upon him by his present position, or he may give force to the rumours that have appeared in a portion of the press, that the present condition of that great work to which

we are now irretrievably committed is such as to render his apparent sacrifice of office, small. We do not forget that the railway accounts, so far from conveying any information, for which the public mind is eager, only shrouded the matter in greater mystery than before. I do not hesitate to pronounce the publication of those accounts one of the greatest insults to the intelligence of the country that has yet been perpetrated; and that is saying a good deal. We want to know how great is the debt in which we are involved,—how much the cost is per mile,—what the probable amount required is likely to be, and have an intelligible statement, by which we shall know how the money has been expended.

The country has, moreover, been in some manner perpetrated for even the startling contingency of the loss of the Chief Commissioner from the Board. We have been informed in one of that hon. gentleman's letters that before 9 miles of this great railway was finished—the work that was to render Nova Scotia an Elysium—the Chief Commissioner, whose energies were relied upon, as alone able to accomplish our hopes, was seeking promotion at the hands of the British Government, and that it has been promised as soon as a fitting opportunity occurs. I will only add, sir, that so far from wishing the hon. gentleman's failure in that wish and proper ambition, I should hail his elevation to a Governorship with pleasure, and believe that it might shortly ensue, without any detriment, to the peace and happiness of Nova Scotia.

Mr. Whitman said.—Mr. Speaker. I have a few remarks to make on the subject, and but few, which I shall endeavour to confine to the subject immediately at issue. The hon. member for Windsor, has given us a long speech which appears to be entirely apart from the question under consideration, a mere historical review of his conduct in the enlistment story of the Foreign Legion, in the United States, down to the time of his quarrel with the Roman Catholics, and the consequences resulting therefrom.

I look upon the question at issue here, as between the Government party and the opposition during the last session after an considerable time had passed; a question was raised with a view to define the parties in this House, and to ascertain who was and was not with the Government. Upon the division the Conservative or opposition party were found so small that we were taunted with the language, that the Conservative party did not and never could again exist in this country. Now, Sir, notwithstanding that taunt, we have existed, and are all here present to a man, true to ourselves, true to our principles, and true to each other, a little band of patriots.

Now, Sir the question has been asked and repeatedly asked for what reason do you desire to dismiss the present Government, what have they done worthy of censure? My answer is the opposition have at all times

the right to the best Government, upon a vote of confidence, without assigning any general or specific reason for doing so, and also the right to any and every favourable circumstance to insure success. I, Sir, consider that a sufficient answer to the general enquiry, but I have more reasons. The Hon. Attorney General has told us there has no change taken place and the Government have yet the same confidence reposed in them as ever. Is that true? what Sir, did we see last year and in previous years when the Honble. Attorney General would be addressing the House, with a glance of the eye peculiar to himself he would call forth applause from the Gallery, can he do that now. No the effect has failed, and is not that a proof that a change has taken place, the extent of which will be known when this question is taken, that Sir, is all I shall say on the general question—but I have a little private account to settle with the Government, to which I will beg the attention of the House for a few moments.

The three members who now represent the County of Annapolis, have been elected four times in succession, by large majorities, the last one being the largest; for the last ten years we have been in a minority in this House, during the whole of which time I have not been consulted, neither do I think my colleagues have, touching any appointment in the County. Patronage has been dealt out pretty freely—I cannot say I don't know where the Government got their recommendations, because,—I do know—and it was from parties who were not responsible to the people.—Now Sir, how stands our County affairs; fifty-four Magistrates thirty-five Liberals; nineteen Conservatives

Under a bill introduced by myself last Session, a new board of School Commissioners was authorised for the western part of the County, dividing the population as nearly equal as possible, how is that board politically constructed? Five active and influential Liberals, one no party man, who has always voted for me, and one clergyman, who I believe never votes. Now Sir, I come to the denominational character of that board, there are three thousand Episcopalians in the County they have one member at the board. The Presbyterians in the County number three hundred and sixty, they have two members, and the Methodists two thousand seven hundred have four members at the board, while the Baptists numbering seven thousand and upwards, and the Roman Catholics between five and six hundred are not represented at all. Now Sir, a new Sheriff was required and the Attorney General was in Annapolis and I saw him, he did not consult me on the subject, but he was chased by the Liberals, from one end of the County to the other like a swarm of bees, pressing their various claims for the office, I am not saying but the successful applicants will make an efficient officer—I think he will, but he is not the man the people would have chosen, or their representatives recommended; how the members of Government can reconcile these

things with Responsible Government is what I cannot understand, and are quite sufficient grounds, for me to vote for the Conservatives.

FRIDAY, Feb. 13th, 1857.

House met at half-past 2 o'clock.

The hon. Attorney General said—As it is understood that the hon. and learned member for Annapolis is to close this debate if no other member desires to occupy the floor, the right to precede him I conceive should be conceded to me.

Mr. Wade said—I have studiously avoided mixing myself up in this debate; nor am I prepared at present to make the few observations I deem it my duty to make, but I may take some opportunity before the close of the session of doing so. As I have acted in times by gone, I will act now; and whatever course I may adopt, let me say that Government patronage will have no influence on my mind. Sir, my object is, to arrest if possible the demon of religious discord which is stalking through the land; and while I cannot accord to each and every member of this House the right to exercise independence of mind and action, I claim the same privileges myself, and, sir, be the issue what it may, I am prepared to stand or fall by the consequences.

Hon. Atty. Genl.—said he had no disposition to take any course incompatible with the rights of hon. members. But as the hon. and learned member for Annapolis, by the rules of the House, had a right to close the debate, he thought that if any new argument was to be adduced by any hon. gentleman opposite, he (the Atty. Genl.) should have a right to reply before the close.

Dr. Tupper—said the hon. Atty. General should not forget that there were members of government well able to deal with any new arguments, who would have an opportunity to meet and repel any charges preferred.

The hon. Atty. General said—Mr. Speaker the debate in which we are now engaged involves the whole policy and complexion of the government. It differs essentially from the debate of last session. For the circumstances which gave rise to it, are of a character essentially distinct. And it is likely that the present session would not have been distinguished by any such discussion, that the political atmosphere would have been unruffled and undisturbed, had it not been for recent events which have cast their shadows on the floor, the influence and effect of which have been felt, not only here, but elsewhere in the Province. Sir, I have listened with indignant astonishment to the epithets which have been levelled not only at the acts of the government as a whole, but individually at my hon. colleagues and myself and the vituperation which has been poured forth copiously and profusely on every member of the cabinet. "Get you gone," says one hon. member, quoting a well known passage in English history. Another hon. gentleman believing that some little lingering vitality may still remain in the administration, says—They

exhibit a pretended confidence, but real weakness." Another, "that the government is still sufficiently strong to withstand these united attacks."

I neither share the presumptuous confidence of the one, nor give way to the unmanly apprehensions of the other. The government may be defeated or sustained—there may or may not be a close division,—but I have not yet abandoned the belief, that there are men around these benches whose ears are open to conviction, whose judgments are not yet stereotyped either on one side or the other. This is not the mere discussion of some trivial issue, but possesses all the elements and essentials of a debate—the desire to convince—the possibility to win. The government stand upon their acts—they point with confidence to the history of their career—they challenge investigation, they demand inquiry. Sir, one hon member with evanescent audacity said, it was a corrupt government; but he was ashamed of the expression ere it escaped his lips, and qualified it at once by saying, it was corrupt inasmuch as it was guilty of weakness and indecision. That it is corrupt in the sense usually ascribed to the term, no man has pretended to say in this debate. Nor do I believe that there is an individual, even its most determined opponent, who believes that it is so. This we were politely told by the hon member for Cumberland was, after all, but small praise, and merely meant that the members of government were not pickpockets. Sir, I give it a wider significance—I believe that it does mean something more.

The officers of this government, all of whom by one sweeping act you are required to expel from their position, have long and faithfully served their country, they have acted with honor and fidelity, and yet by this amendment the house is called upon to record upon the Journals of this country a vote of want of confidence in them.

The administrative functions of the country are to be revolutionized; the Receiver General must give place to a new official; the Financial Secretary must return to the quietude of the rural shades from whence he came. The Provincial Secretary's office, from peculiar circumstances has been already vacated. New officers must be appointed to the Board of Works, and other Crown officers fill the situations of the present incumbents—so that some 14 or 15 persons to whose management the public business has been entrusted, are to be removed, and an entire change of policy must take place if this want of confidence vote should prevail. On what ground I ask? The officers of this Government collect and distribute a revenue of £150,000. In the year 1856 £250,000 was borrowed, and the immense sum of £400,000 has passed through the hands of those officers, and been faithfully expended on the public works in this country. Is it nothing to the people of Nova Scotia—that a universal well founded conviction pervades north, south, east and west;—a conviction substantially and

wholly true, that not one pound of that sum has been misappropriated—and that every shilling of the available revenue of the country, has been faithfully collected and applied to its legitimate object. Sir, I do feel that the confidence reposed by the political friends of the Government in its integrity, is something of which any Administration might well feel proud. If a hostile vote should compel them to give place to others they will yet have the satisfaction of knowing that their acts cannot be impeached or their political integrity impugned. We have heard something of Railway accounts—and have been told that they were incomprehensible. What are these accounts? A balance sheet showing generally the receipts and expenditures; they could not and are not intended to exhibit item by item every shilling received and expended—that would fill a volume; but these accounts are laid on the table of the House, with duly authenticated vouchers, and are submitted to the rigid inspection and surveillance of the committee of public accounts. The expenditure upon the Lunatic Asylum—the St. Peter's Canal, and other works stand in the same position; and we challenge the strictest scrutiny and investigation of them all—so far then the acts of the Government stand unchallenged and unimpeached. But we have had charges of another kind preferred, and every mode of attack has been exhausted in the vain and futile attempt to draw down public indignation upon the ministry.

Honorable members have not confined themselves within the legitimate bounds of debate, but have taken license unknown in Legislatures governed by British precedent elsewhere, and tarnished their own fame by indulging in epithets which should never have been heard within these walls. Their conduct compels me to depart from my usual habit, and to notice some personalities which I feel it impossible to pass over,—personalities levelled in some measure at myself. The hon. gentleman from Cumberland has made himself particularly obnoxious, and has not scrupled to say many offensive things, and to give utterance to expressions quite unwarranted and unparliamentary. This may seem strange, for he is a mighty smooth-spoken gentleman, with a polished exterior, were it not that the heart is wanting. Sir, he is treacherous and cold; he stabs like an Italian assassin, and stabs to the heart. He quotes latin, too, with the Catholic interpretation, and affects to be learned; but for my part, sir, I detest all hypocrites and humbugs.

Better had it been for the learned Doctor to have remained in his Country town, compounding poisonous drugs and manufacturing pill boxes at Amherst—(A laugh)—than to be here retailing stale anecdotes from Joe Miller and violating all the rules of Parliamentary decorum. I do not like these wholesale slanders—if he intended to prefer a charge against the administration, he should have done so, without outraging all delicacy of

feeling, and giving vent to the asp-like bitterness which lay at the root of his tongue. It is possible that the honorable gentleman thinks he can take these liberties without retaliation, but he will find that flagrant and uncalled for assaults upon private character, will always meet with immediate reply. As for the hon. member for Guysboro' he has delivered a highly characteristic speech; a speech which no man in this House but himself would have the face to utter—couched in language unbecoming the feelings and position of a gentleman—alike degrading to this Legislature and disgraceful to himself. An effusion of vulgar slang which no man could listen to, without disgust. It was a stream muddy and shallow, like the intellect it came from—and as for its tone, sir, to what shall I liken it. It certainly was not the song of the nightingale or the thrush, for the sweetness was not there. Nor the scream of the Eagle,—for it wanted the dignity and the power. It resembled rather the hissing of a certain ignoble bird, which the hon. gentleman has taken under his special protection, for it is known to all the world that the member for Guysboro has a peculiar penchant for geese. (Laughter.) Sir, these personalities are revolting to me—during a long parliamentary career of some four and twenty years, I have never wantonly insulted, or unnecessarily attacked a single member of the Legislature. Personal crimination and recrimination I have never resorted to. What course the hon and learned member for Annapolis may take in closing this debate will depend on his own taste. I neither invite nor deprecate attack. If he should see fit, to indulge in similar personalities, the tone of the debate on the amendment which the hon. member for Windsor has intimated his intention to introduce, will of course charge its character and enable us to reply.

Sir, I feel it incumbent on me to review the various charges made by hon. gentlemen here, affecting the character and standing of the Government. We are told that the Executive should be responsible for the action of the Press and the sentiments expressed by the Editors; and an attempt has been made to show that the *Morning Chronicle* is the organ of the Government.—That has been denied by the Editor himself.

But how much further do they push the responsibility of the administration when they hold it answerable for the *Pictou Chronicle* and the *Yarmouth Tribune*, what possible influence can the executive possess or exercise over those journals? The Editorial which appeared in one of those journals when the hon. member for Sydney was called to the Council was most distasteful to me; and altho' that hon. gentleman has withdrawn from me his political support, no man regretted more than I the publication of that article. But, sir, the Press of this Country is essentially a Free Press, and no Government ought to separate itself from a paper because it disagrees with one portion of its policy.

All these references should be banished from our consideration. But, Sir, there is a strange inconsistency in some of the remarks which have been made,—we are first reproached because, as they say, the *Morning Chronicle* is the organ of the Government, and in the next breath we are taunted with permitting the Editor of that journal to hold office after he had published editorial strictures against the Administration. The inconsistency of the argument is too palpable to require further comment. With reference to the next charge gentlemen not in the Government can little appreciate the responsibility attaching to the appointment and displacement of officers. How difficult it is to weigh the respective value of contending claims,—to resist the pressure of friends, and select the most eligible and suitable applicant. The honorable member for Queen's complains of recent appointments to the Magistracy in his County.—If he were aware of the pressure which the Government withstood in making appointments there, I am sure he would not complain. The dispensation of Country patronage requires the exercise of firmness and discretion. It is necessary to know when to acquiesce and when to resist. The Government never did assert the general dismissal of subordinates as a principle of their policy. We did say that if subordinates chose to engage in politics, and take an active part in opposing members of the administration, it was the duty of the Government to dismiss them, but it was never applied except in one instance, and not until by recent acts these subordinates had manifested antagonism to the Government was a dismissal ever contemplated. Mark what followed:—Mr. Fulton and the Chairman of the Railway Board, lost their election, Who opposed them? These very officers; but even then the Government did not exercise their power and eject them,—that would have been distasteful even to the two gentlemen who lost their elections,—and the Judge of Probate and Prothonotary for Cumberland remained undisturbed.

The course which the Government intended to pursue was announced last session. I stated that the case of each subordinate should be adjudged upon the peculiar circumstances attending it. A complaint, for instance, was made against an officer of the revenue in the County of Queens. Nothing would have been more agreeable to one of the members for that County than that the Government should have dismissed that officer. They refused;—withstood the pressure and retained him in office, deeming that the circumstances of the case were not such as to justify them in exercising their power. Therefore, when hon. gentlemen talk of weakness and indecision, let them consider the firmness we have often displayed and the difficulties with which a Government is on every side environed. We are told that the Government should be answerable for the acts of its subordinates,—I wholly dissent from that doctrine. If negligence or incapacity be al-

leged against an officer, enquiry, investigation, and punishment—if punishment be deserved—should follow. Let hon. gentlemen show me where this has not been done the Province over, and if he prove it to the satisfaction of the House, I will at once admit that there is just ground for complaint. But we are told that the government perpetrated a dirty job in displacing a clerk of the House—appointing an incompetent officer in his stead and subsequently reappointing the same individual. That was not an act of the Government—it was an act of this Assembly as a body exercising legitimate functions in the selection of its own officers.

Dr. Tupper.—I did not say that the Government perpetrated a job; what I did say was, that a subordinate officer of the Government had made that charge.

Hon. Attorney General.—The Government could not do what they had no power to perform, and if blame rests anywhere it is attributable to this Assembly, not to us. We are told that the Government is *effete* and tottering, hastening to its fall, because of the acts of high-handed tyranny which it has perpetrated. This style of invective does not shake my nerves, or disturb in the least degree my composure. The question to be solved by the House, and perhaps afterwards by the country, does not and cannot turn upon any expressions however strong,—any denunciations, however vehement—and hon. gentlemen must not delude themselves with the idea, that they can warp the judgment of gentlemen within these walls or beyond them can distract their attention from the real issue, or distort the facts of the case. They are the mere language of faction and must expire with the breath that uttered them. We are told sir, also, that a financial crisis is approaching which must be averted or we must stop. I meet that charge with a broad and general denial. I should like to know from whence the hon. gentleman derived his information. Sir, the credit of this country never stood higher than it does at the present moment, nor is any financial crisis, that I am aware of likely to occur. We have spent some £400,000 or £500,000 in the construction of a great public work, and will have to pay some £25,000 or £30,000 of interest annually until the Railways are completed. This is the natural result of the operations in which we are engaged; but the amount can be raised without difficulty, and it is an abuse of terms to call this, in tones of exaggeration and affected terror, a financial crisis.

Now Sir, I shall pass over without going much more into detail many of the smaller charges preferred by the opposition—a long and protracted debate took place in the last session in which all the charges then advanced against the Government were successfully answered; it is, therefore, unnecessary that I should travel over that old path and reiterate refutations more than once given.

The general principles upon which the constitution of this Country rests are too firmly fixed—to securely based in the affec-

tions of this people to be disturbed by this administration any other. The Educational Bill I shall pass by with but few observations; the motion introduced by myself and carried by a large majority in favor of the principle of assessment for the support of common schools was an important step in the Educational history of the Country. The Bill introduced was defeated by a combination of the Catholics belonging to the Liberal party with the conservatives; and, Sir, I was glad to hear the Hon. member for Halifax, (Mr. Tobin) make the admission that the Government had acted in good faith in the conduct of that measure. How, then, I should be glad to know is the administration chargeable with its defeat; I imagine it will be a long time before you have a Government united upon the question of Education, and the new party will go into power completely fettered upon this as upon almost every other movement of progress and reform.—(Hear.)

But one of the most singular of the charges brought against the Government was preferred by the Hon. member for Guysborough who asserted that the Government had bartered away the fisheries. Sir, I am accused of having been mainly instrumental in the passage of that Bill—and, I confidently ask, how many Hon. Gentlemen are there in this House who would be willing to repeal the Reciprocity Treaty if they had the power? Bartered away the fisheries indeed; have the fishermen been injured?—is there a man of that intelligent and valuable class of our population that would consent to go back to his old position. Sir, that treaty has stimulated and increased to an astonishing degree the material prosperity of the Country, and infused new life and energy into the people. The last time I visited my own County I saw some fishingsmacks coming up the harbor owned in our own Province and not inferior in build and model and in the neatness and finish of their equipment to the American vessels. Does any man believe that the fishermen of this Country will not compete with the most skillful labourers and hardy seamen that can be drawn from the United States. But was not that question thoroughly discussed in this House? Was not its consent first asked? and has not the result proved it to be a wholesome measure. Let any man travel through the Western Counties of this Province and observe the progress and increase of traffic incident to the opening up of these new markets, and he cannot fail to perceive on every side incontrovertible evidence of the beneficial operation of the treaty.

Last year I spent a few days at Windsor, one of which was devoted to an excursion to the village of Hantsport which I had never before visited. The beauty of the scenery, the noble river or rather estuary of the Bay, its banks richly cultivated, its bosom bearing upon it the treasures of the ocean, the undulations of the road; every instant revealing some new picture, might well make a Nova-Scotian proud of his country. Where were to be seen the signs and evidence of

material prosperity—the comfortable cottages with large barns encircled by well tilled lands evinced the prosperity of the people—signs of progress were visible on every side, and the hand of industry was perceptible in the air of comfort that pervaded every dwelling. Some few years since a picture very different from this might have been drawn. A population seeking that sustenance abroad which they could not obtain at home,—compelled, from absolute want, to forsake the roof-tree of their ancestors. This change was wrought by the policy of the men in whom the members of this House are now required to express their want of confidence. The country has risen from comparative want to comparative affluence under the protecting wing of this same tottering, imbecile, and corrupt government.—(Cheers.)

But, says the hon. member for Guysboro. "the Fishery despatches were withheld."—Sir, the charge comes with ill grace from that gentleman. He well knows that explanations were given that ought to be satisfactory to every honorable mind. He is cognizant of the fact that one or two of these despatches were of a confidential character, and that the rules which govern these matters prevented the Executive from bringing them down. It was not in the power of the Government to lay these despatches on the table. But I will venture to say this, sir, that the hon. gentleman may search the archives of the public offices and he will find no secret despatches, such as were disclosed on the advent of the Liberal party to power in 1848. He will find no despatch, no minute of Council, no paper or document which by the rule, of parliament should have been submitted that has been secreted from the public eyes. Our friends will not blush for us as the Conservatives blushed for their Leaders, and hung their heads ashamed of their duplicity, and seeking in vain to excuse them.

Again, with regard to the Maine Liquor law, I could not help remarking the very significant expressions used by the hon. member for Londonderry, one of its warmest friends, in his speech of yesterday. It seems that the government, after all, are not to blame for the defeat of the Maine Liquor Bill. The hon. member for Annapolis was the true cause of the obstruction that measure received in this House. It was because he did not dare to introduce the Bill with the Cider clause in it that it was burked. Sir, he had presented to us a Bill, calculated deeply to affect almost every class in the community, which was to work a radical change in the social habits of a people, and yet when the provisions of this Bill were sought to be applied to his own constituency,—when he perceived that one of the clauses was to affect a large body of his supporters and friends, the member for Annapolis shrunk from assuming the responsibility of passing the measure and sought to strike out the obnoxious clause. Therefore, sir, let not the defeat of that measure be charged upon the present government. But when, sir, I think

of the consequences which followed the trial of this Bill in the neighboring Province of New Brunswick, and the fate it has met with in its parent State of Maine, I conceive that this House is entitled to the thanks of the country, for its action upon that question.—Again, sir, we have been charged with obstructing the passage of the Municipal Incorporation Bill. We all know that the optional clause was derived from the Bill as introduced into New Brunswick. It formed part of the Bill as originally brought forward by the hon. and learned member for Annapolis. It is true some of its friends wished to strike out the clause and make the Bill compulsory—and does any one mean to say that this Legislature would have done wisely in making that bill compulsory on the country?

Hon. Mr. Johnston—I do think so.

Hon. Attorney General—I doubt much after the success of the last Summer, whether Nova Scotia is yet ripe for the radical change in the Municipal Government of her affairs. But I would ask hon. gentleman opposite whether they expect that their new allies will sustain them in the advocacy of this question. They are known to be hostile to it and another of the pet measures of the hon. member for Annapolis must be forever abandoned. Then, again, we have been told that the appointments to office made by the present government indicates weakness and incapacity. The late Provincial Secretary was elevated to the Bench. What more natural than that the late Solicitor General should receive the vacant office. And if the Editor of a paper, which generally supports the government, should receive a small office of £100 a-year, it is but carrying out the policy which I presume will be adopted by the new government, of giving vacant places to their friends and supporters rather than to their enemies.

But, sir, I feel it is a waste of the time of this house to go more minutely into the charges of last session, then successfully refuted. They were then scattered to the winds, and we have heard nothing brilliant or new in their support. They have been disinterred for the purposes of this debate, and the ends of faction, only to sink again into insignificance and contempt. Does any man believe, that upon these grounds alone the opposition would have had the hardihood to have ventured on this amendment? On all the questions which I have heretofore touched the government defy attack; they occupy a proud and impregnable position. They have challenged investigation and inquiry into their public acts, and have come out from the ordeal unscathed and without a stain. And now, sir, I feel it necessary to advert to the real point and pith of this discussion. The government are not indicted for maladministration of the public affairs. The very men who seek their overthrow admit that up to the end of the last session the administration possessed their public and private confidence and support; and that since then the Government as a Government has done nothing to alienate their respect. But, sir, a strange

spirit seems to have come over the minds of the Catholics of Nova Scotia since they can view as a desirable consummation a union with the Conservatives. It indicates a singular change in the public opinion of that body, when they can hope for the attainment of political and religious liberty, by the abandonment of old friends and the formation of new connections with men hitherto their political enemies. The Liberal party came into power in 1848 in consequence of the general election which took place in 1847. What was the ground upon which the Conservatives mainly attempted to defeat the Liberals in that contest? What was the cry raised by them at every hustings? We were told that the Liberal party intended to give to the Catholics of Nova Scotia a dominant position, and the warning voice of Conservatives was raised calling upon Protestants to unite for the suppression of Catholic ascendancy. In indignant tones did they denounce the conduct of the Liberals, and from the lips of no man came more earnestly, vehemently, and denouncingly this warning voice than from the lips of the hon. and learned member for Annapolis. I have by me a few documents which will throw no little light upon the views of that party, and present some curious contrasts between the views they then propounded and the sentiments they now enunciate. I hold in my hand a reported speech made by me at Bear River in 1847. The hon. and learned member for Annapolis, the member for Windsor and myself attended a meeting at Bridgetown, which the two last named were invited by the Liberals of Annapolis. And, sir, I can never forget the alarming picture given by the hon. and learned member for Annapolis of the condition to which the Country would be reduced in the event of the Liberal party coming into power supported by the Catholics. That body was made the object of his severe and most unsparing denunciations. Let me read a passage or two from my speech made a day or two after the meeting at Bridgetown, to shew the temper of that day.

The hon. Attorney General here read as follows :

"I must confess, however, that my indignation is chiefly roused by the new cry that has been raised in order to distract their attention and alarm them by the fear of Catholic ascendancy. This has been propagated I find in every corner of these Western Counties, and the Attorney General (Mr. Johnston) has lent it the full sanction of his authority by the extracts which he read and the bitterness with which he commented on them at Bridgetown.

Whether this was good policy or not, time will tell. I will take it for granted that no Catholic constituency, and scarcely any Catholic, after this open denunciation, will vote for any adherent of the Attorney General's. The Protestants of Nova Scotia are to be frightened out of their senses by the voice of the Atty. General, and are admonished to sacrifice their political consistency in order to

save their religious freedom. In the bitterest terms, as some of you will not fail to recollect, he appealed personally to myself, and reproached me as a Scotchman and a Presbyterian, that I did not separate from the Catholics and join in denouncing them."

But, sir, this is not the only document to which I can refer as an index to the Conservative sentiment of that day. In the *Times* newspaper, a leading Organ of the Conservative party, issued in 1847, appears the following :

—"The Speaker (Mr. Young) knows well that the forbearance of this community under Romanist aggression, has been of a nature that inspired his Irish friends with unbounded confidence, and led them to outrage on several occasions public decency.

The nonsense he talks about their being no danger of Catholic ascendancy, is too transparent to be worth attending to for a single moment. As well might O'Connell and his Irish tail in the House of Commons have based an argument upon the want of Power to influence the Legislature of Great Britain, from the smallness of their number, and fancied it would impose upon the people of the Mother Country—as the Speaker may think to impose upon the Protestant Constituencies of Nova Scotia, by representing that the Catholic influence in the Province cannot or will not work them an injury if not well watched.

"We think we need make no further comment upon the placable disposition of Catholics toward Protestants. When the quality is at all existent it will be found where no priest has been at work to inflame the imaginations of his hearers. The most astonishing fact is, that in the nineteenth century the human mind in any country can blindly submit to follow their dictation. It is not the natural disposition of a Roman Catholic to be at enmity with his fellow Christians of different creeds—or feeling;—and from their teachings with this object the priestly importations of Nova Scotia have much to answer for. If the controversy had done no other good, we put it to the people of Nova Scotia, in opposition to anything the ex-Speaker can say, if it has not done this much—effectually torn the mask from the face of Rome, robbed her in this part of the world of a disguise which she considered impenetrable, divested her of her assumed meekness and charity and forbearance,—and revealed to view the very visage which beamed with satisfaction when the martyrs were burning at Smithfield, and with which she gloated over the expiring victims of the tortures of the inquisition, and the Bartholomew massacre."

Sir, I do not read these extracts to excite religious feeling or inflame sectarian prejudice; but to shew the estimation in which the Catholic body were held by the Conservatives in 1847. To let that denomination see and know the real feelings and opinions of the men who now seek to use them from mere party purposes; who have no sympathy with our feeling for them and have not one single sentiment in common; divided as

the Poles as well in Political as religious opinion. Nothing even published in the Liberal Press was half so stinging as the quotation which I have just read. "The mask torn from the face of Rome." "The expiring victims' and "the tortures of the inquisition." Nothing is omitted that can irritate and inflame. Yet these men and such as consorted with them are now the admirers and about to become the companions and allies of the Catholic body.

Mr. Marshall.—What is the date of the Times Newspaper from which the Hon. Attorney General has quoted?

Hon. Attorney General.—6th July 1847.

Mr. Marshall.—The then Editor was Mr. Gossip, a Presbyterian.

Hon. Attorney General.—It matters not by whom Edited; that paper was no less a reflex of the ideas and opinions entertained by the whole conservative body. But let me ask the attention of the House to some extracts from the acknowledged organ of the conservatives at that period; the very heading of that journal is significant—and indicates plainly the avowed and open hostility to Catholics. It was called—"The Morning Post and Protestant Loyalist"—and I would ask the attention of Hon. Gentlemen while I quote a passage or two.

"We are opposed—strongly opposed, to an influx of Roman Catholic emigrants; even though they were healthy and willing to settle. Let us not be understood as writing against *all* of the Roman Catholic Irish. We believe that there are many quiet and orderly men among them; but unfortunately men of another class preponderate; and *wherever they congregate together, so as to form anything like a numerical force, the peace of the community AND THE SAFETY OF LIFE AND PROPERTY, IS AT ONCE DESTROYED.*—Now if several thousands of Irish Roman Catholics land upon our shores annually, and scarcely any Protestant emigrants, what have we to look forward to, or expect, but this party will in a few years gain a complete ascendancy? *And should this be the case, does any one imagine that Protestants will be any longer safe!*

There is but one way to prevent this consummation, it is useless to expect any thing from the Legislature; but **PROTESTANTS MUST BE UNITED.** *They MUST—if they would ward off the threatened blow—cease employing, or dealing with Roman Catholics, as much as possible. They must by organization, adopt such measures as will inform the Roman Catholics of Ireland that they will find neither employment or sympathy in this Province—that we do not want to have our throats cut; and at the same time hold out encouragement to able-bodied Protestants to come and settle among us."*

This is the language of the young papers of that day; did I approve of it? no, Sir, I openly and unsparingly denounced the spirit of Sectarianism—which breathed from that press,—I sought to preserve then as I would preserve now to all men the rights of con-

science—and the blessings of Religious as well as civil liberty without which, in my judgement, no country can prosper, now sir, let me ask your attention to an elaborate editorial from the *Christian Messenger* of the 28th May, 1847,—the paper which has always reflected the opinions and been the peculiar organ of Mr. Johnston as it is of the Baptist communion.

"In the *Cross* of the 22nd instant a Pastoral Letter has appeared from the "*Right Reverend Dr. Walsh,*" the head of the Roman Catholic Church in Halifax, styling himself "*William by the Grace of God, and the favour of the Apostolic See, (Rome) Bishop of Halifax,*" and addressed to his "*Dearly beloved brethern in the Lord, the Clergy and Laity of the Diocese of Halifax,*" to whom he wishes *Health and Benediction.* In this document, which relates to a variety of duties incumbent on members of the Romish Church, we had certainly hoped to have seen some indications of repentance, or at least some expression for the multiplied and unprovoked outrages which have been weekly perpetrated, in the very journal in which this Letter appears, and which is the avowed public organ of the Roman Catholic Bishop and his Clergy, upon the whole Protestant community of Nova Scotia. We have, however, been sadly disappointed in our hope, as the very publication of this Letter only goes to prove with greater certainty, if that were necessary, that Dr. Walsh and his Clergy are the very parties who have been guilty of the offence.

What, we ask, are we to think of the sincerity of the advice, when contrasted with such language as the following contained in the *Cross* but a few weeks since:—"The Believing Bull of Bashan—A Puny Vinegar Cruet—A shameless miscreant—A deformed beast of Grace," as applied to ministers of various Protestant denominations in this community, and whose claims to respectability are, at least, equal to those of Dr. Walsh or any of his clergy; or to the following scurrilous appellations applied to other persons:

"This new pair of asses—low curs of bigotry—the caitiff—We have a jack-plane sharp enough, we promise him, to take shavings off his callous hide,"

and which must have been written by, or passed under the immediate supervision of, the Right Reverend Bishop Walsh and his Priests.

We are sometimes told that the idea of Catholic ascendancy in Nova Scotia, at present, is a mere chimera. In regard to the correctness of such an opinion, we think we need only call the attention of our readers to the power and influence which the Roman Catholics already possess, in the great Councils of the Province, and that which they consider themselves as entitled to, and are endeavouring to compass by their present movements.

What matters it that individuals in the Assembly do not profess the Roman Catholic creed, if their legislative functions shall be

thus powerfully influenced and controlled by the affinities referred to, and serve to elevate and increase the power of this aspiring and exclusive portion of our population. A portion be it remembered, always largely operated on by foreign and external relations—separated from the usual influences which affect all others, and estranged to a large extent by the secret and coercive working of a foreign spiritual power, from all the local, personal, or social ties which operate and mutually re-act upon the Protestant community.

But one of the most singular features in the present state of affairs, is the remarkable part which this same paper—still the organ of the Baptist denomination was taken. How comes it that the Christian Messenger now preserves a strict neutrality? that its feelings and opinions are silenced or suppressed? that the Catholic religion and its adherents are no longer assailed as they were aforesaid? that the practice in 1857 differs so materially from the practice in 1847? I think it will puzzle them indeed to give any thing like a just solution of the enigma. But, Sir, what said the “*Cross*”—a paper published in 1847 and devoted to the interests of Catholicity. I shall say nothing of the doctrines or faith of that Church, it being my desire to separate as much as possible this question from any thing like a religious discussion. But I hold in my hand a number of that paper with an endorsement in a handwriting perfectly familiar to me—which was sent by a gentleman in Mr. Johnston’s office to the office of the *Eastern Chronicle* at Pictou. What is that endorsement plainly inviting from the Presbyterian Journal a bitter attack upon the Catholic.

“If the mantle of the sainted McCulloch rests upon you, speak for the truth.”

We have been told that the Catholic body should be dissatisfied now with the amount of pay and patronage awarded to them by the Liberal party. I find in this same paper (the *Cross*) several very significant passages, but, before I proceed to read them, let me, for a moment, refer to the eulogium lately pronounced upon the high qualifications of the Catholic body and the reasons which should have entitled them to increased patronage. Let me refer to the course pursued by the Conservative party themselves when in power.—They assumed the reins of government in 1841, and held office until 1848. There were then 80,000 Catholics in this country, and, sir, I broadly state that not one of that body was permitted to hold even the petty situation of Post-master in a Country village. Let me read to you from the *Cross*, an authoritative picture of the condition of the county at that day, when the Conservative party held undisturbed sway and dispensed patronage as they pleased:—

“PROTESTANT GENEROSITY AND TOLERATION.  
“There are more than eighty thousand Catholics in this Province, and not one of them that we know is permitted to hold even the petty situation of the Postmaster-ship of a County village! And yet this is the ‘Denomination’ against whose ‘vaulting ambition’ the *Times* appeals to the Protestant fears of the country!”

“We will also turn our attention to the manner in which the many thousands of French Catholics in this Province—the descendants of those primitive settlers who were so brutally expelled from their country, by some of the “tolerant spirits” of the *Times*—are treated in Nova Scotia, as far as public situations are concerned.—Not one Frenchman receives Two Pounds a year in any official situation. And yet these worthy Acadians form no small portion of the usurping “Denomination!”

“We will likewise have a word or two to say upon the manner in which our people and our clergy are treated in their Commissionerships of Education.”

Now, sir, mark the contrast between the position occupied by that body then and now. Look at the public offices in this building; there is scarcely one in which you will not find a Catholic. Travel the country over and you will meet them everywhere in office. Their clergymen at the School Boards—their laymen in the Magistracy, in the Post Offices, and in all the public offices in the gift of the government. Two Catholic gentlemen have filled alternately the Presidential chair of the Legislative Council, and we have seen a member of the House elevated to the Legislative Council, by the present government, that being the first marked distinction ever conferred on a French Roman Catholic in this Province. Away then goes the charge that the government has acted partially or unfairly in the distribution of patronage.

I believe from the bottom of my soul that had it not been for the sudden and fierce quarrel which has arisen between the hon member for Windsor and the Irish Roman Catholics, we would not have heard a word of that charge. The Catholic body I know to be as loyal subjects of the Queen as any in the Province—distinguished for their industry and alive to the promptings of ambition. Sir, am I about to become a proscriptionist—am I to lift my hand against the Catholics as a body? They may abandon old friends—dissever old ties, and disturb old connections. They may link themselves with Conservatives, their natural enemies—even then, Sir, I will be no party to the proscription of any class of her Majesty’s loyal subjects.

We are denounced for not having dismissed the Chairman of the Railway Board. Was it not my first duty to consider the interests of the party who had elevated myself and colleagues to office. It has been said that the position of the Government indicated weakness and indecision—I assert that they held the position of dignified neutrality. Dismiss Mr. Howe and Mr. Annand indeed—if that step had been taken, the Liberal party would have found themselves at once in a minority. It would have been distasteful to our friends and in the last degree impolitic.

Up to the year 1856 there was not a Catholic in Nova Scotia, east, west, north or south, who had any just ground for discontent or dissatisfaction with the acts of the Administration. The hon. member for Halifax, whose opinions we may assume to be identical with those entertained by the Catholic body generally, broadly stated at the close of the last Session that the general policy of the Government met his approval. The hon. member for Cumberland told us that the Liberal party did not do justice to the claims of Mr. Doyle—late a member of the Legislature; Sir, it is not the fault of the Liberal party that Lawrence Doyle is not here to-day Attorney General of the Province. Everybody knows that the pathway to the great object of his ambition was never impeded by the Liberal party. He had genius and wit, but wanted the homely virtues that would have secured his advancement, and led the way to fortune.

In like manner the hon. James McLeod from the state of his health, and his previous training, could not have filled the office of Financial Secretary, to which he aspired last session. His appointment would have been denounced from one end of the Province to the other as a job, while it would have infringed the rule which reserves that seat for a layman.

The Hon Michael Tobin withdrew from his position as President of the Legislative Council; he conceived and perhaps rightly conceived that as the Speaker of this House received a salary of £200 per annum, the President of the Legislative Council, who performed duties similar in nature, should be paid an equal sum. Had it depended on my own individual wish that salary would have been given,—but a strong feeling of dislike and reluctance existed among hon. members in this House to such a grant. I put it then to any rational man if it was fair under the circumstances for that gentleman to throw up his position as a member of the government and President of the Council,

and create the embarrassment that followed? I scarcely think he did justice to my own personal claims on his gratitude and support.

Then the hon. member for the Township of Sydney from the moment he came to the House—and before any symptoms of discontent were made manifest—openly indicated that his feeling was in opposition to the government. Without cause that hon. gentleman who had been a supporter of the Liberal party, and but a few years before a member of a Liberal Administration, suddenly abandoned his party and delivered inflammatory appeals to rouse the passions of his co-religionists: A share of the loaves and fishes—the fruits, as he called them, were his continual cry. Yet I am certain that no just grounds of discontent could be found—that the claims of the Catholic body were fairly considered,—that no desire or intention existed, on the part of the Administration, to overlook their interests.

These various symptoms gradually accumulating created a pressure on the government which it was difficult to withstand, and paved the way for the present defection.

Some time after the close of the session, came the Crampton Meeting—which was accidentally attended by Mr. Howe, who, goaded by the opposition to the passage of the address and yielding to the impulse of the moment delivered a speech, in which he used expressions more unguarded and irritating than he intended. At this time I was in the Province of New Brunswick,—what had I to do then? What had the Administration to do with that speech? When I returned, the political mirror which I had left smooth and unruffled was agitated and disturbed. The germ of bad feeling had been planted in the community, and extended to the government without any act of its own.

I must come to the Railway trials. Sir, the counsel engaged in them had a responsible duty, a most delicate task to perform. It is the duty of a prosecuting officer to bring out clearly the facts which tell against a prisoner without colouring or exaggerating them. I endeavoured in the exercise of my discretion to draw the line clearly and definitely. Neither to be too harsh and oppressive nor too lenient. Sir, I have heard it said—“Why did not the Attorney General challenge every Catholic on the Jury?” I did challenge one, because a most respectable man—a leading Protestant in this community had been challenged by the Counsel for the defence; but it was no part of my duty to impugn the general honesty and good faith of the whole Catholic body by striking all the

off the panel. Those trials went on. I perceive in a letter published by Mr. Condon that he represents me as having said that James O'Brien ought to have been acquitted; I never did say so;—it would have been highly indecorous and improper in me to have done so. The defence was that James O'Brien was not present—the evidence was conflicting and the Jury disagreed.

With respect to two others of the rioters it was clear that they were present—but it was not proved that they had struck a blow or in any way committed a breach of the peace. They were acquitted with my approval. The Jury did not agree as to the remaining four, and I have always regarded it is a great misfortune that upon a trial which excited so deep an interest in the public mind the Jury should have been divided into two hostile bands; Catholics for acquittal—Protestants for conviction.

After the termination of these trials in December 1856, came out the letters of the Chief Commissioner of Railways; and it required no great acumen or foresight to discover, upon their publication, the consequences which of necessity would flow from them. Letters of that kind could not fail to affect the position of the Administration with their Catholic supporters in this House—It is said—"the Government should have come out and denounced them." I do not think so; it was no part of their duty to notice articles written not by a member of the Executive and no ways official in their character. I know of no example of such disavowal on the part of a Government.

Again, Sir, much has been said of the scope—the meaning and the tendency of these letters; you have had a construction put upon them by the author who avers that the strictures they contain were confined to a section only of the Irish Roman Catholics. It is possible that a wider and more offensive interpretation may be given to them,—but the writer disavows it, and if his construction be correct, then much, if not all of the irritation and bad feeling aroused might have been spared.

Then, Sir, as to Mr. Condon, he held the position of gauger and proof officer for the port of Halifax; he chose to write a letter containing expressions which in my opinion were of much too warm a character,—and I have no hesitation in saying that upon this letter alone the Government would have been justified in dismissing him. It contained references of a most unjustifiable kind. His dismissal, however, though it would have been justifiable, did not appear to us imperative, and

would not have taken place but for his appearances in open court, his telegraphic messages recently made known to us, and the tone of his public correspondence.

When these offences were consummated, two members of the Executive were absent and the three that remained thought that in view of the approaching session, it was wiser to postpone our action until the members of the Legislature had arrived. We waited, then, not to make up our minds, but for the purpose referred to, and when the members of the Administration had all arrived, we finally decided on dismissing that officer. And, sir, looking back upon all the circumstances of that case, I believe that when present passions have passed away, there is not a Catholic or Protestant in the country who will blame the administration for the course they have pursued. There is no man in the Province of Nova Scotia to whom I feel more warmly as a politician than I did to Mr. Condon. And, sir, I may say that I have done him some very substantial and sterling favors. The gratitude which he owed to myself individually should have induced him to have refrained from taking any active part.

Hon. Mr. Johnston.—For what was Mr. Condon dismissed?

Hon. Attorney General.—Mr. Condon was dismissed first of all for the telegraph he sent to the United States.

Mr. Tobin.—Does the hon. gentleman mean the telegraph of the 7th April, 1855?

Hon. Attorney General.—You will observe that this was unknown to us till lately, and that I am connecting the acts of Mr. Condon. Not looking upon them as isolated, but as a successive series of acts which determined the conduct of the government. I look to the style and language of his public letters—to the course he took on the railway trials—to his telegraphic communication with the enemies of England—and fearlessly assert, that looking at them as a whole, his conduct was such as to justify his dismissal. To have ejected him from his office after his letter of June, 1856, might have been an act of vigor—it would hardly have been an act of justice; but when his subsequent conduct had shed light on his previous transactions, the combined evidence in the mind of any intelligent man in Nova Scotia must amply justify and sustain the course pursued by the Executive. It has been urged that Mr. Condon was displaced without a hearing. His defence was contained in his public letters, and was patent to all the world.

But, Sir, let me suppose for a moment that the act was wrong and cannot

vindicated... Does it afford a sufficient justification for the friends of a government to desert their principles and their party? In my judgement and surely in that of any honorable man it does not.

The impression that seems to prevail in the minds of some honorable gentlemen that the government yielded to dictation, is altogether unfounded: They did what they conceived to be right without reference to particular religious creeds.

During the many years that I have belonged to this House, the words Catholic and Protestants have been seldom if ever heard in our political debates until last session, when the honorable and learned member for the Township of Sydney, day after day and speech after speech attempted to impress the public mind with the belief that Protestants received at the hands of the Administration greater favor than the Catholics. This, to say the least of it, was most unwise in a country with a divided population, consisting of one fourth Catholics and three fourths Protestants. This debate has hitherto been marked by moderation. The government still hope that a portion of the Catholic members will support them. Should that hope be abandoned the discussions in this House will assume a tone of asperity, differences will be widened, and the ancient, I had almost said, the affectionate tie between the Protestant Liberals and the Catholics will be rudely snapped asunder.

What, sir, are we about to do, the Liberals in this country have been connected with the Catholic body for a long period by a natural and a close alliance—the animating principles of the public policy pursued by the administration were in accordance with the views of the Catholic body. They are now about to sever that alliance, and cut asunder those ties, and for what? All the great ends of a government have been confessedly secured to this people by the action of the administration. Public works are progressing, public affairs have been faithfully and diligently administered. The change contemplated will not only have the effect of handing over power and patronage from one set of men to another, but the whole policy of those now in the government, hangs upon the issue. What is to become of the Mines and Minerals,—that question requires vigorous, yet delicate handling—the course, which a majority of this House is desirous to pursue, has been actively opposed by the hon. and learned member for Annapolis, and encountered serious obstacles in the mother country. It would require the united and combined influence of every true Liberal in the Province to secure to this people their sacred and in-

alienable rights. In New Brunswick an act has passed, affirming the true British principle, that the Mines and Minerals should, in all cases, belong to the owners of the soil; the policy which we should pursue is identical with theirs. What is it that has laid the foundation of many a splendid fortune in the mother country? When last in England I visited Bangor that I might study and admire those stupendous monuments of engineering skill which the genius of Stephenson has cast across the Menai Straits. But the modern castle of Penrhyn in the immediate neighborhood, almost as enduring and massive as the old baronial structure of Warwick, was to me an object of almost equal admiration. I looked upon its proud battlements, its ivy-covered walls, its magnificent approach, and learned that the enormous wealth which created it all was the product of a Walsh mine. And why should not the same principle extend to Nova Scotia. The constitutional right of the proprietors of the soil to the enjoyment of these privileges is undoubted, as it has existed for ages in England, as it has been adopted in New Brunswick, so should it become the law of the land in Nova Scotia. The negotiations upon this subject still remain unsettled, and I put it to members of this House whether with the well known opinions, often expressed and still entertained by Mr. Johnston and his principal adherents, it is wise to entrust to their tender mercies a matter of such vital importance to this people.

And now, Sir, having at some length expressed my views on the grave and important question under debate—a question exciting the deepest attention in this Province, and the issue of which may be fatal to the Administration, in conclusion allow me to ask those honorable gentlemen whose minds have not yet been made up, who are not swayed by prejudice, or excited by passion, but who are in a position to exercise a calm, dispassionate and independent judgment to consider the constitutional effects which must follow if the amendment pass. I do not deplore but rejoice and exult in the power possessed by this House to displace an administration. It is an essential element of a free constitution, and I do not shrink from its consequences; but, sir, it would argue a singular want of sensibility, not only to the position I hold, but to the claims of the friends who have for many years accorded me their unwavering support, did I not feel deeply anxious that the administration should be sustained. I trust and hope it may, but if the result should prove otherwise, while I do not profess an indifference which no

man can feel, I shall still watch over the public interests of the Province, and guard the principles of civil and religious liberty which I have ever maintained. It will indeed occasion me some surprise if the gentlemen who are to form the administration succeed in reconciling and blending into a harmonious whole the discordant elements which are about to combine. I do not believe that by any course of public conduct they can infuse into an administration that life, energy, and harmony of action which is essential to the well being of a country; but that any government formed of such materials must of necessity be a heterogeneous mass of contradictions, wanting the elements of vitality and permanence, disturbed by contending claims, and distorted by opposite opinions. If the experiment is to be tried I firmly believe it will be short lived, and the thirst of vengeance having been once assuaged, the very executioners will repent the deed and old attachments reviving, will return after a time to their old allegiance.



SATURDAY, February 14.

Hon. Mr. Johnston.—As no member rises to address the House, I take the opportunity of reviewing some of the arguments that have been advanced against the resolution which has been under consideration for the last 8 or 9 days. I find, upon a view of the matter before me, that I shall be under the necessity of abstaining from noticing, at all, many questions, and of very briefly touching upon others. There are some enquiries before us, so important in their nature, that they will demand an extended investigation. I shall, therefore, address myself to questions of immediate importance, leaving others lying on the outskirts for some future opportunity. I am somewhat embarrassed by the consideration that I may have to refer to my own conduct and transactions. I feel, also, embarrassed by the necessity of speaking of the conduct of others. I do not desire to bring in any elements of personal feeling which I can avoid. If anything harsh should escape me, it must be attributed rather to the haste of extemporaneous speaking, than to studied design.

In commencing, let me call the attention of the House to the state of parties, and their necessary obligations and duties. The conservatives, as a party, have one course and one duty to perform, as the Opposition, they have a constitutional right and duty to oppose the existing Government. As regards the Catholic body, their course seems to be naturally indicated in the progress of events which have lately taken place. In consequence of circumstances which have affected themselves, and of which they were clearly the best judges, they have considered it to be their duty to oppose the existing Government

also. These two bodies, moving under the influence of different motives,—impelled, it may be, by different considerations, have yet moved to a common centre. Their object, then, was one—the displacing of an Administration in which neither have confidence. Under these circumstances, was anything more natural,—nay, could anything be more inevitable, than that they should unite, giving and receiving the strength which unity conveys. This is the ordinary tendency of human action in all the affairs of life, a common object leading to union for effecting that object. I do not deny that there may be occasions in which union cannot be effected upon principles of integrity and propriety; and we are charged, in no measured terms, with standing in that position. It is not denied that this union of Conservatives and Catholics will give strength and power, but we are told that is an unholy alliance.

I have made an abstract of the imputations charged upon us, which fills pages of my notes. The Attorney General told us that it was an unholy alliance, and he depicted, in feeling terms, the punishment it was sure to entail on Mr. Johnston and his party. The hon. member for Halifax (Mr. Annand) followed in the same strain. The hon. member for Windsor told the Catholics that the Conservatives were a party they ought to distrust,—that the principle on which they unite is the destruction of Howe and the Liberals; and he put the enquiry—“suppose there should arise a constitutional question,” leaving it to be inferred that it was a union on principles inimical to constitutional freedom. The hon. member for Newport said—“I think he (meaning myself,) has the list of the new Government made out,” inferring an unworthy bartering. “The Catholics and Conservatives,” he says, “never can sympathize; they may unite for a short time, but the union cannot last. Can he promise the Catholics more than the Liberals have done for them?” and he adds, “I should like to know his promises.” The learned member for Pictou spoke to much the same effect.—“They will grind themselves to pieces.” Referring to the expression of my hon. friend from the same county, (Mr. Whitman,) “that the Conservative party are a band of Spartans,” he observed, “he had better have said ‘We are on our knees to the Catholics.’” “The conservatives,” he said, “would be the slaves of a faction of the Liberal Party.” The creatures and creation of that party—an unnatural and unholy union. After exhausting himself with vituperation he concludes with the consolatory reflection “We go into our graves with clean hands.” I am happy to accept the assurance that the learned gentleman has clean hands,—it would be well were he less foul-tongued.

He says in his speech “a strange spirit has passed over the Catholics—that they should think they can secure their civil and religious liberty by passing over to the Conservatives.” After referring to the old story of Catholic ascendancy in 1847, he tells the

House that "the whole policy of the Government will be revolutionized in its administrative character towards the mines and mineral question. He finally declares that the union will be one "of discordant elements—a medley of strange materials." Having collected their opinions, my first duty is to enquire whether or not these imputations have any foundation in truth. If they have;—if the Conservatives do dishonor themselves, and sacrifice their principles, and if the Catholics do so by their actions, then do they both deserve the stigma which these imputations are designed to cast on them. I admit the just consequence; but let equal responsibility rest on the other side. If we do not deserve these reproaches let those who make the charges bear the odium that belongs to malicious calumniators. For let me remark that neither the Catholics nor the Conservatives have created the occasion out of which has grown this union. We, Sir, did not instigate the hon. member for Windsor to attack and malign the Catholics. I presume the Catholics did not invite him to do so. He has acted voluntarily.

The next consideration—and a most important one it is—that while we have charges and imputations in abundance no proof in support of them has been offered, unless indeed the very ill-advised allusion by the Attorney General to the newspapers in 1847—and it is quite obvious that nothing at that time can interpose a valid objection to the political movements now under consideration. It may be said that we are impelled by the desire for office.

The Conservatives around us listen to this imputation—for whether they joined Mr. Howe against the Catholics or received strength from the Catholics to overcome him in either case they would be on the stronger side. No such motive could operate on the Catholics because they were already associated with the dominant party.

To sustain the charges made against us they must be proved—not asserted merely—with a dishonorable subserviency or a dishonest sacrifice of principle. What are the facts? The hon. member for Windsor published letters, and delivered a speech which brought him into conflict with a portion of that party with which he has been associated.

The Conservatives at that time, stood unconnected alike with the Catholics and the hon. member for Windsor, and, like the rest of the community, spectators of what was going forward. As the controversy proceeded—as the inevitable disunion became more apparent—it was quite obvious that the Conservatives were about to be placed in a position which would demand action. When the house should meet, they would be required to take a side; the hon. member for Windsor not only assailed the Catholics but also the government, and therefore the government also would be bound to make its selection between the hon. member and the Catholics. The hon. member must take some step when the house met to redeem the assurance he had given to the public. The government

must do something to place itself in a right position with the antagonistic portions of its party—the hon. member for Windsor and the members which he could carry with them on the one hand, and the Catholics on the other.

Wherever these disarming elements were put in motion, the Conservatives must act—if they should not act before,—and which ever way it moved, it was clear the majority would be turned. If we are charged with interested motives in our present course, let it be remembered that the honorable member for Windsor put us in such a position that almost to a certainty forced upon us a majority in this House.—That he calculated on the Conservatives uniting themselves with him may reasonably be presumed. No one will imagine he took the course he did before the House met, without looking to a successful result in the House. Such a result could only be obtained by bringing over the whole or a large part of the Conservative members, and by their aid putting down the Government and with it the Catholics.

In such circumstances it became a very serious enquiry for the Conservatives, what course it was most proper for them to pursue. And now, sir, I may truly say, ~~that~~ up to this moment, nothing has taken place with the Conservatives and Catholics, that might not be proclaimed at every corner of the streets of Halifax. The first object was to preserve, on the part of the Conservative body, unity of action, and a position of independence and neutrality, till the feelings and opinions of the Conservative members could be known. This could not be well done by correspondence, and therefore it was necessary to wait until the members should come to town on the meeting of the House. In the meantime it would have been disrespectful to them, and inconsistent with this object, to have allowed the party to be committed through the press.

The inception became necessary by the appearing in the *Morning Chronicle* of 13th January last, of an article under signatures "H X," lest silence might have been misinterpreted in the country into acquiescence in the writer's proposal.

[The hon. member read part of the letter in which strong opinions were expressed in favor of Mr. Howe's conduct, and in opposition to the Catholics and Catholicity.]

These passages would have amounted to nothing more than a coincidence of sentiment and feeling with the hon. member for Windsor and the hon. member for Halifax, (Mr. Annand) had it not been for the course of action indicated. This writer continues, "Mr. Howe is more than a match for any of his adversaries,"—(laughter in the galleries) "but he must have the publicly expressed opinion of his fellow Protestants to combat organization. Organization must be employed—we must unite all denominations into an association with the one object of defending

our common Protestantism. With such a union, Protestants may defy all attempts."

This paper called for public action and organization for an object that would immediately divide the country in the most dangerous manner. To guard therefore against the effect of this article, in the uncertain feeling which might prevail over the country as to the position of the Conservatives, an article appeared in the *British Colonist* of Jan. 17, 1857, under the signature "a Protestant Conservative."

The honorable gentleman read this article, which is as follows:

TO THE CONSERVATIVE PROTESTANTS OF NOVA SCOTIA.

MY FELLOW COUNTRYMEN,—In the fierce war now raging between Mr. Howe in the *Chronicle*, and the Catholics in their own newspaper, a writer under the signature "H. X." has appeared in the former paper, urging upon Protestants, without distinction, to unite in the support of Mr. Howe—for this purpose; To form associations, and to afford him the aid of their avowed sympathy; in other words—Let the province be divided into two parties, dissolving all others;—let religion give the watchword;—let the passions of each be exasperated into action under the most exciting motive of which the human heart is susceptible—the religious sentiment.

Has "H. X." counted the cost? Has he measured the consequences unavoidable on the course he recommends? Has he estimated the evils—public, moral, and social—that would pervade a country distracted by so desperate a warfare?

The evils of religious distractions are compensated by no benefit; and nothing but sternest necessity can justify their introduction.

I write to suggest to the Protestants, but especially to the Conservative Protestants of Nova Scotia—before they shall commit themselves to the course recommended—the duty of calmly considering whether an adequate cause—a constraining necessity—exists.

A bitter quarrel has arisen between Mr. Howe and the Catholics. What then? This may furnish motives for personal and political friends, to that gentlemen to mingle, if they so please, in the strife. It offers no just excuse for those who are neither his personal nor political friends, to interfere in a controversy which does not belong to them; and still less to be agents in needlessly inducing mischiefs of the most aggravated nature.

It is true that the Catholics have been resolutely and uniformly the political antagonists of the Conservative party, and now it may seem that the opportunity is offered for avenging past wrongs. Let it, however, be recollected that the Catholics have been the political opponents of the Conservatives only in association with the Protestants of the Liberal party; and that in the political struggle Protestant and Catholic Liberals have together formed but one party, undivided in name, in object, and in interest; and yielding feebly to one and the same leader—

that leader Mr. Howe. As one political party they triumphed through their united strength; they have together reaped the fruits of victory; and at this moment, to their union with the Catholics, Liberal Protestants owe the enjoyment of office and emoluments and the administration of the government of the country.

If Mr. Howe, or if Protestant Liberals, individually or collectively, desire to disengage themselves from this association, the matter lies alone between themselves and their old allies. But why should religion be introduced? The Protestant who without violence to his religious feelings or opinions could make the Catholics his associates when it suited his interest, might, it would seem, with equal freedom dissolve the alliance and become his political opponent without the necessity arising from mingling the religious element in the quarrel.

If, indeed, religious freedom in any form were in danger, there would be a cause more than sufficient to cast into the shade every other consideration. But before Protestant Conservatives yield obedience to a summons from so questionable a quarter, and assist in entailing upon their country and their children the incalculable evils of religious strife, to the end of which no man can see, let them be assured that such a cause truly exists; let them be careful that they do not for want of timely reflection give countenance to the sacred name of religion to purposes secular and unhallowed; and let them see to it that it is not sought to make them mere instruments for effecting personal and political objects in which they have no sympathy and no interest, to be cast off when the occasion is served.

As a political party the Conservatives have a plain path before them. If they have the wisdom, the dignity, and the integrity unitedly to pursue it, they will ensure respect and influence. If they scatter at the bidding of any whose interest it is to divide them, and who may seek to inflame their prejudices that they may hoodwink their understanding, they must be content with the insignificance which is the portion of dupes.

I am sincerely your friend and one of yourselves. A PROTESTANT CONSERVATIVE.

Now, sir, I have read the article, because it explains the position in which the Conservative party stood when the House met, and the principles on which they acted afterwards. My own mind, I am free to confess, was previously made up. I feel what was the duty of the Conservatives, both as regards their interests as a party (for I speak with the utmost candour), and as regards their obligations as citizens. I feel that they were not called upon to sustain the views of the writer in the *Morning Chronicle*. In joining with the hon. member for Windsor, I believed that they would not command as a party, a position dignified or independent, and that as citizens they would violate a fundamental duty, for it was only by introducing into the country the elements of religious strife, that

they could unite with him in the animosities he had created.

When my friends assembled in Halifax, I found entire unanimity of sentiment on the subject, for although some might have preferred a union with Mr. Howe, I never could adopt that union on the principle of religious proscription. Having pursued this course, and having proceeded in entire independence of any negotiations with the Catholic body, and standing entirely independent—not well knowing what was the feeling, and what would be the probable action of the Catholics—it became necessary to decide in what manner our views ought to be carried out. It was plain that if Mr. Howe moved a vote of want of confidence, the Conservatives would be placed in a position of embarrassment. If we voted with him we would compromise our position as a party, and our principle of action as regarded the Catholics. If against his resolution, we would support a government we desired to displace. It was therefore necessary that our action should be so prompt as to anticipate all other movements. Hence the introducing, at the earliest moment, of my resolution, and before the ordinary practice of the House would indicate such a step.

Sir, we went not on our knees to the Catholics to induce their support, as the learned member for Pictou insultingly and without foundation asserted. Our action was independent and without any proffer to the Catholics, and without any other opinion of the Catholic members in this house, than I presume other gentlemen had the means of forming. Indeed it is apparent that no arrangement, or compromise, nor offers, could be required on our part, if the Catholics had decided on opposing the government; and if they had not so decided, it is equally clear there was nothing we could offer more advantageous than what their position, as members of the party, would ensure them. Both parties stood as independent bodies, relying on the natural course of events, without any of the unworthy subserviencies charged on them. The hon. member for Newport was anxious to know the promises made. I cannot gratify him. No promises have been made. I doubt not this will seem incomprehensible to him, and to such as he. It is, nevertheless, the case.

I have now stated what was done, up to the time when the resolution was moved, and the country has before it the course of events since. That an alliance, if it please the other side to call it so, will take place—that a union will be effected is inevitable. It has been brought about by circumstances; but until the vote passes, both parties hold themselves independent. No conservative has a promise nor any reason to form expectations beyond what naturally arises from his position. On the part of the Catholics no promise has been asked, and none given. We come together on the one only foundation of mutual confidence, in mutual honor and integrity. The charges to which I have alluded are as undeserved as it is possible to imagine. Knowing this to be

the case, they excited very little indignation, and I leave their authors to the imputation due to those who utter false and unwarranted aspersions. I have spoken with regard to the position in which we stand. It is the only one in which we could stand. No Conservative or Catholic is in such a condition to make a promise. The instant the vote passes those who support the resolution will be invited as a party to meet unchecked and unclogged by promises to fulfil, as they best may by their common judgment, what they think is for the interests of the country. If to distribute office, to do so with regard to the proper claims and qualifications of individuals, always subordinate to the paramount consideration—the public interest.

If this resolution should not carry, we will nearly, if not quite, have evenly divided this House. We will then stand in a stronger attitude as a constitutional opposition, and, with no sacrifice of principle on either side, we will be united in opposing the Government. But, sir, I anticipated the successful result of this resolution, and I do so with reason. A deep injury has been inflicted upon the feelings of a religious body. The government has sanctioned the indignity. Without much speculation I find that a religious body placed in this position, whether Protestant or Catholic, will feel and act, as men generally feel and act under such circumstances. I have felt that it was important, not only as due to them, but as a matter of sound policy, with relation to the interests of the government—that a Catholic should hold a position which would give him an interest in the government, and responsibility in the conducting of the public affairs. I throw this out as my individual opinion; as I have before said, no promise has been made on side or the other. I cannot say whether, in the event of the passage of this resolution, a Catholic will hold a governmental office or not. I think it would be unfortunate, as regards the interest of the party, and as regards public policy, if one of the heads of the departments should not be a Catholic.

The hon. and learned Attorney General gave me a very solemn warning of the exactions and dictation I might expect from Catholics, and the consequent want of harmony in the government. What is the meaning of this warning? Whether there is something in the Conservative nature impossible to amalgamate with the Catholics, or in the Catholic to unite with the Conservative in secular affairs, I am at a loss to understand. If they have the same general views as regards the welfare of the country, there is no great difficulty in their acting together harmoniously, because in religion they hold different opinions. There is an example to which I am happy to refer. There was a time when the denomination to which I belong, rallied round the member for Windsor. They were his friends, not only politically, but personally. Particularly in the Western part of the Province, he had, to a considerable extent, their affections as an individual, as well as their

confidence as a public man. Whether it was his fault or ours, he had the misfortune to be placed as regards old friends and associates of the Baptist denomination, in a similar position to that which he now occupies as regards the Catholics. The Baptists were to him as faithful and devoted adherents as the Catholics have been. I can say no more, for I believe he always received from the latter an undivided and hearty support. The Baptists, too, had been led, as Dissenters, to look upon Churchmen as their natural opponents. The member for Windsor fanned the flame—religious animosity has been his mighty engine. Thus there was no greater hostility between the Catholics and Conservatives, than between Baptists and Churchmen. The hon. gentleman threw off the Baptists, and evoked the aid of the Antiburghers. A large portion of the Baptists connected themselves with the Conservative party, and were brought into political connection with Churchmen. The same warning was given then as now. What! Dissenters,—Baptists,—unite with the supporters of Church and State! Can they ever harmonize? Will Churchmen ever condescend to act with them, or will Baptists ever receive from Churchmen what they have a right to expect? What was the result? This country which previous to that union, had been divided by these rankling animosities, became more peaceable and united. The discordant elements were greatly calmed, and thus, parties who had before been hostile to each other, found that they could harmonise as public men without the sacrifice of independence or religious principle on either side.

We are told by the hon. member for Windsor, that no such union can be lasting. The union to which I have just referred has lasted during four general elections, and is now as firm as ever. Observe its fruits in the country. It has put down a large portion of that animosity springing from religious feeling, which is so bitter in its results. See its results politically. That union has returned to this House the same three individuals for four successive elections, for three different constituencies in the same county, an example not to be found in the history of the country. Men holding different religious views have thus been able to unite without the surrender of anything honorable to them as men, or anything sacred to them as christians.—Why a similar result may not be realized between Conservatives and Catholics, I am at a loss to understand. If the union of men required unanimity of religious feeling, the Conservatives and Catholics could never unite. But when men meet for public business, they do not meet to settle points of faith, or follow religious observances. If men holding different religious opinions cannot meet here, how can they meet in the ordinary affairs of life? Do you ever raise the question of a man's religion in trade or business? If this were the case, we could live together and yet not be together,—together and yet not commingled. Can we separate the general interests of members of the same body

politic, all bearing the share of its burdens and partaking together of its prosperous and adverse fortunes? We have a bond of common interest. Here we are in this little province, brought together by a superintending Providence, who settles the bounds of our habitation. Shall it be said, that because we worship in a different manner, that we cannot fulfil the various duties imposed upon us by Him who thus has placed us together; and who, possibly may have permitted the various descriptions of opinion among men, that the benevolent and social virtues might be exercised.

The Attorney General points to the Catholics, and says, "You must not pass over, a union with the Conservates is unholy." The Catholics, then, must remain where they are. They must not have the common privilege accorded to others, of changing their organization as their interest or inclination may prompt. You take from them, then, the common privilege of freedom, and necessarily impose upon the Catholic body an endless servitude to the Liberal Party.

What is there in religious principle which renders it more dishonorable for Protestant Conservatives than for Protestant Liberals to unite with Catholics? Is it that gentlemen on the other side hold their Protestant principles more loosely than we did? Suppose they do, would this be a reason why the Catholics, or any others, if they desire to form an alliance with men of honor and integrity, should unite with them? No. It is not with latitudinarians in religion that they should unite if they desire an honorable union. Firmness of religious principle is the best security for every body of Christians. This brings me to consider what the Attorney General has called the cry of Catholic ascendancy in 1847. I am perplexed in dealing with this, not on account of any difficulty in the question itself, but as to the proper extent to which to push recrimination with the Attorney General. "I am not answerable for mere papers," says the Attorney General. I will put some in his hands presently, and ask him if I am to be held answerable for newspapers published 10 years ago, whether he ought not to be for some published within the last 12 months. A religious controversy arose before the Elections of '47. I know not exactly how it commenced, but if I remember right, it was from some very trivial cause. It had gone on some time before I was aware of its existence. I saw it was going to peril the elections; if I allowed it to go on, the seat of my friend Mr. Andrew M. Uniacke would be lost. It could not be stayed, and assumed large proportions. My religious feelings were aroused.

It might have been wiser to have abstained from meddling, but I did what I felt to be my duty. Whom, I would ask, ought Catholics, or any other body of men to trust—those who dared to vindicate themselves and their religious opinions at the peril of their political existence, or a party which shrunk from thi

duty, that by their subserviency they might purchase political power?

Let it be remembered that while there were bitter things written in the Roman Catholic newspapers of that day, the Attorney General has not referred to the paper chiefly active in advocating the Protestant side of the controversy—the *Guardian*—under the auspices and then edited by a Presbyterian minister. While I took my full share in the struggle, both religious and political, at the time, I bore no part in the publications which appeared. Many articles on religious questions were written temperately and well, but there were not wanting articles written on the Protestant side which did not bear that character, but were as bitter and insulting as anything on the other side. One in particular I remember which I read at the time, and have looked upon since with great repugnance, because it dealt with a subject peculiarly sacred to the Catholics in a measure not only beyond the bounds of fair discussion, but in the last degree revolting.

The Protestant Liberals were content then to hold off from a controversy which was religious in its character—and to accept political power in their alliance with the Catholics. The election took place, and we were beaten by a combination of Protestant Liberals and Catholics. From that time I made no distinction between the elements of the Liberal party, whether Protestant or Catholic. I looked upon them but as a political combination and the religious element of the contest was not referred to. So entirely was this the case, that so soon as the next session after the election, I find I advocated a grant of £50 for a Catholic School, which was refused by the Liberal Government. (The hon. gentleman then read from the *Acadian Recorder* in proof of this statement.) This incident had entirely escaped my memory, until this newspaper was sent to me a little while ago.

But if the Attorney General is to disentomb newspapers ten years old, what am I to do with those of recent date. (The learned gentleman held up several *Presbyterian Witnesses*.) Am I to read them as he did the others yesterday.

Hon. Attorney General—The *Witness* abuses me.

Hon. J. W. Johnston—Abuses me! That is not the question. The question is, whether if the Conservatives are to be held up to Catholic jealousy on account of publications ten years old, the same rule is not applicable to a large portion of the Protestant Liberals now who are represented by this paper—the *Presbyterian Witness*—as virulent without the same exciting cause.

I have read to you one article from the *Morning Chronicle*, calling for a Protestant organization. The same idea is enunciated in the *Witness*. Five of the Departmental offices are held by men who hold the religious opinions of this paper.—(The *Presbyterian Witness*),—viz., the Attorney General, Solicitor General, Receiver General, Provincial Secretary, and Financial Secretary.—Surely, under

these circumstances, the Government may as well be answerable for the opinions of the *Witness* as any of the Conservatives, for articles appearing in papers published ten years ago. I hold in my hand the *Presbyterian Witness* of the 3rd January, 1857—an editorial in which after very violent denunciations of Roman Catholics, concludes in this style:—

“It is not a question between Liberals and Tories. If it was we would not utter a syllable. It is a question between Novascotians and foreigners, between men of peace and assassins, between Protestants and Romanists, between men who love and honor Queen Victoria and men who are abject slaves of the Pope of Rome. A man who is cold or neutral in such a struggle deserves not the name of patriot or christian.”

A party formed under such sentiments must be founded on religious proscription. The Conservatives might have gone over to Mr. Howe, and a majority no doubt would have been the result—but what would have been the future of that union? Peace would not have been its fruits.—The welfare of the country would not have sprung from it.

The Attorney General has read extracts from Conservative papers in 1847 denouncing the Catholics. His undisguised object was to excite that body, and to show that they could not safely or honorably unite politically with the Conservative party. I have in my hands a great many numbers of the *Presbyterian Witness*, published lately in this city, filled with denunciations of the Roman Catholic religion and priesthood—in which the English language has been ransacked for epithets insulting and exasperating.

Let me select a few—

No, sir, I will not proceed—I will not follow the Attorney General's example. It is a hateful office. (The hon. gentleman threw down the papers.)

Let us rather aim to keep down religious passions—not to excite them.

If differences of religious opinions ought to form an obstacle to political arrangements, then must the Catholics be excluded alike from both sides, and the Attorney General and his political associates after ten years alliance with the Catholics, are in no position to urge such an argument.

If I have shewed that there is nothing in the religious opinions of Conservatives to forbid an alliance with the Catholics, let me now ask whether there is anything in their political opinions to forbid such an alliance? It has been said by the hon. member for Windsor, and other gentlemen have intimated the same thing, that responsible government would be in danger; and the former asks—“What would you do in the case of a constitutional question arising?” From 1844 to 1848, when the Conservatives were in power, responsible government, in its principle, was as much recognised by the government, and it was as much practically in operation, as it is at this day, though departmental offices did not then exist. A vote

want of confidence would have displaced the government as affectually then as now.—What has been the course of the conservative party since 1848? Who introduced liberal principals? Not what the gentlemen of the other side call liberal principles, for by liberal principles I mean measures giving increased power to the people, and laying broad the platform of popular institutions. Who, sir, opposed an Elective Legislative Council?—The liberals opposed it. Whether that measure is for the benefit of the country or not, is not now the question; but certainly it would enlarge the power and privileges of the people.

Then there is the Municipal Corporation Bill, and I mourn and blush for my country that its people have rejected it.

You have heard the complaints relative to School Commissioners and Magistrates. This Bill would have removed those complaints, and have given these appointments to the people. Who introduced that Bill? The liberal party? No!

The Attorney General asked me would I dare to pass that bill as a compulsory measure. If standing as I did last year, I answer yes; now the case is altered. Deeply do I regret that I introduced that bill with alternative clauses. Most gladly would I have seen it pass last year unconditionally. Ere three years had elapsed, the men of Nova Scotia would have wondered that they had not possessed themselves before of the privileges of self-government.

Again, Sir, who advocated, and at the danger of ridicule ventured to propound in this legislature the union of the colonies? That union would have given us an expansive theatre to act upon—it would enable the leading men of the colonies to feel that they had space to move in free from petty local influences. That measure, opens large conceptions. The man who so far matured it, as to give it the tangible form of a resolution in this house, had some idea of opening a broad and noble pathway for his fellow-countrymen and their children after them. The movement, at least, was not *illiberal*.

The hon. member for Windsor has asked, what we would do with a constitutional question. Do with it. Handle it, sir, as the Conservatives have for the last ten years dealt with public questions, and not as the so-called liberals have done. We have preserved liberal principles.

Again, Sir. Who opened the polls to the universal people! Who gave to the son of the farmer, to the son of the mechanic,—the privilege of voting when he reached the age of 21 years? Was it the Liberals? No Sir, he who addresses you introduced that measure, and carried it through. How will we deal with a constitutional question? We will deal with it as we did when we gave to young Nova Scotians the dearest privilege of a freeman. Who gave to the country the simultaneous polling bill? Who banished lawless violence and outrage, by increasing the number of places at which votes were to be polled?

Who removed from the country the baneful consequences of elections existing over fourteen or fifteen days; and the many evils that attended our former system.

Sir, I am accumulating a large catalogue.

There may be differences of opinion on these measures. Some of them may have been introduced to avoid evils, rather than from choice.—We are not considering the policy of the measures themselves, but whether they are in principle liberal, and whether the men who advocated them are unfit for political association with men of liberal principles.

When the constitutional history of Nova Scotia comes to be written, it will be required, "Who was this Johnston, the Tory.—the man that was held up by the newspapers as the greatest obstructive to liberal principles?" The student of this history will read with wonder that he was the man who advocated Simultaneous Polling, Universal Suffrage, Municipal Corporations, Elective Legislative Councils, Union of the Colonies, and he will turn to some old dictionary to discover what the word "Tory" meant, and what was the signification of "Liberal" in the days of their forefathers. We have been testing the claims of names! Who, Sir, was the advocate of Denominational Colleges? If their establishment was beneficial, I ought to take some credit for this, for I have suffered enough in that cause.—It cost me office, and it has kept me out of office. The influences brought to bear upon that question was the principal cause of the defeat of the conservative government. The hon. member for Windsor had skill enough—and in religious animosities he has great skill—to direct religious prejudice against the Baptists; that jealousy which the hon. member for Windsor raised against them was among fellow-protestants—for Protestants can hate one another, if required, as well as they can hate Catholics. It is not necessary, in order to banish christian love, that you should divide us by so wide a barrier as Catholicism and Protestantism. Who endowed St. Mary's College? Was it the hon. member for Windsor?

Hon. Attorney General.—I introduced the Bill.

Hon. Mr. Johnston.—Oh! sir, I do not speak of the introduction of a bill after the principle has been established. I talk of the establishment of this principle. Who forced on and successfully carried the question of denominational colleges, when the Attorney General and the hon. member made it their battle-field? If St. Mary's is now endowed, you owe it to the persevering efforts on behalf of Acadia college of him who now addresses you. Who advocated the grant for the college of Antigonish, feeling that in no other

way could you give so effectually the benefits of education to the Scotch Catholics in that section of the Province, notwithstanding that it had the appearance of giving the Catholics more than their share. Does not the Attorney General know that at the sitting of the Education Committee I could have defeated that grant had I chosen so to do. It passed by my effort, to the astonishment, perhaps, of some; but they did not know me. I should have done it under the same circumstances for any Protestant body, though I did it for the Catholics. It will hardly be imagined that I could have foreseen the present state of things. I think I ought to be freed from the imputation of any intended motive in that act. Now, sir, on their part, let the liberals mention a single act within the last ten years introduced by them that has had for its object the extension of popular power and the enlargement of popular principles, that did not also carry with it the creation of office and salary for themselves. No one of the measures which I have referred to courted office or salary from individuals. They have created departmental offices for themselves to occupy. They have established pensions, that they might enjoy the offices vacated, and they used patronage for their own benefit, and for purchasing support and oppressing their antagonists.

I have claimed for the conservatives during the ten years the Liberal party have been in office, the uniform advocacy of liberal measures. Why did they do this? because after the Departmental system was established the only check on the government was the popular power by well regulated institutions. It was choice between the extension of popular privileges properly adjusted and the power of an oligarchy. We chose the former as less liable to corruption and tyranny. The Attorney General said, with a triumphant tone, what job had ever been perpetrated by the present government? Why, the hon. and learned Attorney General is a job himself—a costly job. The learned Attorney General in order to obtain office perpetrated a job which fastens on the Province of Nova Scotia a sum of £300 a year, while John Spry Morris lives. Mr. Uniacke had to be put out of the way to make room for the Attorney General, and to provide for Mr. Uniacke, Mr. Morris must be pensioned. If this is not a job, I do not know what a job is. The people of Nova Scotia know this to their cost, as long as Providence shall spare John Spry Morris—and he is an honest man—may he live for ever? It happened that Judge Stewart is receiving a pension of £400 a year. When the Chancery Court was abolished, the

question arose what was to be done with the Master of the Rolls. We, the Conservatives, said, put him on the Bench. He is needed there now, and you will presently have a judge retiring or dying, and he will supply the vacancy, and a pension be saved. Why, Sir, was this not done? Because the Attorney General saw that if Judge Stewart was put there, they might not have a seat for their friends, when a vacancy did occur; and as Judge Haliburton had petitioned for a pension, there was strong probability of his retiring whether pensioned or not. This, then, was another job—and a costly job too.—These jobs had their little effective tails. If Judge Stewart had been elevated to the Bench, matters here would have remained as they were, notwithstanding Judge Haliburton's retirement.

But as they managed the matter, on the Judge's retirement, the Provincial Secretary, Mr. L. M. Wilkins, is made Judge, with £700 a year. The Solicitor General is made Provincial Secretary, from a salary of £150 to £700, and the hon. member for Colchester comes in as Solicitor General, from nothing to £150.

The St. Peter's Canal was a job to gain support for the railroad. The Executive Council is a job, for it is filled up to quiet the opposition threatened by the friends of the Government. The appointments in the Conservative counties are jobs; as sixty Liberals to about ten Conservative Justices in Cumberland, with all the offices in that county; and about double the number of Liberal magistrates to Conservatives in Annapolis testify. But the recent appointments of School Boards in the county of Annapolis is the most flagrant—of the large number of 9 Liberals to one Conservative, in a county that at four general elections has successfully returned Conservative representatives; and but one Baptist, altho' the Baptists, by the census, formed about half the whole population; while the Methodists and Presbyterians, whose united numbers about equal the Churchmen, are little if anything over half the Baptist population, have, as regards the Churchmen, two to one, and, as regards the Baptists, eight to one Commissioners at the two Boards.—The Methodists and Presbyterians do not seek any unjust preference; they would be content with a fair proportion. It is the unjust distribution of patronage by which a rank oligarchical government seeks to retain power, by corrupt influence in the country.

The conduct of the government as regards the Annapolis School Board is aggravated by the fact that last session the Attorney General solemnly deprecated the

introduction of party feeling into the question of education. But, there is another job, and I think the learned Attorney General will say it is the worst job of all, the turning out of William Condon, for the purpose of appeasing the opposition of the hon. and learned member for Windsor.

Hon. Attorney General—I did not say so.

Hon. Mr. Johnston—The acts of the Attorney General say so. I think he also said so in words. The Attorney General has trampled down the conservatives. It may be natural, though not generous, to oppress an enemy, and when the liberals put out the conservative magistrates, they were dealing with their political foes; but when they turned William Condon out, it was a friend he was making a job of and sacrificing. When he talks of the pressure on him, does he recollect the case of a magistrate in Lord Falkland's time, whom his Lordship refused to sacrifice, although not a friend, and although the strongest pressure was brought to bear upon him.

I have thus shewn that neither religion nor political principles oppose the joint action of Conservatives and Catholics on political questions; and that the charge of an unholy alliance is without foundation or reason.

Have Liberals been so very particular with regard to their alliances? I think that the Liberals found no difficulty in making an alliance with Mr. Uniacke, and also with Mr. L. M. Wilkins, although they were leading members of the Conservative party, and separated on political considerations. Yet they saw no unholy alliance in uniting with them. Let us turn to some instances where personal feelings might have prevented an alliance. The relations between Mr. Uniacke and the hon. Attorney General, and the members of his family were such at one time that if anything could, must have kept them forever apart. So also as respects the Attorney General and Mr. Wilkins, are still more as respects the Attorney General and the hon. member for Windsor. There is, however, no personal difference between the Catholics and Conservatives. For myself, while I have been brought into hot personal collision with other members of the Liberal party, I never have happened to be placed in that position with any of the Catholic body, unless the case of the late President of the Legislative Council be an exception. I criticised the conduct which that gentleman in his political capacity pursued. But in that case there was nothing personal, or exceeding the just and legi-

mate exercise of political duty in discussing the public conduct of those in official stations. Why was there a difference in the Liberal party some years ago? How came it that Huntington and his friends left them? Am I to be told that it was the railway which caused it? It may have been one of the causes, but it was not the only one. "Support Mr. Johnston in his Elective Legislative Council bill,—support him in his other Liberal measures," were almost the dying words of Mr. Huntington to his friends. How does it happen that two gentlemen are now with us, who were formerly with the Liberal party? Their motives were pure. They left patronage and power and came over to a weak opposition. Why did they do so? Because they felt that on this side Liberal principles were truly respected—on this side was the substance, on the other but the name!

Why then are gentlemen to be fettered in the freedom of their political action by idle and insulting taunts. Are we less men of honor on this side of the house than they who tell the Catholics they cannot join us without disgrace—less liberal in our politics—less enlarged in our views of civil and religious liberty.

I tell the hon. member for Newport that no list of the next government is made out—that list will only be made out if we are called to make it on united concert and opinion; and there is not a single man, Conservative, Catholic, or independent, that knows, or has any reason to expect how a single office will be distributed, except as the united party will determine. Indelicate would it have been on the part of any of us to act otherwise. If we are called to occupy the position of the party in power, we shall meet for the purpose of forming an Administration on the basis of the public welfare, unfettered by a high promise.—(*Hear, hear, and applause in the Gallery.*)

The hon. member for Newport looks incredulous. I dare say, he does not believe me, but if he cannot understand the confidence which men of honor may repose in one another, I cannot help it.

I now come to the relations of hon member for Windsor with the Catholics. He put forth a letter in November last. That letter is liable to objection in two important points. That gentleman assumed a right on the part of the Protestants which ought to belong to no man breathing—Catholic or Episcopalian, Methodist, Baptist, or Presbyterian. He asserted the right of one man in social intercourse to revile the religious observances of his neighbor. This is no part of the religious rights of any man to do so. I hold un-

fettered freedom of discussion, but that is very different from the right to vilify and traduce, in private society. The man who seeks to advocate, in the newspapers or the press otherwise, or in the pulpit or on the platform any question may do so. Another may meet him thro' the same channel, and answer argument by argument, sarcasm by sarcasm. In this way the cause of truth is advanced. None need read or hear unless they please; they may answer if they deem it requisite, and therefore there exists no right to complain. But very different are the interferences with the rights of religion in private life. These advance not the cause of truth, and they engender the bitterest feelings of our nature, and lead eventually to discord. Yet this claim was at the very foundation of the hon. gentleman's letters. He says Presbyterians have a right to laugh and scoff at Catholics in private intercourse; and suppose he would give the same rights to Catholics? I affirm that neither have that right. Sir, it is contrary to the acknowledged observances of good breeding no less than to the principles of humanity and religion. The Irish, he said, had no right to be offended if the Scotch did laugh at some of their more sacred observances. His argument was because that freedom was exercised in newspapers, therefore it might be exercised in social intercourse I differ entirely. The Baptists entertain peculiar views on the subject of Baptism. They stand not only apart from Catholics, but also from other Protestants. If, in the unobtrusive exercise of their religious ordinances a pædo Baptist chooses to be present, is he at liberty to scoff? If we complain, are we to be told that we may revile back again? Is this one of the attributes of civil and religious liberty? I utterly reject such a position. There was another principle advanced in that letter. It was intimated too clearly to be mistaken that it was necessary to put down the Catholics by the combination of Protestants. I could see nothing in his letter to justify so extreme and injurious a measure. His second letter removed all doubt on that point. If he had not that view, why did he refer to the past history of Ireland? Why refer to the past history centuries ago? Heaven knows, Protestants have no reason to refer to past history. Wrongs were committed on all sides, in days when religious liberty was little understood, and which would not be endured now. Civilization, true principles of freedom, and other christian virtues have brought us to a better time. Shall we go back to ages semi-barbarous for examples to check the progress and exercise of religious freedom now? Surely

not. There was a time when John Bunyan languished fourteen years in a jail for a right which no man would dispute his right to exercise now. It was not Catholics who incarcerated Bunyan; and am I to bring back the memorial of that time for the purpose of exciting Baptist against Episcopalian? Am I to cast away the blessing which God has given me by casting my lot in happier times? Oh, surely not! The office would not be that of a worthy citizen or a christian. Why, then, did the hon. member refer to those times, if not for the purpose of raising a spirit of religious hatred? He said if he had committed an offence, something was due to his past services. Might not the same have been said relative to Condon? It is not denied that his services to the Liberal party were considerable. The hon. gentleman denies that he ever alluded to religion until the Catholic paper had set the example. I think he is wrong there. I think he did so at the Crampton meeting.

Hon. Joseph Howe—I referred to the endeavour to keep order in the public works among Scotchmen and Nova Scotians. Condon rose and asked if I meant to say or insinuate that the rioters on these works were Irishmen.—(*Hisses in the gallery.*)

Mr. Annand—I feel it to be a duty that I owe to my constituents to request that the gallery should be cleared.

Mr. Marshall—The hon. member should state that there was strangers in the gallery, that is the constitutional mode.

Hon. Attorney General—I hope that this motion will not be pressed, as it will put an end to the debate for all practical purposes. I take it that the hon. member has no wish to exclude the public, but as the interruption of the debate by marks of disapprobation cannot be permitted, I trust that the public will, for their own sake, refrain from such conduct, and allow the debate to go on.

Mr. Annand—In deference to the wishes of the Attorney General I do not press the motion now, but give distinct notice that I shall do so if this conduct is repeated.

Hon. Mr. Johnston—As the proceedings of the Crampton meeting were never reported, I must take the statement of the hon. gentleman. I did understand that the hon. gentleman delivered a very eloquent address, relating to the riots which had recently taken place,—that Mr. Condon asked if he alluded to the Irish—that he replied that he did—that Mr. Condon then said it was only to inflame the public as there might be persons present who perhaps would be on the jury that would try them. If that be all that Condon

said, I must ask why he is condemned. I don't understand that a man's holding a situation under the government, to apply an expression to Condon which the Attorney General applied to himself, crushes out the feelings of a man or deprives him of the privileges of a citizen. The hon. member for Windsor says that the Catholic newspaper asserted that Irish Catholics had a right to use violence against them who reviled their religion. I have read that article over and over, and I can see nothing of the kind—on the contrary, it is an earnest appeal to all parties and Catholics in particular to lay aside religious differences and live peaceably.

Hon. Mr. Howe—In the same paper there was a communication above the editorial, saying that the acquittal of the rioters were attributed to his interference.

Hon. Mr. Johnston.—Surely that is a slight matter to justify the extreme course pursued by the hon. gentleman, and it is probable the co-religionists of the alleged rioters would not have felt themselves justified in defending those men and taking them under their charge, had it not been for that speech. The communication had nothing to do with the construction put by the hon. gentleman on the editorial in the *Catholic*. I read that editorial at the time it happened. The impression made on my mind was that it was moderate even to tameness. I expected something much more spirited, and I expressed the opinion that the Catholics had no intention of quarrelling with Mr. Howe if it could possibly be avoided. This was my first impression. I have read it since—and again to-day—and my opinion still remains the same. I hold the paper in my hand and I should like the hon. member for Windsor now to put his finger on that part of the article which he says encourages a repetition of riot.

Hon. Mr. Howe—"If Protestants laughed at their religion, mercurial Irishmen might break their heads."

Hon. Mr. Johnston.—The article contains no such language or sentiments. Had the editor been desirous of inculcating peace and charity they could not have used more appropriate language. I do not see how the hon. gentleman could have taken from it the occasion of the attack which he has made. The right to scoff is certainly not claimed in it as the hon. gentleman asserts. Were it not occupying too much time I would read the whole article. I will content myself with a short extract, and I repeat that I wish the hon. gentleman would point out any part of the article that justifies his assertion. The hon. Mr. Johnston then read as follows:—

"To such a pitch did they carry their irritating system of abuse and derision, that some of their own fellow countrymen, who professed the Catholic faith, were obliged to abandon them in disgust. How can we wonder if a mercurial Irishman would sorely feel

what a sober son of the heather could not endure. At the same time we readily admit that no amount of provocation can justify gross violations of the law of fraternal charity; and we know that if Catholics observe the precepts of their religion, they would rather pray for their enemies and rejoice at being reviled and prosecuted for the name of Christ, and overcome evil with good, than pursue them with feelings of vengeance or retaliation. The very worst argument in any controversy is a bludgeon or a brickbat, and it proves nothing but the brutality of him that uses it; but, alas! men are men, and when the old animal man is stirred within us, he too often gets the better of the Christian.

Let any man whatever his religious feelings be, pen an article with a view to put down violence, he could not have done it in a more appropriate manner, and how the hon. member for Windsor could extract from the article encouragement to riot or threats of repeated violence, baffles my powers and ingenuity. The hon. gentleman spoke of disloyalty, and alludes to an editorial in the *Catholic*. Let him get a dozen or two of the leading papers in England, and on that very subject he will find articles far more bold than the one in question, for the expressions of political opinions is unrestrained and unfettered in England.

I now come to the case of the alleged railway rioters James O'Brien was tried by a jury of 7 Protestants and 5 Catholics—5 Catholics and 1 Protestant were for his acquittal. There was a positive statement by one witness that he had received blows from James O'Brien, but there were many assertions to weaken his statements. There were on the other side the statements of 4 witnesses which showed him to have not been at the riot. If these 4 witnesses were to be believed he was entitled to acquittal, and if there was a doubt, he was entitled to the benefit—the jurors who were I think for conviction, were in the wrong; but I find no fault with them for they had to contend with strong excitement which the question had engendered. On the second trial, in the case of Patrick O'Brien, the defence was the same, except that there was but one witness in favor of the prisoner, and yet the Attorney General admitted that he should be acquitted as well as James whose case was still clearer, and who was proved to be near Schultz's at the time of the riot. Some of the cases were not so strong as these, but there was not one of them who, from the testimony on the prosecution, ought not have been by a merciful consideration of the law acquitted.

I now come to Condon's case. He was dismissed without hearing. It is hard to tell what he was really dismissed for. It is no small thing suddenly to deprive a man of the only means by which he puts bread into the mouths of his wife and family, and as far as there is any evidence his vindication seems completely as respects the charges on which the Attorney General said he was dismissed.

[It has been necessary to condense the latter part of Mr. Johnston's speech very greatly.]

On the subject of Mr. Condon and the Enlistment he read from the *Nova Scotian* the following article, reprinted from the *Morning Chronicle*:

AN EXPLANATION.

As some misapprehension prevails in the public mind on the subject of the Irishmen who came to this City on the morning of the 6th instant from Windsor, where they arrived from Boston, we have taken the pains to enquire in the proper quarter as to the circumstances of this case, and have ascertained that the men in question were shipped at Boston not with a view to their enlistment as soldiers, but for the purpose of labouring on the Railroad, as avowed by the men themselves. This will appear from the subjoined copy of an original document in possession of the Provincial Secretary, but which was not received by him until some days after the men reached Halifax. Until the men were actually far on their route to this city it was supposed that they were all foreigners by birth, and that they had voluntarily come here to enlist, nor was the least intimation of the real purpose of their emigration known until the document referred to confirmed the declarations of the people. We may add with confidence, that at the moment the men informed the military authorities, that they did not desire to enlist, they were distinctly informed that they were free, and that not the slightest coercion or influence was used to induce a change of purpose on their part.

The original document above referred to is in terms as follows:

BOSTON, March 30, 1855.

Hon. Lewis M Wilkins:

Dear Sir,—We have, at request of Hon. Joseph Howe, engaged the brig *George Washington* to take to Windsor a load of laborers for your Government Railroad. You will please take charge of them on their arrival, and pay Capt. King, according to agreement, four dollars for each man.

Yours respectfully,

SPRAGUE, SOULE & Co.

[Mr. Johnston continued his speech on the day following its commencement until interrupted by the closing of the gallery, and concluded it on the next day. We are only able to give the latter portion.]

The hon. member for Annapolis commenced by remarking upon the disadvantage of being compelled to rise a third time in the same closing address, and that in consequence he would leave many subjects unnoticed, and those he might allude to he would touch briefly.

He trusted the occasion of yesterday's interference would not again occur. He had experienced and borne he believed with patience, like manifestations of popular disfavor. When they were directed against himself, they gave him less pain they now would when aimed at his opponents. They were calculated to in-

jure essentially the cause; and were inconsistent with the freedom of debate necessary for a deliberate assembly; and it has been shewn that any member could clear the gallery, he trusted no member would again be subject to any interruption.

He noticed that a Juror on one of the trials against the alleged rioters had, in a Letter in the *Morning Chronicle* of that day, complained of his observations on that subject. It was evident his remarks had been greatly misunderstood, and he hastened to take the first opportunity to say he never had the idea that any of the Jurors on either trial acted otherwise than conscientiously.

The hon. member then proceeded to say that the hon. member for Windsor (Mr. Howe) had given very conclusive evidence of the imbecility of the Government when he had said that he (Mr. Howe) had last session had opportunity to overturn the Government. Its hold on the confidence and affections of its supporters must have been small if one of its own officers not then in the House had influence enough to overturn it.

The hon. member for Windsor had shewn little regard for the constitutional rule, or the privileges of the House when he threatened a dissolution as he had done, and thus brought the Lieutenant Governor before the House contrary to the acknowledged rule of Parliament. The hon. member for Annapolis had no doubt the hon. member for Windsor had taken an unauthorised license in the observations he had made; and that the head of the Government, whatever his views on the subject of dissolution might be, would not allow them to be used to influence debate, nor communicate with the House, except through a member of Government, which Mr. Howe was not.

Mr. Johnston then stated that he would conclude with a brief recapitulation, and he proceeded as follows:

If any doubt could exist as to the imbecility of the Government last winter, there is no room to doubt their weakness now.

Rebuked, threatened, ridiculed, before the whole people by two of their own officers—the Chief Railway Commissioner and the Queen's Printer—they meekly submitted. At the dictation of these two insubordinates, aided by some followers in this House, they are willing to purchase *leave to live* by the unworthy sacrifice of a political supporter on the poor pretence of an alleged offence of the same nature, but far less aggravated in degree than that perpetrated by those two Government officials and dictators. Outraging by their conduct a portion of their firmest supporters, they now insult their understanding by charging them with dishonor in allying themselves with Protestant Conservatives of liberal principles and practice, and demanding that they shall remain bound to Protestant Liberals, who have abandoned in their practice the liberal principles they have professed.

We are taunted on the alliance of Conser-

vatives and Catholics as if one or both were tainted with political leprosy.

Sir, we are men, as men entitled to meet on the broad ground of a common humanity—our platform is

#### Equality of Civil and Religious liberty.

As *Christians*, I trust we are wise enough and virtuous enough to know how to enjoy civil freedom and political privileges without the sacrifice on either side of religious independence, a blessing, without which the name of civil liberty were but a mockery.

As *Citizens*, we unite in valuing the free institutions of our country, and in the determination to uphold them as they exist in Nova Scotia with inflexible integrity; and I trust neither of us can claim precedence in the loyalty and reverence we bear our beloved sovereign as the head of the Empire, or in the love we cherish toward her as the brightest example of all that adorns, elevates, and ennobles her sex.

The loyalty of Irishmen has been questioned.

I dare not assume the duty of their vindication when Erin's own gifted sons have so often fulfilled that office with an eloquence peculiarly their own, which I can never reach. I may, however, be permitted to say that it does seem harsh and ungrateful that any imputation like this should be ventured, so recently after the names of Alma, Inkermann, Sebastopol, have been added to the scroll where Britain's glories are inscribed. While yet un mouldered lie, amid the heights, the precipices, the ravines of those now historic scenes, commingling in the same graves, the remains of Irishmen with those of their fellow-countrymen—men who together met the common enemy, and when the battle fiercely raged, and death rampant over the field, indiscriminating, reaped the abounding harvest,—knew no rivalry but who *foremost* should reach the deadliest strife—who *first* should pour forth his life in his country's service.

Heroic men! in their life attesting, and sealing in death, the noble truth, though they learnt it not from the classic page—  
“*Dulce et decorum est pro patria mori.*”

MONDAY, February 16.

Hon. Joseph Howe said—I rise, Mr. Speaker, for the purpose of proposing an amendment to the resolution now before the House. It is as follows:—

\* \* \* \* \*

In moving this amendment, Sir, it will be expected both by the House and by the country that I should take some notice of the speeches that have been delivered during the last few days. I regret the time that I shall be compelled to occupy, but I feel that, after the personal references which have been made with respect to myself it is necessary that I should offer some observations on the various statements made. The first speaker, to whom my

thanks are more especially due, is the hon. member for Cumberland. In his first speech, delivered in an early portion of this debate, there was nothing openly offensive. He did not infringe the rules of good taste, or violate parliamentary decorum; but in his last speech he ventured to take strange and unusual liberties with hon. members of this House, and with gentlemen who do not occupy seats here. Sir, much may be forgiven the hon. member for Cumberland, he is new to this atmosphere, and in the glare and excitement of gas light sometimes the fancy of a novice runs away with his reason. But it is necessary to show that honble. gentleman that he is in the Halls of Parliament, subject to certain rules and amenable to certain laws which no man, whatever his position, is justified in violating. When he got up the other evening and shaking his fist at the hon. Attorney General, threatened to “crush” him,—however much the indecency of the proceeding may have shocked me, I certainly felt almost as frightened for the sake of that hon. gentleman as I do now. When he called my old friend and supporter, the hon. Financial Secretary, something “worse than a fudge”—applied the term “falsehood” to statements made I believe by the hon. member for Newport (Mr. Chambers)—charged falsity upon the honble. member for Pictou, (Mr. McDonald—introduced the name of an editor of a public journal coupled with a charge of “venality,” and finished off with a Latin quotation, the meaning of which was that the hon. and learned Attorney General and myself were “rogues both,” I think hon. gentlemen will feel that it is high time this young gentleman was taught to understand the position he occupies and to restrain himself within the bounds of parliamentary license. Does he suppose that here or elsewhere he will be allowed to take these unwarrantable liberties, unchallenged and unchecked; that he is possessed of an impeccability of character or invincibility of genius, which gives to him here, by lamplight or daylight, the right to violate the decencies of this House.

The hon. gentleman is giving to telling stories, and relating anecdotes with which I presumed he has crammed himself during the recess. Let me tell him one for his edification. Being in the Mansion House in London some time since, I was asked to take into dinner a rather plain elderly-looking woman, who bored me to death with a detail of her aristocratic acquaintances. After listening patiently for some time I ventured to say “Pray, madam, is his lordship here?” “Oh, sir,” said she, with a simper and a blush, “my husband does not belong to the

peerage." I hesitated a little longer, and then said, "Is Sir So-and-So present?" "My husband does not belong to the Baronetcy," was the reply; and at last, after much hesitation, she informed me that her husband was a "crusher."—(Laughter.) "A crusher!" thought I. What is a crusher? I had heard of a "Tipton slasher," and of a "brandy smush," but what a "crusher" could be, did indeed puzzle me. It turned out that her husband was in the oil business and he crushed seeds and extracted oil from them. Now, there is just this difference between the old woman's husband and the honorable gentleman over the way—that he extracts vinegar and not oil from whatever falls in his way.

I recollect another story which was told me by my father. Two old deacons were coming out of church discussing a sermon to which they had just then listened. One said "It was a remarkably fine discourse, very elegant and declamatory." "Yes," said the other, "it was pretty good; but John, my opinion is, that the preacher would not be the worse of a little modesty." That, sir, is my opinion of the preacher opposite. (Laughter.) He told us something about a forty horse power of stinging. I think it was Sampson who found a bee hive in the carcase of a lion, and I dare say that it was from this Biblical incident that the lion gentleman derived his idea; but let me tell him that the best part of the bee is not the sting, it is where the honey is stored up between the thighs. Let me advise the young gentleman, then, to abstain from buzzing and stinging, and to garner up wisdom while he is here, that he may be of use to his country hereafter. A forty-horse power of stinging! Why, sir, there may be in the heels of a donkey a forty-horse power of kicking, but after all it is the back of the ass that bears the burden, and his patient endurance which is most esteemed.

I recollect once reading of an English poet, whose lyrical bitterness had obtained for him the sobriquet of the "wicked wasp of Iwickenham." I hope the hon. gentleman will not establish for himself the title of the wicked wasp of Cumberland. If he follows in the steps of his learned leader he ought at least to eschew his errors and defects, because what the experience and ability of the one redeems would be unpardonable in the other.

He talks of crushing the Attorney General. Crushing him, indeed! How is he going to do it? In wealth, I presume, the hon. Attorney General could buy him five times over; in knowledge of the law, the world, and the mode of transacting

business in this Legislature, the Attorney General has forgotten more than the hon. member for Cumberland ever knew: And, sir, when he speaks of the Financial Secretary in such disparaging and uncourtly terms, he forgets that that hon. gentleman has lived in Kings where his father lived before him, has built ships, cultivated lands, bought and sold, and established for himself a reputation which the hon. member for Cumberland will seek in vain to destroy. I grant you, sir, that if the hon. member for Cornwallis were placed before a looking-glass, he might not present quite such an elegant exterior as the member for Cumberland. But give him the business of life to transact, and that no man will doubt that he is the equal if not the superior of that hon. gentleman in most of the qualities most valuable in public life. "Worse than a fudge." Is he, sir? Such language applied to my hon. friend may not be a safe experiment. Walter, of the Times, once called Cobbet, "a decrepid old man." "Walter," said Cobbet, "calls me a decrepid old man, but I think I could take him by the things he calls his legs, and throw him out of a window."

The Doctor ventured to apply the term "falschood" to the hon. member for Newport. Where, I ask him, did my hon. friend learn to lie? Was it at the knees of old John Chambers of Newport? The hon. gentleman may travel that township over, and he will not find a man to assert that his descendants are given to falschood.

My hon. friend may have forgotten the example of his father, but if he has, it is without my knowledge, and it will require something more than the assertion of the hon. member for Cumberland to convince this House that he would wilfully violate the truth. The hon. gentleman thought fit to remark upon the speech of my hon. friend from Londonderry. His style of oratory may not be quite as good as we would desire, but who that heard him can doubt that the sentiments he expressed were the gushing, outpourings of an honest heart. He says what he really believes and thinks, and if he does not make an impression in the outset, in the long run his free spoken convictions will more than counterbalance the easy fluency of the hon. member for Cumberland. I am quite willing to admit all the talent that hon. gentleman possesses, and no man is more ready to bear testimony to his fluency than I; but there are no scales in christendom where a man is weighed more exactly and more carefully than on the floors of this House. Here the intellectual capacity is carefully gauged and measured.

Here every man finds his level—he cannot pass for more or less than his worth—when tried in this unfailing crucible the richness of the ore is at once tested.

It has amused me to find the hon. gentleman so suddenly become a friend of the Irish. His new-born love for Catholicity has at least the charm of novelty about it; but I ask him this question—when I first went into Cumberland was there an Irish Catholic in office from one end of the county to another? His party ruled that county for years previously, and yet the claims of the Catholic body were disregarded. I ask him if the very first vacancy which occurred in Parrsborough was not given to Patrick Blake, an Irish Catholic—a man who, poor, but a few years ago, had, by industry, probity, patience, and good conduct, elevated himself to a respectable position in society. When the Post Office became vacant under the Liberal Administration, he received the appointment, and what was the result? Why a cry was got up, and re-echoed from Kick's Hill to Partridge Island—there was not a corner of the county in which the charge was not preferred against me, and that single appointment was quoted as a proof that I was under the influence of the Catholic body. I will not undertake to say that I can follow the hon. gentleman in all the speeches that he has made, but I will say that those who supported him adverted to the appointment of Blake on every occasion which presented itself as an instance of my partiality and desire to advance the interests of the Irish Roman Catholics; and I am quite sure that the hon. member himself made this one of the main charges in his pretty active canvass.

The member attempted to convert the hon. member for Sydney (Mr. McKinnon) by shewing that the editor of the Eastern Chronicle had attacked his appointment. No man was more sorry than I when I first read that article, and I say to Catholic members, Irishmen, Scotchmen and Frenchmen, that they little know the amount of bigotry and intolerance which every government is compelled to contend against, in dispensing its patronage. But I confidently ask the Catholic members of this Legislature if the party to which the hon. gentleman now belongs did not, on all former occasions, oppose the claims of that body? He tells you that a Catholic should fill a departmental office. Who denies that, if a department is vacant, and a Catholic has claims and is eligible, he should not be appointed; but will the hon. gentleman answer me this: how comes it that during the 50 years that his friends held power they never thought of that doctrine? That during the four or

five years between 1844 and '48, Mr. Johnston himself never elevated a single Catholic to the head of a department?—True, they offered barren seats in the Council to the Hon. Michael Tobin, and one to my old friend George Brennan, which was refused. But could they not find during their 4 years power, a single place of emolument to which they might elevate an Irishman, or one anxious for office, who was willing to fill it?

Now, Sir, the hon. gentleman referred to our public works. I hold in my hand a report from James R. Forman, Esq., Chief Railway Engineer, describing their nature and extent. It shews that nine miles of the Railway are completed—that about 22½ miles are in working order nearly finished, with 56 additional miles under contract,—with a reasonable certainty of the whole being completed before the close of the year. The whole road from Halifax to Windsor will be opened by next July or August; and that contracted for up to 17 miles of Truro will be completed before the close of the year. The picture which the hon. gentleman has drawn of these public works is most incorrect and imperfect. I hold in my hand a statement shewing the monies received and expended since the commission was formed. Vouchers for every pound of this expenditure have been lodged with the Financial Secretary. If any mistake or errors not merely clerical can be found in these accounts, I shall be most happy to have them pointed out; and, if the hon. gentleman have any charges to prefer, let him come forward and make his statements. I am also prepared to lay upon the table the traffic returns from that portion of the line over which the cars have run. It might be supposed from the statements made, that this Railway beginning at Bedford Basin and ending nowhere would pay nothing. But, Sir, the facts prove that these foregone conclusions are incorrect. It has paid its working expenses, in both years and a handsome sum towards meeting the interest and the expenditure. The Board's Report, which I also hold in my hand. By it it appears that since the Railway was opened 81,407 passengers, 6,748 horses, and a large quantity of freight have passed safely over the line; and yet the staples of the country have not been touched. I regret that the hon. gentleman had not left the subject, until it could have been fairly and freely brought before the House; but he has presumed to assert that a "financial crisis" is approaching—that the Province is insolvent, in consequence of the outlay necessary for the conduct of these public works. In order to allay his apprehension, allow me to inform him that £175,000 will not only pay every liability of the government, but complete the work to Windsor, and within 17 miles of Truro. He talks of a "financial crisis." Does he not know that while the ad valorem duties vary in New Brunswick from 10 to 12½ per cent., and are fixed in Canada at 15—that ours are but 6½, and that a slight increase upon our importa-

tions will be sufficient to meet any emergency that may occur. A sum of £466,754 3s. 5d. has been expended in the construction of Railways, in the three years ending 31st Dec., 1856. Of this sum £56,000 has been borrowed from the savings bank at 4 per cent. £60,000 has been obtained from the issue of province notes which cost nothing, and £66,000 has been borrowed from the Bank of Nova Scotia at 6 per cent. For the government looking to the condition of the money market which was temporarily affected by speculations in France, thought it was wiser to draw upon the Bank of Nova Scotia than to throw Bonds into the market at the time, when the premium to which our Bonds had risen might be lost. There has been realized, by the sale of Provincial Bonds in Nova Scotia, £41,725, and by the sale of Bonds in London to £150,625. Adding to the amount expended the sum to complete and equip the road to Windsor, and the road to Steviacke, and we have £641,000 currency or in round numbers £500,000 sterling. Deducting from this amount the Province paper issued—the amount chargeable to the city of Halifax, and the amount of interest saved by borrowing from the Savings Bank, and £30,000 currency can be required if the roads never pay a sixpence. By raising our ad valorem duty 10 per cent, we can in that case pay the whole amount without the country ever feeling the pressure. If the roads pay, as I believe they will, then the tariff will come down, and we may go on making railroads without any apprehensions. With those explanations the House and the country can now judge what foundation there is for the outcry about a financial crisis.

The hon. member for Cumberland referring to an expression used by me the other day, that for some months I had carried my life in my hand, sought by badinage and ridicule to shew that there had not been danger. Perhaps not. Let the House judge. I was sitting in my study one evening last summer, reading to beguile my leisure hours, when one of the "mercurial" gentlemen from Water Street walked up to within a hundred yards of my house, with a drawn sword in his hand, threatening to run Mr. Howe through the body. My daughter happened to be passing, and ran home to warn me of danger, I closed my front door, and took a good stick in my hand, and waited the arrival of the visitor.—He did not come, having been arrested on the way.

A few days afterwards I received a letter stating that two men had been heard swearing by all that was holy and sacred, that they would have the life of Mr. Howe. These indications of hostility I disregarded, and walked through the railway works with a switch in my hand, altogether unarmed. Sir, I thank God for having given me early in life a full appreciation of the value of the proverb, that the coward dies often; the brave man but once. Let me give the hon. gentleman an illustration of the mode in which the law is administered to certain people. The

man who came armed on the friendly mission I have described was not taken to the court but to his home. I see the hon. gentleman taking a note: I hope it will do him good when his new administration is formed. The member for Cumberland's references to the governorship were intended to convey the charge of desertion of party, or of the public works, or of a design to leave this troubled and distracted land. Sir, in my last communication to Her Majesty's Government, I stated that my work here would not be done until next mid-summer, by which time the Railroad to be made will be surveyed. When this is done, what is there of party obligation that should retain me here? The member for Cumberland would have the house believe that there was something unfair and dishonourable in my accepting promotion elsewhere; that it would be a desertion of my party. If so, what is that to him? Do I not know right well that in the two elections I ran in Cumberland the whole gist of the argument used by the hon. member and his friends, my opponents, was that these works should be withdrawn from the government and placed in the hands of Mr. Jackson. Suppose, then that I do leave Nova Scotia, there will be one road done, one in course of completion and in operation, and the policy by which these great works are to be carried forward determinately settled. But I ask him if he and his party had held sway whether one mile of railway would have been in operation? But I have asked for a governorship. Is this a crime? May it not be a duty?

The hon. gentleman little knows me, or he would know that there is something progress in my understanding and action, and as I rise my country rises with me. What would I care for a governorship, provided no advantage was to be obtained for my countrymen by its acceptance? But the Doctor thinks that to accept promotion in the midst of Public or party obligations is a sin. Does he not know that when a particular friend of his own was deep in politics, and party and personal claims alike bound him to his political friends, and a vacant wig happened to appear on the horizon, he, without compunction, left them, thrust his head into the wig, and permitted the waters of political oblivion to overwhelm the men he left. But who blamed him? So is it, sir, with every member of the learned profession, and if laymen can chalk out paths of political distinction for themselves, why should their legitimate and laudable ambition be circumscribed? Let me tell the hon. member for Cumberland that my first application to Her Majesty's Government was not for a governorship, but for employment in the Colonial Office. The former I did not prize, but for the latter I believe I have been trained by circumstances. There I know I could serve my Sovereign, but it is for her and not for me to select the field of labour. Sir, shall it be said that British colonists are alone unfit to govern British colonies, or that they are presumptuous when they advance their claims. Take the hon. and learned member for Anna-

polis, whose long professional training and parliamentary experience in the fiery contests of public life, have sharpened his faculties and quickened his intellect. Will any man say that he is not as well qualified for the governorship of the Mauritius, the Bahamas, New Brunswick, or of Nova Scotia, as any other man upon whom promotion may be conferred? Colonists are every day rising in the scale of general estimation.

Sir, it was after their right to participate in imperial patronage had been asserted on this floor—after the speech made on the Union of the Colonies had been published in England, that Francis Hincks was made governor of Barbadoes. If the hon. member for Annapolis were elevated to the Gubernatorial Chair of any or of this colony, I can say with all sincerity that it will give me unfeigned pleasure. And, sir, this is my answer to the member for Cumberland: As I go through life, I endeavor to open before me highways to distinction which my countrymen can hereafter tread. If I do go first, the honor and distinction I win to-day is the heritage of the people of Nova Scotia and of their heirs forever. My claims to promotion and distinction her Majesty's Government has been kind enough to recognize. I have from the Secretary of State a promise which I have no doubt he will fulfil—how soon or late I know not. I am not yet tired of the men who surround me here; and even if a hostile vote should overwhelm the Administration let me tell the hon. member for Cumberland that Nova Scotia will even then have charms for me, and I can live in my native land and do my duty as I have in years gone by. He says that after the election at Parrsborough I offered him my hand. What was more natural? It is done at every election by gentlemanly candidates. But what was the true state of affairs? After the election was over I received a Telegraph stating that a report was in circulation that I was afraid to go to Amherst; and as I am not one of those who allow themselves to be frightened at shadows, I thought I would take a quiet ride down just to see how friends and foes looked. Sir, I have been accustomed, during my political career, both to triumph and defeat. I can bear a reverse with a smiling face and a cheerful heart, and I do not think that in the hour of victory I have ever been exuberantly triumphant or in defeat much cast down. Then Sir, as I had heard that the patronage of the country had been parcelled out; as the unfortunate liberals had been told that they were to be displaced to make room for their opponents, I felt it my duty to allay the apprehension created, by informing the people of Cumberland, that as there was a liberal majority in the Assembly the members elect would not have the power, although I had been defeated, to make the sweeping changes contemplated. I am under the impression that whatever remarks I did make were to this effect and uttered with great good humor.

Sir, I think it was rather an abuse of the privileges of Parliament for the hon. member to stand up here in the presence of one of the Reporters—and, in language the most coarse, unnecessarily abuse his father. The son was here, exercising an honorable vocation, almost one of the officers of this house; no man of fine feeling or good taste would in the face of that young man have made so savage an attack upon his father. I am not here to defend Mr. Weeks; venal he may be,—but I only wish that a good many other politicians had changed but once in the course of their political career. In view of the changes which we may expect to see here in the course of a few days, we may as well set an example of charitable construction of motives, when old opinions and old connexions are abandoned. Sheridan once said that it was easy for certain rich lords and bankers of his day to brag of their consistency. If, said he, you had, like me, never owned a shilling, your trials would have been greater, and your adherence to party the more to be admired. The gentleman referred to is not rich, his poverty not his will may have influenced him to seek employment where it could be found. But Mr. Weeks wields a ready pen, and often with good effect; he has hit at me sometimes when he has thought me in error, but from 1847 to 1856 he has been a supporter of the liberal party; and for my part I can in all truthfulness assert that I never paid him a shilling in my life.

The hon. gentleman accused me of turning out Mr. Chandler. Sir, I assert here that I had as much to do with the removal of that public officer as the hon. gentleman himself. I was pressed to remove him when I won my Election for Cumberland in 1851, but I refused. After the last Election, information was brought to me that the jail had been turned into a grog-shop, and made an open canvassing place in opposition to me; I referred to the rumour on the Hustings, and determined to investigate the story. Shortly after I went to England. It is impossible for any man to visit that great country without having his views enlarged; and let me say to the honorable member for Cumberland, that when I returned, after having been engaged in negotiating loans for Provincial purposes, securing our public works, and viewing society on a large scale, the politics of Amherst faded from my mind. The first intimation that the dismissal of Mr. Chandler was seriously desired, came to me in the shape of a file of requisitions, addressed to the government by the magistrates of the county. These I scarcely read, and immediately enclosed them under cover to the Provincial Secretary, and never afterwards interfered in the matter. What I do, I atone for or justify. But the member for Cumberland shall not charge upon me the dismissal of Mr. Chandler, whose removal from office I resisted for years when I had the power to remove him.

He tells us that the Legislative Council is without a head; and charges inability upon

the Government because they have not filled up the vacancy. We have been told that the present administration is to be thrust out of power and their places filled by men of the opposition. In view of that contingency, is it not correct and proper for the government to abstain from making an appointment to that office until the issue of this debate is decided? I might find a way to pierce some other joints of the hon. gentleman's armour. He speaks of Mr. Weeks' inconsistency; let me test his own. I ask him here, in the face of this House, if he did not oppose me at two Elections in Cumberland? If he did not represent me as a most dangerous man—unfit to be at the head of any government? He reproaches me now for deceiving the Conservatives of Windsor. Sir, before I went to that Township, or had conceived the idea of allowing myself to be put in nomination, I received a requisition signed by a large number of its inhabitants, of all political opinions. True, after the Election was over, I made, as any man should have done—having been elected by Conservatives and Liberals combined—a fair, frank, manly and conciliatory speech.

But, sir, I ask again, did not the hon. member for Cumberland, in his canvas, represent me as a dangerous politician—an unsound statesman, wrong about Railways and everything else, and unfit to take a lead in any government? I see the hon. gentleman taking notes—let him mark well what I am about to say, and answer me, if he can. I ask him now, in the face of this House, if he did not come to me twice last winter, come to me and represent himself as in the confidence of, and commissioned by, the Conservative party, to propose that I should abandon some of my friends and put myself at the head of an administration, with, according to his statement, the entire support of the Conservative body? (Cheers.) Let him answer me that. And yet this hon. gentleman ventures to taunt others with inconsistency. I wish that he may tread his path in public life as firmly and honestly as I have done; I have no desire to bring personal acrimony and ill feeling into this debate, but I will not allow the hon. member for Cumberland, or any other man, to take liberties with me—and I now leave him to settle with this country the gross and flagrant inconsistencies of his own political career.

I now pass on to the speech of the honorable member for Annapolis. From first to last I listened to him with great interest and sometimes with great admiration. During the many conflicts of our long political rivalry he never ventured to take the liberty with me that the hon. member for Cumberland did at the very outset of his political existence. It is necessary that I should deal with the speech of the hon. member for Annapolis

frankly and freely—but if I should be led to say anything calculated to wound his feelings let him assume that before I commence I have asked his pardon. Sir, it is not in my nature to cherish hostile feelings—if he wins in this conflict there will be many less affected by the issue than I—but none perhaps who will envy him less the triumph he may secure. The ship may go down fairly beaten, but she will at least sink with colors flying and sails set. (Hear, hear.) He would have us believe that he was always a great friend of civil and religious liberty; let me test him by his acts and contrast his public conduct with mine. I turn to old topics with considerable reluctance; what was my first act on coming into this Legislature? On the 28th day of February, 1837 I moved this resolution:

*Resolved*, That while the population of this Province is composed, as appears by the last census taken in 1827, of 28,659 members of the Episcopal Church, and 115,195 Dissenters, which proportions may be assumed as fair at the present time, the appointments to the Council always secure to the members of the Church, embracing but one fifth of the population, a clear and decided majority at the Board. That there are now in that body eight members representing the Church; that the Presbyterians who outnumber them by about nine thousand, have but three; the Catholics who are nearly equal, have but one while the Baptists, amounting by the census of 1827 to 19,790, and the Methodists to 9,498, and all the other Sect and Denominations, are entirely unrepresented, and shut out from influence in a body whose duty it is to legislate for all."

Had the learned member for Annapolis been the friend of civil and religious liberty he would have sustained the party that voted for that Resolution. But he did not; he joined the party that condemned it, and lent his aid to strengthen their position, at the sacrifice of the dissenting interests of this country.

Lord Glenelg instructed Sir Colin Campbell in 1839 to fill up the new Councils—"not only without reference to distinctions of religious opinion, but in such a manner as to afford no plausible ground for the opinion that the choice was influenced by that consideration." What was done? Thirty members were appointed of which 18 were Churchmen—giving to the other religious bodies, Catholic and all, but 12. The hon. member for Annapolis, the friend of toleration and equal rights, defended that act. But what more? Of the 18 new members 11 belonged to the Church of England and but 7 represented the Catholics and Dissenters. He defended that, and took his stand with the men who perpetrated that act of gross injustice. The hon. gentleman did not then evince the spirit of a friend to Religious liberty. When I was fighting the battle for equal rights to all religious bodies, where was he? He had taken no side; did he stretch out his hand to my aid? did he

lend me his countenance support and influence? He did not. He went over to the enemy and gave his strenuous opposition to the objects I had in view—assisted them to defend every outwork of their Citadel until 1840 when we went into the same Government together. He referred to my quarrel with the Baptists. What was that quarrel? I believed that one good college was better than five or six bad ones. While in the government with him I had a personal quarrel with two individuals of the Baptist persuasion. What did he do? did he seek to allay the angry feeling? Not at all. By a single word he might have healed that breach, but instead of using his influence to calm the excitement, he published a letter that made things a great deal worse; he flung himself into the arena and attempted to inflame religious feeling—to blow into flame the embers of sectarian bigotry as he is doing now—and to show that I had insulted the whole body of Baptists. What were the fruits of that attempt? The hon. gentleman and his friends have been out of power for ten years—and the Baptist body have been during that period in a false position—in a political minority. Sir, by a combination of Catholics and Conservatives he may succeed in overturning the government; but I venture to predict that a similar result will follow. Estrangement and exasperation between old friends, the overthrow of an administration upon religious grounds, must of necessity lead to the formation of a party in this country upon a religious basis. Sir, the Catholic body were induced to go over to the Conservatives and sell the liberals of New Brunswick. This took place only last year—and I had information a few days since that the combination was thoroughly rotten, and only required a dissolution to scatter it to the winds.

The Conservatives may open their ranks to the Catholics and the Catholics may combine to defeat the government; but when that act is done I can only say that no sentiment I have ever uttered—no line I have ever written—no act I have ever done, will I retract or feel shame for. I shall tell them the truth whether it be pleasant or disagreeable—uphold and cherish the principles which I believe to be sound, and maintain the rights of our common country no matter how menaced by any section or combination.

The hon. member and I were members of the same Cabinet for some years, and rarely differed except upon the interpretation of certain principles of the Constitution.

He says I have driven Mr. Condon out of office. What did he do for me? He did not practically take me by the shoulders and turn me out. Oh! no, the hon. gentleman knew better than that. The Council was then composed of two Liberals and six Conservatives, he talks of jobs, and I could scarce help smiling when

I heard him go over his long list. Did he perpetrate no job? It was not a money job exactly, but a nice little family job—in the then condition of the Council with two Liberals and six Conservatives, he appointed his own brother in law, a Conservative, to the vacancy, and called on me to defend the act. Representing as I did the feelings of two thirds of this House and Country, the hon. gentleman wished me to stay in a Council with two Liberals and seven Conservatives.—Out of that Council I was compelled to go. The hon. member for Pictou said something about Adam in the Garden of Eden, but Adam had no better reason for his exit with the flaming sword behind him than I had of retiring from Lord Falkland's council. He talks of proscription and domination and the concentration of power. Did he not proscribe the whole liberal party, of which the Catholics at that time formed a portion? Now, however he is great friend to the poor, unfortunate, ill-used Catholics; he has taken them under his wing. He ruled this country without a Catholic in the Council from 1844 to 1848. He tried to tempt my old friend Herbert Huntington, who he now quotes, by taking him to Mount Falkland and spreading before him all the treasures of the government; but Huntington said: "Get thee behind me." The hon. member for Annapolis would now have us to believe that Huntington deserted his party and joined the Camp of the Conservatives. Sir, I hold in my hand a letter written by Herbert Huntington a few short weeks before he died. An Election was running in Yarmouth and the Conservatives attempted impress the constituency of that county with the idea that Huntington was opposed to the government. Sir, while life was fast ebbing away from one of the clearest intellects and noblest hearts that ever flourished in this country—he wrote this letter to which any gentleman who chooses may refer vindicating the policy of the liberals. On the subject of the Railway he and I differed, but that never in the slightest degree changed his allegiance to his party. I stood by his bedside in his last illness, and then admired and esteemed him as I had ever done.

The hon. gentleman also tempted my friend George Brennan of Antigonish—but signally failed, his object now is to tempt McKinnon, Comeau, and Robishau. Whether he will succeed or not now remains to be seen—but he did not succeed before; not a Protestant liberal,—not a French, Scotch or Irish Catholic would join him. They knew and distrusted him "for his works were before them." Now, sir, having disposed of two or three points of his speech, let me turn to a somewhat singular remark. He says of my no-

friend the Attorney General—"Why do you not bring down measures—enunciate great principles—do something very extraordinary,"—let me ask him how many measures he initiated during 4 the years that he had control of our affairs? One only—"the Simultaneous Polling Bill!" Why did he not introduce the "Maine Law?" Let my hon. friend from Londonderry furnish the reply; he was in the government, and wanted a revenue, when he was out he wanted to reduce it. Where was the Elective Legislative Council Bill? A most favorable opportunity was presented him for passing that measure,—did he attempt it? Oh! no, sir;—towards the close of his official career, he crammed 5 or 6 conservatives in a batch into the Legislative Council, and then, so soon as he lost the reigns of power, he bid for popularity by pretending to desire the reconstruction of that branch of the legislature, well knowing that even if carried in this house it would be defeated in the upper branch by his own nominees. I give him credit for much ingenuity in the course which he adopted. The hon. member refers to the Municipal Corporations Bill and claims credit for the measure. Why, sir, the hon. member assisted me to pass a bill similar in principle to his measure years ago; when he moved his own I voted for it. But will he talk to us now of a bill universally condemned by the country? Will he if he should seize upon the government, dare to introduce it?

He claims credit for extending the franchise. Sir, I believe to my hon. friend, Mr. Lawrence Doyle, is due the praise for introducing and keeping that measure before the public mind until it finally passed. The rate-paying qualification was first tried; that gave general dissatisfaction, and the question was referred to a Committee drawn from both sides of the House, which reported against the law as it stood, and recommended the adoption of Universal Suffrage. The desire of the hon. member for Annapolis, often expressed here, was to continue the old 40s. freehold. So that to the hon. Mr. Doyle and to a mixed Committee the credit is due, and not to the hon. member for Annapolis.

He also referred to the union of the Colonies. If there was one question unsettled when I left the administration in the discussion of which I desire to mingle, it was that. When the hon. gentleman moved his resolution I lent him all the aid in my power, and if it were debated to-morrow I should assist him again.

I now come to that part of the hon. gentleman's speech in which I think he hardly treated his old opponent the Att'y. General with justice. To see the hon. member for Annapolis in high feather and the full flow of his oratory when he attacks the Attorney General, is to me intellectual amusement. His skillful carving—the gusto with which he dissects my hon. friend, and my friend him-

affords me pleasure. He declared that the Attorney General was a job—were I to follow the example set by some of my friends in this debate, I might be disposed to leave the matter in the hands of the Attorney General. But it is always my fashion, whatever others may do, when the enemy is on the quarter deck, to give my friends my best assistance. The hon. member for Annapolis charges upon the liberal party the creation of jobs and pensions and wasteful expenditure of public monies.

Does he not recollect that in the glorious old times of Conservative rule they passed a Bill which in one day created a batch of four Judges, who continued in office until the country became tired of their courts, and then they passed another Bill, dismissed the Judges, and created 4 pensions in a batch. (Laughter.) This was one of the nice old Conservative jobs. Let me shew him another. While he was leader of the government, Sir Rupert George received a salary of £1250, and fees amounting to £730, or £1980 annually in all. The learned member for Annapolis defended that job. Let me shew him another. When the liberals came into power every exertion was used by him and his friends, by correspondence and otherwise, to compel the liberals to give that functionary an extravagant retiring allowance; he obtained £500 as commutation of his salary, and £350 from the fees—equal to £850. Since Sir Rupert's death all that is saved and the Provincial Secretary costs the Province 700l salary and 125l for contingencies or 825l which deducted from 1980l gives a clear saving of 1155l. This is one of the jobs perpetrated by the liberals, and by which this large sum has been saved, yearly, in all time to come. He charges us with creating pensions for Messrs. Stewart, Morris and Crawley; the saving created in the Secretary's office alone would pay the whole and leave 155l to the good. What else have we saved?

The salary of the Master of the Rolls was saved when the Chancery Court was abolished about £700 per annum. By the combination of the two Land Departments which formerly cost £2010, a saving of £1000 clear has been made, in all £1855. Deducting from this £850 expenses of the Financial Secretary's office leaves £1005; and, sir, when the pensions fall in a saving of £2005 will have been effected by these jobs which the hon. member attempted to describe.

But, sir, take the Revenue Departments. By a combination of that branch of the public service which originally cost £12,100 it now costs but £6000, leaving a balance of £6100 per annum. Add all these sums together and you will perceive, sir, that we have saved by our jobs £7615 per annum. When the pension-

fall in this sum will be swelled? enough to build a mile of Railway every year. Again, we refused to pay the arrears amounting to £3007 per annum, compelled the Mining Company to pay the Royalty on slack coal of £3152. So that, besides the annual saving which I have described, we have saved £7059 in two sums both of which the learned member for Annapolis would have thrown away. The annual saving then, without the Revenue Department or Pensionsis, £1005—with those £8615!! These are the acts of the government which the hon. member has ridiculed and laughed at; I think they are just such jobs as this legislature and country will highly approve.

Nearly a million of money has been collected and disbursed, since the Liberals came into power, upon the ordinary services of the Country:

In 1849 the Revenue was	£72,532
“ 1850 “ “	95,526
“ 1851 “ “	107,014
“ 1852 “ “	108,413
“ 1853 “ “	124,512
“ 1854 “ “	157,179
“ 1855 “ “	142,308
“ 1856 “ “	138,883

Giving a total of £946,367

which has been faithfully collected and honestly expended without error or jobbery. We are told that there is a dreadful “financial crisis” approaching; what indicates it? During the four years of the learned members administration he collected £364,000; during the last four we collected £564,000 giving a balance in our favour of £199,000. This does not look much like a Financial crisis.

The road vote for the Country is about the best test we can have of the prosperity of the Revenue. From 1844 to 1848 the hon. gentleman expended for that service

In 1844	£10,000
“ 1845	25,000
“ 1846	30,000
“ 1847	30,000

£95,000

In 1853 we expended	£33,980
“ 1854 “	43,000
“ 1855 “	45,000
“ 1856 “	42,000

£163,980

Leaving a balance in favor of the present administration of £68,980.

In 1847 all the Lighthouses in the Province numbered but 19—they now number 38, 19 having been added by the Liberal Government to illumine the coast and guide the Mariner on his way.

The Lunatic Asylum is rising opposite the City. It appears to be faithfully con-

structed. This then is the Government which has “sunk beneath imbecility,” and these are the evidences of a financial crisis. If the late Government has been imbecile, what shall be said of that of which the learned gentleman was the leader Beneath the “lower deep” of degradation to which he would consign our learned friend, may he not find “a lower still?” Besides all the measures which I have described Government House has been renewed, £5,000 of annual Revenue was struck off when the Reciprocity Bill passed. The Crown Land system has been improved, and 18 Deputies appointed for the various Counties to survey and sell the Lands, and to deliver their grants to the people without compelling them to travel to Halifax. The Departmental system has been established. The Provincial Laws consolidated. The fees of Deputy Registrars have been reduced. The Electric Telegraph, commenced and experimented upon by the Liberal Government, has found its way into every part of the Province. 27 new Post Offices and 219 Way Offices have been established since 1848. A uniform three-penny rate of Postage instead of the old exorbitant charges has been adopted. The Chancery Court has been abolished. The Canal Property, rescued from its useless position, bids fair to become of some benefit to the Province. 76 miles of Railway are under Contract and either partially or wholly completed. Here are our works. By these we are to be known of all men. They really ought to be marvellous in the eyes of the learned member for Annapolis, when he contrasts them with his own.

The simultaneous polling Bill was a good one, but it was his only measure during his whole five years of office—that he copied from the New Brunswick Act passed just previously. Then tell me to which side the charge of inefficiency and imbecility should apply? Mark the prosperity of the country. The price of labor has risen in this Province from 3s. 6d. to 5s. and 5s. 6d. per day, property has risen in value, and every thing that man's industry produces meets a ready sale. Sir, a change of administration may take place in consequence of the alliance which honorable members opposite are about to form, but I will venture to say that no Government, situated as the present one is, as respects the condition of the Country, and the efficient discharge of their duties, was ever displaced upon grounds so flimsy and unfair. Sir, do I hold that the Catholics should be chained to the ear of state? I never attempted to control the free independent action of any class in this Province. To organize, to grow, to decay, is the history of every party, and when

they fall, they go back and baptize themselves in the popular influences of the Country, which always renovate and refresh. I never have claimed such a power over the supporters of Government. What I do claim is this, that they should show by their decision on this question, an exhibition of that real personal independence which Protestant liberals have a right to expect. The abandonment of old friends, and the destruction of their party, because rioters and disloyal persons, happen to belong to their Church, is ungenerous and unfair.

Sir, I well know the struggles which many of my old friends endure at the present hour. I ask them to make no sacrifice for me—they are grown men free to act as they choose. The right of private judgement is their undeniable heritage—all I require of them is that they shall do their duty honestly, fearlessly and independently. The honorable member for Londonderry said that the hon. and learned member for Annapolis put him in mind of a young girl who was anxious to be married. In my view he reminds me more of an old maid, who has nearly had the bridegroom in her arms on several occasions, but unfortunately did not quite succeed in capturing him until at last, grown tired of waiting; she is ready to marry any one, even a wooer that she formerly hated and despised. I have heard of marrying in haste and repenting at leisure, and it may be that the bridal bed of the hon. member will not be altogether a bed of roses.

I listened with a great deal of interest to all those parts of the learned member's speech which touched the case of Mr. Condon, for I felt extremely anxious to ascertain if his conduct admitted of explanation. He made a defence for that person which, perhaps, he alone could have made. I recollect hearing a story of Daniel O'Connell, who had obtained the acquittal of the same horse thief on three several occasions; the last time, as O'Connell was leaving the court, he exclaimed—"the Lord spare you to me, sir." What O'Connell was to the horse thief, the hon. member for Annapolis has been to a great many others in this Province. I have always admired the ingenuity, the skill, the entire personal daring, with which the hon. member conducts the defence of a criminal, and I have no doubt that there are half a dozen fellows going at large who ought to have been hung, and would have been hung, had it not been for the hon. and learned member; and if all the criminals that he has rescued from well deserved condemnation were paraded they would certainly fill a room. I would

like to give him the means of effecting an honorable escape out of politics. On the principle that "those know best the paths through which they have chased the hare," I am sure the friends of the hon. gentleman would miss him considerably; and when he had got away from the Bar and on the Bench, I have no doubt but that the ingenuity which he now employs for the criminal would be used for the crown. But, Sir, as I have just said, I attentively listened to hear what the hon. gentleman had to say on the subject of these Gourlay riots, and on the Condon case. What new light has been thrown on them? None! He says an alibi was proved in the cases of some of the accused; it is within his knowledge that another highly respectable gentleman was accused of robbery during the same term. An alibi was proved for him and he escaped. A few nights after a barn was burned at the Eastern passage—this highly respectable gentleman was found in suspicious contiguity to the premises, and other circumstances pointed to him as the incendiary. This highly respectable gentleman is now in jail awaiting his trial on indictment for arson. I quote this to shew how easily an alibi can be proved. The hon. member has shewn nothing to change the complexion of these riots. What were they? One hundred men, twenty-five or thirty in a body, drawn from a long distance, marched from the woods and concentrated themselves on a lonely dwelling in which were two or three women, several children, and where ten or fifteen Protestants boarded.

The house was gutted—the inmates treated in the most barbarous and inhuman manner—an attempt made to fire the beds situated in the upper portion of the house with matches, while the women and children were in the loft; the stove, with fire in it was beaten down and the place filled with smoke. This is no over drawn picture,—no attempt has yet been made to shew that the outrage was less violent than it has been described; its atrocity is admitted on all hands. How comes it then, I ask, and I call upon the hon. member for a reply—that such a foray was committed, in open day, in this Province many months since, and up to this hour not one of the perpetrators has been convicted? That not one of the 100 men engaged has repented or given evidence. That not one Catholic, man, woman or child, of many that must have known some of the parties, have aided the Government to convict them? Is this not a novelty in our country?

Was it strange, Sir, that I should feel strongly when these rioters were brought up for trial, at finding a regularly organ-

ized party combined in this city to defend and shelter them from justice? Any hon. member who has been present for the last few days, has had a specimen of what organization can do in a public assembly,—the indecent exhibitions which have interrupted the proceedings of this House would not have been tolerated for an instant in the Commons of England. The Brigade that have occupied our gallery then thronged the Supreme Court. So far was the system of intimidation carried, that on the first day of the trials, or the day before, a four pound weight was dropped within a few inches of one of the principal witnesses for the prosecution from the gallery of the Supreme Court,—this statement I give on the authority of of Judge Bliss. Some of the witnesses who could have given evidence were intimidated and fled. Those who appeared were bullied and treated as though they were the real criminals, while the rioters were honored with the undisguised sympathy of their co-religionists, conspicuous among whom was Mr. Condon and others who might have been better employed.

Sir, I should feel myself degraded in the estimation of this people if I had allowed such transactions to pass unnoticed; let me read a letter which I received yesterday from Sheet Harbour:

SHEET HARBOUR, 27th January, 1857.

To the Hon. Joseph Howe, MPP.,

Dear Sir—I have a man in my employ of the name of Daniel A. Smith, who was severely injured by the Rioters on the Railroad, in May last, and was in consequence indisposed for some months, and even still at times suffers from the effects of his wounds.

He has requested me to write to you, having heard that there is a collection raising in Halifax for the sufferers, which, if correct, I hope you will interest yourself in his behalf, in the division of such amount as may be collected for the purpose.

Smith is a very deserving young man, and for his great loss of the breaking down of his constitution, a few pounds would be very acceptable, yet nothing could fully compensate him. He was much surprised that he was not subpoenaed, and requests me to state that the cause of his finally leaving the Railway was that he was afterwards fired at; and that he thought that "the better part of valour was discretion," and consequently left danger's way quietly.

Your ob't. serv't.

WALTER U. JONES,

The young man Smith, who was examined in my presence at Hamilton's, and whose testimony would be most valuable, was prevented from appearing and giving his evidence from the intimidation and violence used towards him. The hon. member for Newport made a statement showing the effect which this kind of conduct had on a young Catholic residing on the Windsor road, who, for the

performance of a single act of duty, was subjected to assault and ill-usage. Sir, my complaint from first to last is, that these men were not left to the due and ordinary course of justice; but even after the trials, which resulted in the escape of all these rioters, if they had gone decently and moderately out of Court, no one would perhaps have been disposed to meddle with them. Had not their friends, in defiance of public feeling and good taste, exulted over the acquittals that had taken place—had they not proclaimed to all the world that religion was the motive for the outrage—had they not threatened that mercurial Irishmen might take similar liberties if their ceremonies were laughed at—had not my name been coupled with these curious publications—

Mr. Tobin—That was not an editorial.

Mr. Howe—But the editorial, endorsing the sentiment, comes immediately under it. When I saw such publications appearing after the perpetration of these outrages, and that the organization of which I complain openly avowed their instrumentality in defeating the ends of justice, I ask any man if there did not exist reasonable and just grounds to believe that the criminal justice of the country had been rendered a mockery and a farce—that the sanctity of the homesteads of our people might be violated—their persons assaulted and injured with entire impunity. Sir, hon. gentlemen may by-and-bye find that the feeling of which I speak is diffused more widely than they anticipate. No sooner had I performed what I believed to be a public duty, than a storm broke over my head, which has continued to hurtle around me ever since. Every opprobrious term—every epithet which the English tongue can supply, has been unsparingly applied to me. The hon. member for Halifax, Mr. Tobin, read an extract from the Catholic, calling upon the members of that church "to pray for their enemies." Sir, I could bring a file of that newspaper here and shew hon. gentlemen how during the last three weeks they have prayed for me. (Great laughter.) I recollect reading in Tristram Shandy what I hope was a free translation of the excommunication of a sinner. He was cursed in every part of his body, even to his toe and finger nails. "Pray for your enemies" is the precept given by the editors of the Catholic; but mind that you hate Mr. Howe has been the practical application. Then, Sir, I ask the hon. member for Halifax, if this is the way in which they pray for their enemies, what do they do when they curse them?" (Renewed laughter.) A few years ago the hon. member for Annapolis had the courage to prosecute a suit brought by a Catholic shoemaker against his Bishop. The hon. Attorney General, who acted for the Bishop, was a god, and the hon. member for Annapolis a demon. Blessings and curses are easily manufactured by certain persons—bullying and blarney are never wanting to the occasion.

Let me refer to one charge, repeated over and over again—that when out of office some

years ago I received from my countrymen a present. An attempt has been made to get political capital out of it. I have yet to learn that any Englishman or Irishman should be ashamed to receive the spontaneous evidences of public gratitude. Grattan accepted from the Irish people of £50,000; Daniel O'Connell and his entire family lived on the contributions of Irishmen for years, and the money so expended, no generous Irishman ever grudged. When the corn laws were swept away, his countrymen presented Cobden with £70,000, and Mr. Roebuck has lately received a handsome testimonial from the people of England for the part he took in investigating the mismanagement of the war. I am proud of the generosity of my countrymen—albeit if I thought proper, I might show that I did not owe much to some persons who are now defaming me. The very men who are misleading the Irish now misled them in 1813—when Mr. Stairs was defeated by Mr. A. Uniacke. I never complained of the course they pursued—although by that act the Liberals were betrayed and lost power for four years, and I lost a large amount of official income. The country's loss was greater than ours, for the constitutional privileges we now enjoy were postponed by that desertion for four years. The scribblers of the Catholic should be the last to taunt me with "sending round the hat." I have been in business or public life for twenty-eight years, and during that whole time, I do not believe a day, certainly not a week, has past, that I have not contributed something for the relief of Irish poverty. Not a horse died—or an old woman broke her leg, that I was not called on to subscribe; my parlor has been ever opened to their better classes and my kitchen never closed to their poor; but if I do owe anything to any one of them, if any of them contributed to the amount given to me in 1845, all I can say is let him inform me of the amount and I will send it to him with the greatest of pleasure.

Mr. William Condon, in one of his letters, ventured to apply to me the term ingrate.—and spoke as though I had done him some wrong. I am an "ingrate"—am I? Let me illustrate, from his single family, how baseless is the charge.—Before I do this, however, let me refer for a moment to the hon. and learned member for Sydney, who charged partiality for Protestants against the government in dispensing its patronage. Personally he had no unsatisfied claim on the party further than that of any other faithful supporter of the Administration. He was a young man, and he already held a seat in the Executive Council, when he lost his seat from no fault of ours. Shortly after he applied to be appointed Warden of the River Fisheries. I refused it, because I believed it to be beneath the dignity of a Barrister, who shortly before had been a member of the Legislature and an Execu-

tive Councilor, to fill such an office, and I wrote him a friendly letter in which I stated that I would be ashamed to see him gazetted to such an office. This may to a certain extent have braced his mind and induced him to take the course he did at the last session. Complaints have been made that he was not made Speaker pro. tem. of this House during the illness of the present Chief Commoner. At that moment the Speaker's Chair was scarcely an object for his legitimate ambition; he should first have exhibited some specimens of ability entitling him to occupy a position so high and respectable. What had he done or said in this House, or any where else, to entitle him to be selected as the First Commoner of Nova Scotia?

But in his opinion it seems that Mr. Condon is a very ill-used man. Let me show him the amount of patronage bestowed upon that gentleman and his connections. He was a supporter of the Liberal party in former years; became unfortunate in business; left for California—remaining away for some time, and returned not much improved in circumstances. Almost immediately on his return, the Liberal Government bestowed on him an office under the Board of Works. He was afterwards appointed Gauger and Proof Officer for the Port of Halifax, with about £300 per annum. His brother-in-law, James Fitzgerald, holds his situation in the same Department. Mr. Joseph Quinan, another brother-in-law, holds a third. Both these persons are intelligent and highly respectable men; but surely when Mr. Condon combines in his own family three appointments in one Department, all given to him by the Liberals whose hardest battles were fought while he was digging for gold in California, he ought to have some gratitude and some decency in applying foul language to his patrons.

The hon. member for Pictou Township said that all the Catholics together did not receive salaries in amount equal to one-third of the sum paid to the head of a single Departmental. He was mistaken. The Condon connection alone receive more than the Head of a Department. If I am rightly informed, Mr. Condon himself draws from the Treasury a larger amount than the hon. Mr. Bell receives as Chairman of the Board of Works.

I now come to the last of the topics touched by the member for Annapolis—I mean the Recruitment question. I received by last mail a note from the Right Hon. Mr. Gladstone to whom I wrote a public letter some months ago vindicating my public conduct on that question. In that letter the hon. gentleman expresses his regret that I had not pointed out the passages in his speech of which I complained. He frankly states that he had no intention of impugning my conduct and acquits me of all blame, at the same time stating that if blame attached to any parties it was to the Imperial Government, under whose orders and instructions the service was carried on.

Whoever wishes to understand the part I took in this recruitment for the Foreign Legion should read my letter to which Mr. Gladstone refers.

The hon. and learned member for Annapolis has added little that was new, and that little easy of explanation. He read a despatch addressed by Sprague, Soule & Co., to the P. Secretary stating that these men sent down there intended for Railway labourers. The explanation of that is simple and plain. I arrived in Boston in the middle of the night and went on to New York. Sprague & Soule were the general agents in Boston for the Railway Board. I left a note for them to send me word what it would cost to send able bodied men to Halifax in the Boston packets. They stated the price in a note which reached me at New York. They were not trusted with my secrets and naturally supposed that the men sent down were going to work on the Railway. This is the explanation of their letter, which though it mislead the Government at the time, certainly does not justify Mr. Condon.

The hon. gentleman also read a passage from the Edinburg review, to the effect that my agents were chosen with little discretion. With the exception of one or two I chose no agents.

Mr. Grant, the person who sent the Irishmen to Windsor, "selected" himself. He had offered his services to the British Government before I went into the United States. His name was handed to me with other names of persons who had made similar offers. Mr. Grant pledged himself to produce at this depot a certain number of men, who should enlist in Halifax. He was to receive a commission and command them if he did. What motive had he to deceive those men? The Queen could not compel, under the shadow of Buckingham Palace, the poorest Irishman in the Island to enlist in her armies, without his own consent. Could Sir Gaspard do what Her Majesty could not do in London? Could Mr. Grant make the men enlist? or would his life have been worth an hour's purchase, if he commanded men so deceived in peace or war? The tale told by these men bears absurdity on its front. The Government, and not the Irishmen, were deceived.

The hon. member for Annapolis argues that, because arrests had been made in the United States before Mr. Condon's message reached the Citizen, the policy of the government was defeated without his interference. This is not a fair view of the position of affairs. I took about 620 Germans and other foreigners out of that country in spite of those arrests, of the unfair action of the United States Government under their neutrality

laws. Let the house remark that none of those people ever complained of being deceived. I could have taken a couple of regiments of Irishmen as easily, but for the interference of Mr. Condon and the Young Irelanders here. Irishmen, by thousands, were out of employment in the large cities of the United States at the time. Many hundreds were sweeping the streets or living in soup kitchens. To give honorable employment to these poor fellows never seemed to me a sin. But to recruit them with Mr. Condon's telegraphs in the hands of the banished traitors and their adherents, who were all round me in New York, was almost impossible, while to send men here at the Queen's expense, was utterly, seeing that Mr. Condon's Brigade and not the British Army would be recruited if I did.

Let me now call the attention of the house to the newspaper which boasts of Mr. Condon's correspondence and co-operation. "The Citizen" was established in New York by the notorious John Mitchell, whom the Young Irelanders call a patriot and an exile, but who is regarded by loyal British subjects as a traitor and a rebel—tried by the tribunals of his country and banished for his crimes. I hold in my hand several notices of that paper which shew its true character and position. The Democratic Standard says of it:

"Many of our reader are doubtless aware that the Citizen, is the title of the organ of the Irish population of the city of New York. It was established by the celebrated John Mitchel, the Irish patriot and exile. It has a wide circulation and an extensive influence among our Irish fellow-citizens, not only in New York, but throughout the Union. Its circulation, according to the census of New York taken in 1855, is 20,000. No journal in America has so wide an influence with the Irish population, and we have no doubt it will reflect truly their sentiments and their patriotic attachment to the institutions of the country of their adoption."

I take the following paragraph from Albany Argus:

"THE CITIZEN.—This American Irish journal, started by John Mitchel, now under the editorial control of John McClenahan, is an able journal and discusses public questions with much power. In this last number we notice a strong article in favor of the passage of the Senate Kansas bill. An article from John Mitchel, in relation to political affairs, is announced for the next number. The paper will sustain Buchanan in the present campaign. It has a circulation of 20,000, and will exercise much influence, particularly among citizens of Irish birth."

In the Citizen of the 2nd of August last there is a long letter, under the Editorial head, addressed by John Mitchel to his countrymen in the United States directing them how to vote at the Presidential election. Speaking of Mr. Buchanan this worthy says

“Of the dangerous designs of the Pope of Rome he knows little or nothing; but with the intrigues of the British government, he is by late experience thoroughly familiar. From *thence* only he apprehends the foreign influence against which General Washington so earnestly warned his countrymen; and if he be elected, he will certainly resist with all his might all interference with the action and progress of the Republic, either by greedy and fanatical factions from within, or by the common enemy from without—I mean of course the British government, my enemy, thy enemy, his enemy, our enemy, your enemy, their enemy, and the enemy of mankind.”

Let the House remember that this banished traitor who thus proclaims himself England's enemy, is Mr. Condon's friend.

In another number of the same paper, the revolt of a portion of the Irish Militia is proclaimed and gloated over:

“The event is of importance, as showing the temper of the militia in Ireland, and how slight a thing could set the whole in rebellion. All that was wanted to create a revolution was some bold and skillful military chieftain who would have led this body into the mountains, where the rest of the militia and “the men of no property” would flock to his standard. One or two successes would “raise the country,” or at least its bone and sinew, despite the slavish, corrupt royalty of so many of the middle classes. These men are still in Ireland, ready at any moment to spring up like the dragon's teeth planted by Cadmus—a crop of soldiers. The government have sown the wind in organising an Irish militia. They may yet reap the whirlwind from the same source. The elements of disaffection, the nucleus of a revolutionary army is there. To our own knowledge some of these desperate men enlisted for the very purpose of acquiring practical military knowledge, with a view to use it when the time came to strike a blow for Ireland.”

Mr. Condon held a Commission signed by the Queen's Representative. Mark the scurrilous language applied to the Sovereign whom it was his duty to serve.

“John Frost, a poetical exile, a veteran 70 years of age, an Australian convict of fifteen years' suffering, has just returned to England with a free pardon”—and he vents his hatred and scorn of England's Government as freely as if he were unpardoned—while gigantic demonstrations are preparing to receive him throughout the kingdom. The Government little contemplated such a return for their “clemency.” On the 24th August a monster meeting was to welcome him at Heyhead Green, in Yorkshire—and triumphant receptions were being organized in London and almost every town in Great Britain. This shows the right spirit, and reveals that, despite cajolery and soft speeches, seeming pliancy and “liberal” institutions, the Government are hated and despised, and the people not to be deceived or pacified. Mean-

while the aristocracy multiply camps and barracks around London, and the Queen reviews 21,000 troops at Aldershot, she being dressed like a rope dancer at Astley's, in a scarlet jacket, with gold lace and epaulettes, and having cock's feather dyed red in her “manly” hat.”

Here is another precious paragraph, in which the Citizen falsely charges insanity upon our gracious Monarch, and prophesies her destruction:—

“THE BRITISH QUEEN.—All know that there is “a mad drop” in the Guelph family; and it is stated to us by a reliable correspondent that it is about to manifest itself in the case of the British Queen, if it has not already done so. The symptoms are described as decidedly indicative of the same malady that so long afflicted George the Third. We verily believe Victoria will be the last of English monarchs. The old adage, that the gods first drive mad those whom they would destroy, will have thus received a remarkable fulfilment.”

Let any Englishman read that; a rebel expatriated for attempting to fan the flame of Civil War, and promote a rebellion in the United Kingdom—not only expressing rebellious ideas in America, but insinuating in broad and course terms that the Queen is mad, rejoicing in giving public expression to that which if true would bring sadness and sorrow to every true and loyal heart in Her Majesty's dominions. Was it nothing, then, in time of war to send to a paper which was professedly the organ of a traitor and published such articles as these—a telegraphic message that the designs of the mother country might be defeated.

There is another curious article in one of these papers. I regarded it as strange that Irish Catholics would not convict their own people when arraigned for riot and outrage. An American Senator was recently tried for shooting an Irish waiter at Washington, and acquitted. What says the Citizen?

“Last week we announced our conviction that the blood of Thomas Keating would cry in vain for justice. The jury who tried his murderer have confirmed our anticipations. They have refused to hold him accountable for the death of his victim, under any legal denomination of crime. So indifferent to them was the slaying of a mere Irishman and a waiter, that they did not even condescend to declare that Herbert killed him in self defence, as they might according to law—but opened the prison door for the assassin and let him free, by the simple declaration that he was “not guilty.” Were we not right when we said that a jury of Know-Nothings were incompetent to render justice in this cause? It would be idle to comment on the evidence. It established so plainly the guilt of the accused, that if there was a particle of honesty in the jury-box—if the Vir-

est prejudice, and the most persistent adherence to the principles of the Order did not reign supreme, a verdict of aggravated manslaughter, at least, must have been rendered.

"Henceforth let it be known and understood that if a poor Irish man should happen to kill a distinguished man," he will be hung without mercy; but when "an honorable member of Congress" wishes to shoot an Irish waiter in cold blood, he is privileged to do so without being amenable to law. It is well to know these facts, that we may be prepared for contingencies.

"Herbert has left Washington for Berkley Springs. He is much in need of purification. But we fear all the water in those fountains will not wash out the damned murder spot from his hands. It is well that he no longer burthened with his presence the scene of his guilt. The wild justice of revenge might have taken the place of the mockery of legal justice."

So then, Irishmen in the States may denounce Juries and recommend "the wild justice of revenge," but Nova Scotians must hold their peace when Irishmen commit crimes and compurgate each other.

But, Sir, I have another indication of Mr. Condon's disloyalty to give, and the House and Country will consider it. It is either true or false that Mr. Condon, when superintending the decoration of Mason's Hall previous to the last Irish Ball, objected to the name of the Queen being placed at the head of the room. If false he can deny it; if true, the only construction that can be put on his conduct—is that he is disloyal and disaffected to the heart's core. It may be said were you not acquainted with Mr. Condon's feelings before? Sir, I was not, I had heard him sing a few songs of the "Young Irish" party and talk the usual quantity of bombast over the dinner table—but I never did believe him capable of conveying information to the enemies of his country in time of war, or of open disrespect to his Sovereign.

Now, Sir, I sum up the case of Mr. Condon in these few words. He charged kidnapping and fraud on Agents of the Imperial Government without warrant or authority; and, while an officer serving under the Provincial Government, he in time of war corresponded with the enemies of England. He took part in a conspiracy to abet certain flagrant violations of the public peace, and had the audacity afterwards to boast of these acts in the face of the Ministry whose servant he was.

I turn now, Sir, to another branch of the learned gentleman's argument.

He says I claimed the right "to scoff at and revile" the Catholic Religion. Let him read my letters again, and if he can find a line justifying that imputation, he will much surprise me. Many an hour of

leisure have I spent with Catholics—and never, on any one occasion, have I ever claimed or exercised the right to revile or scoff at any man's faith.

The priestly Editors of the Halifax Catholic had for months "scoffed at and reviled" everything that Protestant Nova Scotians held dear. They had done this, yet dared to inform us that Gourlay's shantie had been destroyed because their ceremonies had been laughed at. They cautioned Nova Scotians not to laugh again for fear that their heads might be broken. I exposed their inconsistency, and asserted to common rights which our Protestant fathers have fought for and transmitted—"the right to argue" and "the right to laugh" at whatever we do not believe. If I am not entitled in this free Country to reason and to laugh my political education has been in vain. In a Protestant Country like this, no wise Catholic, no intelligent Protestant, will deny me that right. I have been in Catholic Chapels, here, in London, in Belgium, and in France, and never by word, or gesture, have I attempted to express contempt for the ceremonies I saw and which as a Protestant I deemed superfluous. If a Protestant enters a Catholic Chapel, and there offers insult he should be at once put out. The poorest Catholic Priest has a right, in this Country, to say Mass under a Maple tree undisturbed—but Protestants claim and must enjoy the right, in the Press, in the Reading Room, in the Streets—on our Public Works, everywhere and any where, where men meet on common ground, to reason and to laugh to maintain by argument that which they believe to be sound, and to smile at that which they believe to be absurd.

Sir, this right, the vital spirit of a Protestant country, I feel assured the hon. and learned member for Annapolis will never get the people of Nova Scotia to part with. But what right have the people who "scoff at and revile" our churches and our ministers, to expect us to speak of their's with "bated breath and whispering humbleness." What right have they who proclaim all Protestantism, day by day, a conglomeration of absurdities, to break our heads if we dare to take similar liberties?

[Mr. Howe here quoted the scurrilous epithets applied by the Halifax Catholic to the Rev. Dr. Twining and the Rev. Mr. Rhand—the one a clergyman of the Episcopal—the other of the Baptist Church, because they had dared to make laudable efforts to civilize and improve the Indians.]

If I meet a Jew and he refuses to eat Pork or a Turk and he will not drink Wine—am I not justified in laughing at their absurdities. May not a Baptist and a Methodist discuss Infant Sprinkling on the Public works without arson and murder? The hon. gentleman would indeed narrow the range of human in-

cussion. I claim nothing for the Protestants of this day but what was freely exercised by every father of the Reformation—nothing but the privilege and license taken by Luther, Knox, and Bunyan. Take Saint Augustine, himself a Prelate of the very highest standing in the Catholic Church. Did he not laugh at and ridicule that which he did not believe? Aye indeed, Sir, and his success was mainly attributable to the skill with which he handled these weapons. Then I assert that precedent in the past and policy for the future, alike justify the propriety of the principles I hold. Whatever may be the issue of this debate I will never yield them while I live. Hear the language applied to the venerable Fathers of Protestantism by these Catholic scribblers.

Here is a specimen, published by Mr. Johnston's friends a year or two ago, from the *Volunteer*, an Irish Catholic paper, printed in Halifax:

"O! how the disciples of the foul devil, the bloody and murderous Knox; as well as those of the brutal and unnatural monster and villain Calvin must have writhed under the castigation given to the founders and apostles of their infamous creeds, in a late number of the Cross. How can the rude thistle-faced disciples of Knox, or the degraded followers of the worse than reptile Calvin meet each other in the street, and then turn round and look any honest Catholic in the face. Scotch Presbyterian bigotry, Scotch Presbyterian impudence, and that dirtiest, meanest and most unaccountable of all things, Scotch Presbyterian pride, never got such a brain blow the last three hundred years, as it got in that number of the Cross. I would not be surprised if these three monsters of Scottish race and extraction would soon give their last kick, and descended into the pit from whence they have sprung or originated;"

"Unwept, unhonored and unsung."

The *Cross* was a paper acknowledged to be the Organ of the Catholic Clergy.

Thus, Mr. Speaker, these ghostly fathers "scoff and revile" at the founders of our churches, and yet the learned member for Annapolis would deny to us the right to retort—to reason, or to laugh at what Luther and Calvin taught us both to disbelieve.

Mr. Howe then referred to another number of "the Cross," and showed from it how Mr. Johnston himself had defended a Catholic Shoemaker, charged by his Bishop after this manner:—

"And whereas he has constantly mocked at the sacred rites and festivals of the Holy Roman Catholic Church, and turned them into derision, and with impious audacity exhibited in the very house of God, his irreverent, scandalous, and rebellious conduct.

"And whereas he has publicly exhibited and exposed a defamatory pamphlet containing gross, offensive, unchristian and calumnious charges against various

Catholics of this city, both lay and clerical, and has been convicted by his chief Pastor, on his own submission, of shameful hypocrisy and falsehood, touching said act."

For defending that shoemaker, the learned member for Annapolis was denounced as almost a greater miscreant than Calvin. For pleading the cause of the Bishops, the learned Attorney General, the Cross declared, was entitled to the lasting gratitude of every Catholic in America. How lasting the gratitude—how valuable the praise—how injurious the censure, in either case, the house and the country can judge.

I thank the House, and you, Sir, for the patience with which I have been heard. The Government may be overthrown by a political or religious combination, based upon no principle, but they have come unscathed and triumphant out of this debate. Office they may lose, but character they have not lost. They may be beaten but must ultimately triumph, and the principles for which we have contended, hereafter no man will venture to gainsay.

WEDNESDAY, February 17.

Mr. McLellan agreed with the principles laid down by the hon. member for Halifax, Mr. Tobin, of equal justice to all; said he "if you want more—let the rest unite and put them in their proper place." But I do not think the course he says he is going to pursue is in accordance therewith.—Because a letter was written and a member of his church was dismissed from office, he declares his intention to secede from that which his calm cool judgment had told him was the right side for the good of the country to the wrong. Suppose the Methodists, the Baptists, the Churchmen and the Presbyterians, were to pursue the same course, and whenever one of their body did not get an office they desired, or was dismissed in their opinion wrongfully from one, were to rise up in a body and upset the Government. It would soon be not a Government by the people, but, a church government, and would soon become one of the most detestable things imaginable. The hon. gentleman from Annapolis had surely too much good sense to desire to see such a state of things made general, and when he sought it for his own church he was striving for more equal justice. Many evils have arisen from uniting Church and State, but here is an attempt to make all Church no State about it.—The Catholics conducted themselves so orderly and peaceably that the old grievance were little thought of and for the first ten years I was in this house I scarcely heard the word Catholic mentioned in the country—but since the Catholic ascendancy cry we are continually being told by the Conservatives that we are giving the Catholics too much—there is, say they, the Attorney Gen-

eral's office and the Leadership of the Government, given to a man whose family connexions, intimate associations and constituents have ever been Catholics—to that his feelings, sympathy and interests are identified with them—that the Provincial Secretary's Office, one of the least work, care, and responsibility, but best paid of any in the Province, is given to a man who is by birth half a Catholic, and from his connections, associates, and having a Catholic constituency is 7-8 the other half. Because the Catholics of Halifax honored the hon. Mr. Wier, by making him President and representative with a seat at the Council Board,—Again—Who is made President of the Council, deemed worthy to be placed over the Lords of Nova Scotia? why a Catholic—constitutionally a representative was the people that sent him—that an honour done a Member, was also an honour done his constituents and—vice—versa—when an insult or injustice is done—Why was Mr. McKeagney, McLeod, McKinnon and Comeau appointed to the Council—simply because they were Catholics.

And if any thing more was wanted to prove the determination to give all to the Catholics look at the first act of the House. A young man without experience, unknown, consequently nothing to recommend him but being a Catholic applies for the Clerkship in opposition to one who had experience, who had given entire satisfaction, had everything to recommend him, only that he was not a Catholic, therefore could not get the office.

But here Catholics tell us they have got nothing and the Conservatives join them in the statement. It is truly a strange world we live in. When he, Mr. McLellan, heard McLeod wanted to get the Financial, Secretary's Office, his first thought was to write a protest to the government against it, but on consideration he thought it would be an insult, to say one had the least suspicion of their doing anything so unjust and unfair. Of the Liberal party returned there were 25 lay members and 6 lawyers—the 6 at the time held three offices—while the 25 held none—and to have given the fourth office to Mr. McLeod one of the sixth was too absurd to the thought of—he, Mr. McLellan, might be asked what he would have done if the office had been given to a lawyer—he would not have wronged the country by going to what he conceived the wrong side of the House, punishing thereby the innocent with the guilty—he would have done as School-masters do when the head of their spelling-class don't do their duty, move them down to give place to others. The lawyers have exclusively the

wigs when vacant—and always two crown offices which is full share. If there were as many more of them in the House their own sense of justice and fair play ought to prevent them from seeking, applying for, or holding more. When the hon. and learned gentleman from Pictou was telling us about the sandy foundations of responsible Government—he, Mr. McLellan, thought that if 20 long years of faithful services of entire satisfaction were to be blotted out, lost sight of,—the whole fat in the fire—because a letter or two was written—and an individual dismissed from office, a single error is judgment almost,—that politics had indeed a sandy foundation—not worth the serious attention of any sensible man. The hon. gentleman from Annapolis tells us the Tories are a band of Spartans. Spartans indeed, “While I don't mean anything offensive” I must say they are more like a band of freebooters who can do nothing in their way but blow the coats until they get up a row. What have the Conservatives done for the last ten years?—no one noble or good act sufficient to induce a single man from this side to join them—all they have done, barring packing up the fire, has been to hang on with a dogger perseverance until we sent them aid and assistance by disagreeing among ourselves. The hon. and learned gentleman from Annapolis talks about jobs—he is the last man that ought to ask about such things—for there has not been a job committed in the Province since he introduced the Bill the hon. member for Newport speaks of, to the canal job in which he and his party were mainly instrumental in carrying, but that gentleman has been either the principal or steeped to eyes in——. He tells us the Municipal Councils Act ought to have been forced down the people's throats whether they would or not—its the true old Tory doctrine we have so often heard that the people are too ignorant to judge with the best for themselves, and that others ought to do it for them—and is the language used by slaveholders in support of slavery.

We have a Tory government—its principles and principles of the men who conducted it were found unsuitable for a free people who claimed the right and to judge and act in matters purely relating to themselves, and consequently both were condemned and cast aside a responsible government was established in its place, and is now shook to its foundation, owing to private quarrels among its usual supporters. The hon. and learned gentleman from Pictou, is quite mistaken when he talks of defects in the foundation or other parts of responsible government as, even

its enemies have not dared to attempt to show there is even crack or flaw in its principles, which places the liberals in something of a proud position to see that the constitution which they have established at so much trouble is still to be in the ascendant, at least avowedly—even if they should be in a minority. When we look to the causes of our trouble, it was—I will not say as my hon. friend from Newport said, with half-bred Lawyers—but will say with Lawyers pressing their claims, keeping the government continually in hot water particularly so in '55, when the office fever raged badly; in '56 Rum drinking caused laughing, which led to a breach of the peace—to a trial—to letters being written—so that the office fever and rum were the whole cause of our present difficulty, and the best thing the legislature could do for the well being of our country is, that the salaries of the offices be reduced to one half and the Maine Law passed and fairly carried out.

Mr. Charles J. Campbell said, I will address myself more particularly to the hon. and learned Attorney General as I presume that he is the leader of the government, and is therefore responsible for the conduct of government officials who are not returned by the suffrages of the people and are only responsible to him for their conduct. The first charge which I would prefer against the administration is that of incompetency. The first and main object of a government should be to protect the lives and property of the subject, and I need not say that any government that is not competent to do this, has no just right to crave this House to keep them in power, and not compel them to vacate their offices, and I need not go further than the letters of the hon. member for Windsor to prove this charge, and that the government have entirely failed to secure this boon; he has put himself in a strange position,—he condemns the government one day and supports it the next. Let me quote one passage from those letters, he says “That law and order are the first end and object of all government, that the preservation of life and property is its most sacred obligation. That a government that cannot from any cause, afford this security and will not provide a remedy; that can, and does not, from any fear, favour or affection, is a government that has already abdicated and ignored its functions,” and in another place he says “The result of the miserable *farce* played off in the Supreme Court did not surprize me, &c., &c.” He asks have we a government, after describing the *farce* played off in the Court House he tells us that “an Irishman went up the country and broke into a man’s house, but that

Magistrates would not act and so forth.” is not this a sufficient proof of the incompetency of the government. My next charge is that of Corruption, a government that cannot sustain itself in power without bribery is in my opinion a corrupt government. Mr. Locke said prove the bribery. I say, Mr. Speaker, that if I obtain a vote on the hustings by fear, favor or reward that my election is liable to be set aside; still this government is not ashamed to be kept in power by those means—have I not been told that unless I would support the government I would lose the patronage of my county. Another charge I have against the government is incapacity to introduce measures. Last session only one was brought forward, the school bill, and the hon. and learned introducer withdrew it without testing the views of this House upon its merits. I consider it the duty of the officers of the government who sit quietly in their offices to bring such measures as the interests of the country demand; it has been said that affairs of every office under the present government have been well administered. I have before alluded to the Crown Land Office, and last year I applied for a statement setting forth the quantity of Land disposed of by the Crown during the last twenty years. This I could not obtain, further than Mr. Crawley’s Books went, which shewed that during his time that about 1½d per acre, went into the Treasury for all the Land sold by him. Then, again, there is the Statute Labor Law, which required revision. Did the government take this in hand? No, but left it in the hands of some of the new members, and so gave it the go by themselves. These are only a few of the charges which I might bring forward against the government, but I would only tie the house by repeating charges with which they are already familiar. The hon. and learned Attorney General told us that £250,000 has been spent during last year on our railway works. I think if that is the case, it is altogether unjustifiable, for by the law the Commissioners are only authorized to expend £200,000 a-year, what benefit let me ask is Cape Breton to receive by this *Job* although the Island is becoming annually liable for fifty or sixty thousand pounds, as its proportion of this work. The hon. member for the township of Halifax thinks that the present government and Railroad are so closely connected that the one cannot exist without the other, but I know of no reason why a new government cannot prosecute the Railway policy as well as the present one, he might well connect them with each other. Sir, I look at the present Railroad scheme as the grossest imposture that

could be imposed upon any country. The first scheme was to borrow money for 3½ per cent., and build a line through to Quebec, this I approved of, but the next was to build it in connection with Canada and New Brunswick, this also was abandoned, but the third and most desperate was to borrow money at 6 per cent. and to begin amongst the granite rocks of Halifax and end nowhere, posterity will wonder at the simplicity of their forefathers at being gulled by political speculators, for the purpose of fixing themselves firmly on the necks of the people and securing fat offices for themselves.

The hon. Attorney General drew a beautiful panoramic view of the prosperous state of some parts of the Province, I assure you, sir, I was delighted to listen to him. I have no doubt, sir, but those parts which he described so charmingly have been basking in the sunshine of the government, but I would suggest to him that Cape Breton must have been in the shade, Sir, I could draw a quite different picture of Cape Breton, hundreds of sturdy honest Highlanders and their descendants leaving their adopted and native country annually in disgust, and driven to emigrate to foreign lands by the conduct of the government, and their fair fields left to grow in their native state, to be inhabited by the bear and the wolf, while the ruff and scruff of the United States have been brought here to labour on our public works and supplant our native population, and break their heads in the bargain. Again he says we go out of office, with pure and clean hands leaving the public affairs in good order. He had better not say much about this until we have had an opportunity of investigation, for if we are to take the Railroad Accounts as a specimen of the way public departments are managed, I cannot say much for their efficiency.—They may have a new system of keeping accounts, but it is one that no other seems to understand. But, sir, I could say more if I felt inclined, but I shall merely say from what came under my own observation, that if he is held responsible for subordinate officers, he will not have much to brag of on that score. The hon. Attorney General warned the Catholics that they would obtain no further political advantage by joining our side. I do not know that they wish any more. They have lost confidence in a government which is too weak to maintain itself except by the sacrifice of its own friends, and they would rather go into opposition, than support it any longer. There was another feature in the Attorney General's speech which I thought unwarrantable. He raked up old newspapers for the last ten

years and read extracts from them to influence religious prejudices. We are subject enough to these feelings, and I think it should be the endeavor of every man to repress and keep them under, rather than to cast a fire brand into our midst, and seek to sow discord and strife between neighbors and friends, and between man and wife.

The Attorney General made allusion to Doctor Tupper's pills and pill boxes. This, sir, is bad taste. I do not see many *Lords or Dukes* around these benches, and I cannot imagine that any honest calling should be a disparagement to a Nova-Scotian Legislator; I cannot therefore appreciate his taste. He also informs us that he did not prosecute the Railroad Rioters further than what he could possibly avoid. This is certainly unfortunate, as if he had done his duty he might have saved himself and friends from a great mortification. He tells us that no government will stand that will not give the patronage to its supporters. On this I will not offer any comments at present.

I would say a word or two in regard to the public letters of the hon. member for Windsor, in which he has put forth his views pretty clearly and strongly. It seems to me that he is raising this religious cry in order that he may be the "cook of the walk"—but in his second speech delivered on this debate he appeared to be asking pardon for what he had done, and wished to confine his attack to a small portion of the Catholic body—and then he talked of what he had done for the Catholics and how long they had pulled together, and how he had raised them to offices and how it tears his very heart to part with some of them, and craves of them not to forsake him, that he did not intend to offend them. "Could he ever be so cruel as to offend the religious feelings of his old friend from Clare," &c. I perceive the hon. gentleman has descended from the lofty position which he took in starting, he has been out-generalled. This is all very well now, but I think any one who has read his letters will agree with me, that his attack was on the whole Catholic body. He has talked a great deal about his Railway policy, but that has not been completed yet. And every one knows that he has applied for a Governorship, and when he gets that he will pitch the Railroad to the dogs. It looks as if he had got the Railroad affairs in a mess, and wished to get out of it. "He asks what ties have Nova Scotia on me. If I should desert them what is that to him." But, sir, we should be cautious how we should be misled by a political speculator who is ready to abandon us, whenever he gets the

Province distracted by a war of races, and of creeds, and the Province involved in debt.

In reference to his enlistment speculation, he informs us that he did not want to implicate Sprague & Soule in the transaction, and that he landed at night and proceeded to New York. This appears to me to be rather a curious acknowledgment, for if his transaction was honest he need not fear to implicate Sprague & Soule, he would not need to go to Boston in a sailing vessel, land and depart in the night. I do not believe, sir, that the British Government would ever consent to be a party to a transaction that could not bear the light of day, and that would implicate any respectable firm, if they had been aware of the facts. I must confess that I felt indignant at having it whispered round in Boston that such a public official had landed and found his way off at night, giving rise to the suspicions of our calculating neighbors. The hon. member for Windsor tells us that the alliance between the Catholics and the Conservatives is an unholy one, and will end in the degradation of the former and ruin of the latter. There was no alliance sought, we simply unite to hurl the present government from power. With regard to my own position in the ranks of the opposition no one asked me to join them, I acted from conviction, and I believe the Catholics do the same. In conclusion I would again refer to the letters of Mr Howe. I think the advice they give for every man to rise against his neighbour and settle their religious disputes by pugilistic displays, cannot be too strongly condemned. In a mixed population where there are so many creeds and sects, such letters are calculated to stir up the bitterest enmity and strife. Sir, the finger of scorn should be pointed at the men who would attempt to distract this once peaceful and happy country for personal objects. I trust the people of Nova Scotia will justly appreciate those letters and the object he had in view, and make him walk the plank and sink to rise no more.

Mr Killam said—Mr. Speaker, the hon. gentleman who addressed the house, has spoken at some length on the benefits which the Liberal party have conferred in the country since their first accession to power. There are very few members in the house now who were here in 1847, and the matter we have to deal with is the question at present before the house. The great prosperity which has attended the country for the last few years has been attributed to the Liberal Government without any reason. It is that the Revenue has advanced in wealth and prosperity, but it should be

attributed to the industry and enterprise of our people, and not to anything done by the present government.

The hon. Attorney General expatiated on the advantage which resulted from the change in the system of government in 1848. I desired that change as much as any one, the complaint against the government, previous to that period, was their distributing their patronage altogether to one party, disposing of the old officers was also a great advantage; but, after gaining an advantage, it should have been maintained, but the present government have fritted it all away, and done many jobs the old government would not have ventured to do.

As to Mr. Huntington's letter written in 1851, although he disagreed with the government he had been a member of and resigned, yet he had to defend his acts when assailed, the letter alluded principally to the salaries of the Departmental offices as compared to the offices of Government in 1847 under Mr. Johnston's Administration, not to the constitution or principles of Government, although he had disagreed as well as myself, with Messrs. Young and Howe. With his advice I contested the County in opposition to his old opponent and was returned.

Now, with regard to Mr. Howe's remarks on the subject of the Railroad, every one knows that the finishing up of a great work is the most expensive part of it. He has stated that its extension beyond Windsor and Pictou depended entirely on its paying, if it payed working expenses and 2½ or three per cent. it would progress, otherwise it would be a failure. Mr. Young also stated that £60,000 was the utmost limit our revenue would bear for interest and unless it paid it must stop. I presume that this was the opinion I also believed that the million of money would not carry it beyond Windsor and Truro.

The new government will, no doubt, give it a fair trial. There is no intention to abandon it, but I trust there will be economy used; it will not hereafter require six commissioners and a large staff of Engineers. Upwards of £1000 a year can be saved in salaries at once.

Mr. Young also states that a government cannot be carried on unless it bestows its patronage on its friends. I admit that the principal officers of the government, but this is very different from seeking to sustain themselves by interfering with all the local matters of the counties, which more properly belongs to the representatives. Under such a system there cannot be equal rights or equal justice. It is more important to the counties to have

their local affairs managed by those having their confidence, than it is who should be Provincial Secretary, or Attorney General. These persons only a few of the people ever see, but the county authorities are their every-day companions, and should have the confidence of a majority. Again, when the Governor's proclamation is issued for a new election, the heads of departments should consider themselves on trial, willing to abide the decision of the independent electors, and not to have had the right and privilege to consult and buy up their independences with the people's money; that is the Attorney General's principle, but it is a mockery of equal rights. I believe, if the members from each county were allowed to recommend persons for local offices it would save the government much trouble, and there would be no cause to remove their officers on a change of administration. During the last session two of the most important offices in the county of Yarmouth became vacant, and appointments were made without asking an opinion from the members. Under the new Government I shall hold the same opinion on this subject. As to the secret influence so much dwelt on that is to turn out the government, I believe it has been mysterious and secret influences that has kept the government in so long. There is always influence at work in the Province, and must a member of this house carry out the wishes of the government or of his constituents? Every time he ventures from a session his acts are canvassed, and every time he leaves to meet in Parliament he takes, or ought to take, what he believes to be their view on general subjects, and because he has an opinion when he returns different from what he had when he left the Legislative Halls, he must be taunted with being guided by a mysterious influence. Certainly the most illustrious Catholics of Yarmouth, Clare, or any other part of the Province have the right to make their opinions known to their representatives, and their views should be respected. When the whole Catholic body was insulted by the subordinates of the government, and that insult endorsed as it were by the government, what could have been expected from the Catholic population?—that they would have gently submitted? I say no. Just what every other body of independent electors would have done, took the constitutional course, and advised their representatives to act, as no doubt they would—that is, to vote against the government. He says the whole policy of the government depends upon the issue of this dispute; I do not think so. The interest of the country demands the right men in

the right place, and it is quite clear that a change of administration does not involve any alteration in the constitution; its principles are now defined, and no one desires to alter or vary them. It is well known that I have opposed the government during the past five years, and any legitimate influence that may be brought to displace them meets my approval.

Mr. Chambers said—Mr. Speaker, I know not whether it be my fortune or my misfortune that I never had the privilege of entering a Collegiate Institution and obtaining that polish of manner which may be deemed necessary in order that a person may shine upon the floors of this House; but, sir, I hope I am not altogether destitute of that very necessary quality, without which no man should occupy a seat in this house. Sir, the hon. member for Cumberland on the doors of this house and in the face of this country charged me with uttering a falsehood; and stated broadly that the speech which I made did more injury to the Executive than any made by the Opposition. I have yet to learn that to express the plain, unvarnished truth, in language however so simple, is culpable. That I did regardless of consequences, careless who were offended or who were pleased. But the hon. member for Cumberland, with a reckless disregard of parliamentary usage and common courtesy, after I had made two explanations of the words I had used and the meaning of the sentiments I uttered. Sir, what I did say was that there were men in this house who were a nuisance, and when asked to whom I referred, replied, "half-bred lawyers." Let any hon. member fairly interpret my meaning, and say whether he can come to the conclusion that I designed to refer to the Catholic body when I made the statements I did.—Sir, it was the object of the hon. member for Cumberland to misrepresent me, not only here but elsewhere. Does he think that unfounded declarations, though conveyed in flowing language, can weigh against statements supported by truth—Does he suppose that hon. gentleman here cannot weigh the real character of the man who utters them? If so, he has made a grand mistake. He says I do not understand the English language. Perhaps not; but I should be exceedingly sorry to swallow Tupper's dictionary.—(Laughter.) What little ability I possess, God and nature gave me, and I should be sorry to prostitute it to the base purposes to which he applies his. I am a plain, free-spoken farmer, used to express my opinions candidly and openly without coloring or varnish—not given to assail any man; but the hon. member himself must be

careful how he tramples upon my toes.— Sir, we have in our county a large bird called the black crow. These birds, it is said, hold their town meetings once every year, and when they gather, one of their company is always placed upon the nearest and highest tree to give notice of an enemy's approach. I could not help thinking that the hon. member for Cumberland occupied the position of the vigilant crow, and as soon as I approached his nest, not only sounded the alarm, but with beak and wing flew to the attack. (*Laughter.*) Sir, my father always taught me to believe, that when a man belonging to the learned profession was opposed to me, I was sure to be right.

I was much amused when the hon. member for Annapolis enumerated, the other day, the good deeds he had done during his public life. He told us of grants to Educational Institution; Sir, I think the Protestants had good cause to be dissatisfied, when they found the Catholics with £600 for their colleges while the Protestant denominations had speech, that the combination he had formed was unnatural, unsound, unholy. Sir, perhaps I ought not to refer to these things, for it will be recollected that the hon. member for Annapolis himself was a High Church man,—he came out of union and unfortunately fell down on the Baptist body; (*laughter*) they then occupied a strong and united position;—how are they now? Divided and subdivided, and the best exertions of that hon. gentleman, for three centuries to come, will not place them in the position they then occupied. Politics has entered into their churches and split them asunder, and the cause is the hon. member himself. We have been told that many hon. gentlemen left this House last session supporters of the Administration; what has the government since done? Sir, there is a spring and scrow lose somewhere, and if I can lay my hand upon it the people shall be faithfully informed of its whereabouts. Sir, there is a religious quarrel going on. Let me read from the *Catholic* of Saturday a sentence—from which it seems that they have found a place for some members of this House in Dartmouth.

(The hon. gentleman here read some passages from the *Halifax Catholic*.)

Now, Sir, I would put it to hon. members of this House, if such language ought to be used with impunity respecting any gentleman. But these merely personal matters sink into rather insignificance before the main question which presents itself. I asserted in my former speech that the combination was unnatural and unholy. I believe so still,—I have heard

nothing to change my opinion. Here we have been for a fortnight fighting with straws—while the real question has been studiously avoided and kept in the back ground;—there is a secret spring to which no allusion has heretofore been made. I now assert here openly, that the Catholics of this Province, believing they hold the balance of power, have come to the conclusion that they can govern the country. To any man who has marked the progress of events during the past few months, the proposition must be self-evident, that we have now to consider whether Sir Gaspard LeMarchant or William Walsh, the Catholic Archbishop, is to be Governor of Nova Scotia—(Hear, hear.)

Sir, as a member of the Legislature, representing a constituency of freemen, I feel bound to give expression to what I believe to be the sentiments they entertain. The Catholics have combined, not openly and avowedly, but secretly,—if they as a religious body unite, why not we. Sir, I would be a party to no combination for the purpose of proscription, but I do not think that some organization should be entered into to counteract an influence so patent. We as Protestants feel that our religious security—the rights we most cherish, the principles to which we most earnestly adhere are endangered; that while the Roman Catholics are in the ascendancy the liberty of Protestants is a nullity. I would rather sit in the old shades of Opposition forever than be driven higher and thither at the back and call of any religious body in the country.

Hon. Attorney General said—As it appears to be the desire of the hon. gentleman that this debate should be brought to a close to-day I shall offer but a very few remarks, and abstain entirely from going into the policy of the Liberal party; but, in justice to myself, I feel bound to answer one or two of the observations made by the hon. and learned member for Annapolis. He says that the Conservative party must, of necessity, come into power by aid drawn from one or the other side of the House, and that they only waited the arrival of their supporters to decide which; in other words that they were equally willing to accept the aid of either, as policy might dictate.

Hon. Mr. Johnston.—I never said so; I declared that the course of the Conservatives was plain;—that either the hon. member for Windsor and his friends would support the Conservatives, or the Catholic body would join with them.

Hon. Attorney General—That is a distinction without a difference. Again he says the bond of union between the Catholics and Conservatives is a mutual desire to defeat the Administration.

Hon. Mr. Johnston—I never said so. I referred to them as different bodies moving for the attainment of the same end; the establishment of civil and religious liberty.

Hon. Attorney General—Well, sir, we will not quarrel about words; the meaning is the same. It appears, then, that the animating principle which seems to reconcile these two bodies hitherto discordant is a common purpose to destroy the Executive—, and that, too upon grounds which this debate has shewn to be, shadowy, vague, unsubstantial, wanting the essence and spirit of truth. Sir, it would have been out of the power of the hon gentlemen opposite to destroy the government—feeble, vacillating and corrupt as the opposition have seen fit to style it unless for recent events which have cast their shadows on this floor. Does he imagine that all the eloquent invective he could utter would have had the effect of overthrowing the administration—were it not for the sudden and fierce quarrel which suddenly sprung up between the hon. member for Windsor and the Catholic body. I shall say but little at present of the influences which, though unseen are for the first time felt, palpably and fearfully felt, in the Legislature. These are influences unknown to the Constitution, they have been unscrupulously exercised, and present to the people of Nova Scotia a picture which demands their most serious consideration. What have we seen? The whole Catholic body, as one man, forsake the friends of a life time, and prepare to walk *en masse* across the floor of this House, and coalesce with the Conservatives, their avowed political opponents, to defeat an administration, which we were told, by a leading member of the Roman Catholic body, up to the close of last session, retained their confidence. It is undeniable then, that a mysterious and powerful agency has affected this change; a change, too, brought about by no hostility of opinion,—for we all know that though their votes may be against us, the hearts and judgement of many Catholic gentlemen in this House are with us still.

But we are latitudinarians in religion. It seems. Sir, I was not aware that the Conservatives claim a monopoly of sanctity and sincerity. I had always been of opinion that Protestant Liberals stood on an equality with the Conservatives in this respect. Much has been said of reviling and scoffing at religion; I revile or scoff at no man's faith. the Hindoo bending before his idol—a monstrous production of pencil or chisel—I might endeavor to reason with him calmly but would never insult as to his belief.

[The hon. gentleman here commented upon Mr. Condon's letters and argued that the sentiments they contained—being insulting to the Government and seditious in character, the Executive were justified in dismissing him.]

The members for Pictou, Annapolis and

Cumberland assail the Government for dismissing Mr. Condon, but the member for Guysborough took a different view, and stated that in his opinion that officer should have been discharged eight months since. So that the leading members of the opposition upon this point differ among themselves. We were pressed to appoint my friend the late Hon. Mr. McLeod to an office for which the state of his health physically unfitted him.

Mr. Tobin—Who pressed the claims of Mr. McLeod?

Hon. Attorney General—When I spoke of claims having been urged, I referred to the course pursued at the last session.

Mr. Tobin—As respects Mr. McKeagney he never came before the House; he applied to some personal friends and I put his name before the Liberal caucus.

Hon. Attorney General—I should much prefer that the hon. gentleman would allow me to conclude the brief remarks which I intend to make without interruption. I say now, Sir, that the decision of the Administration with respect to the Hon. Michael Tobin, then a member of the Government. It has been said in the course of this debate that no pressure was brought to bear upon the Government by Catholics; I thought then and think still that undue influence was used and undue pressure brought to bear upon the Government at the time.

But sir, what is to be the policy of the new administration. The pet Bills of the hon. and learned member for Annapolis—Elective Legislative Councils, Municipal Corporations, the Maine Liquor Law,—all are to be sacrificed for the purpose of effecting this new combination,—I are to sink before the demon of party; all are to be abandoned that the hon. member for Annapolis and his friends may ride into power on the shoulders of the Catholics.

(The hon. gentleman here reviewed the policy of these several measures and explained with respect to universal suffrage that the hon. member for Annapolis was in favour of the 40s. freehold qualification—that the first move was made by the Liberals in fixing the qualification upon a rate paying basis—and that not working well the hon. member for Annapolis was compelled to adopt the principle of universal suffrage.)

Mr. John Tobin said, Mr. Speaker, after the eloquent speech of the hon. Attorney General, I feel some delicacy in addressing the House, but some statements have been made by him which renders it necessary for me to make a few remarks. He says the Catholics pressed their claims on the government, I don't think he will say that I ever attempted to use any influence on them.

and the Attorney General repeatedly told me there was no Catholic claims pressing on the Government—as to the silent and unseen influences he has talked about, all I can say is, if such do exist, it is unknown to me.—I am as free in my actions as the Attorney General himself and I consider my sense of right and wrong as acute as his, and by that my conduct shall be governed. The opposition never came to me to ask me for my vote, I have had no communication with them on the subject. I do not ask them to come to me, nor have they asked me to go to them. I pursue my course, they can pursue theirs. The course pursued by the liberal party has been such that I cannot conscientiously support them any longer.

The cry that the Railroad is in danger has been raised again for the purpose of keeping the Government in power, but I think no one will be affected by it. Suppose that there is a change in the management of our public works, does it follow that the Railroad is to be stopped? For my part I think that some revision is required in some of our public departments. It is not long since two vessels were lost upon our coast, and complaints and statements have been made, whether true or false I cannot say, reflecting on the Board of Works. It will behove the new Government to look into this matter and ascertain the manner in which the affairs of that department are conducted.

It has been asserted that the Catholics have destroyed the Government—I tell the Attorney General that his own Officers have done it. I was not at all surprised at anything Mr. Howe did or said during the last summer. His course was shadowed forth by his conduct last winter.

The assertion made by the hon. Attorney General that his Grace the Archbishop has influenced some of the Catholic members in this house to vote against the government—I treat with the contempt it deserves. For myself I may say, I have no personal enmity to Mr. Howe, I was sorry when I saw his letters, for I knew they would be the means of estranging old friends. Since I landed on the shores of Newfoundland in 1829, all my associations have been with Protestants. I have always had the most unreserved and friendly intercourse with them and, I do not believe those mutual friendships will be interrupted by the hon. member for Windsor's public letters or speeches. We have known each other too long. For the happiness and prosperity of the country a change of Government is necessary, and I am not afraid but that the public departments will be as well filled as they are at present. I repeat again, that as to the course I intend to pursue on this question, I am influenced solely by my own judgement—I have made up my mind long ago—and shall record my vote as my conscience dictates.

Mr. McKeagney said—Notwithstanding the ebullition of feeling which we have just had from the last speaker, I shall

endeavor to approach this question with calmness. He says that the Catholics will govern Nova Scotia. I defy him to point to anything in their past history to warrant such an assertion. Did they ever press for place or power, or seek in any way the aggrandizement of their co-religionists? I will remind him of their steady devotion to their party until consistently with their own honor they could support it no longer. I say then this statement is not fair—it is not honest—it is not consistent with the facts.

The honorable gentleman has asked why the Catholics have left their old party—the reason is plain, and can shortly be given. Mr. Howe wrote certain letters, the contents of which are well known to every member of this House,—the Catholics put a fair construction on those letters, and conceiving that they could no longer place confidence in men who had ridiculed and reviled their religion, they have allied themselves to gentlemen of the Opposition in whose honor and integrity they confidently rely.

I would not have troubled the House at this late period of the debate, had it not been for the inflammatory appeals made by the hon. member for Newport. He has thought proper to make personal allusions to myself. I carefully abstained in my speech during this debate from indulging in personalities, and shall not now be led by the bad example of the hon. gentleman to depart from my usual custom, however much he may have laid himself open to attack.

The question was then taken on Mr. Johnston's Amendment,

*For the amendment.*

Mr. Whitman,	Mr. McClearn,
“ McKinnon,	“ Thorne,
“ Fuller,	“ Brown,
“ Marshall,	“ Moses,
“ White,	“ Churchill,
“ Henry,	“ Killam,
“ J. Campbell,	“ Wilkins,
“ Robecheau,	Hon. Mr. Johnston,
“ Wade,	Mr. McFarlane,
“ Bourneuf,	“ Tobin,
“ C. J. Campbell	“ Tupper,
“ Bill,	“ Bent,
“ Martell,	“ McKeagney,
“ Ryder,	“ Smyth.

*Against the amendment.*

Hon. Fin. Sec,	Hon. Atty. Gen'l.,
Mr. Rhinard,	Mr. Webster,
“ Esson,	“ Dimock,
“ McKenzie,	Hon. Sol. Gen'l.,
“ McDonald,	Mr. Munro,
“ Bailey,	Hon. Mr. Locke,
“ Parker,	Mr. Morrison,
“ Gilderd,	“ Davison,
“ McLelan,	“ Annand,
“ Robertson,	Hon. Mr. Howe,
Chambers,	Wier.

February 20.

## ANNOUNCEMENT OF MINISTERIAL RESIGNATION.

Hon. Mr. Young said.—I rise Mr. Speaker for the purpose of making the announcement on behalf of the government which I promised when the house adjourned on Wednesday. The result of the debate upon the amendment moved by the hon. and learned member for Annapolis to the Address shows a majority of six against the government and has placed the administration in this singular position that while the recorded vote of a majority here has declared want of confidence in the government—the members of that government myself included are perfectly convinced that at this moment the real inclinations and judgements of a majority are in their favour.

But, Sir, I am free to admit that the only mode by which the sense of this house can be ascertained is by a vote regularly taken upon some question submitted for its consideration.—that vote having passed the constitutional consequences must and ought to follow. We at once felt that a resignation or dissolution must ensue.—to advise the latter, imposed large responsibility upon the administration, and, I do not hesitate to say, that to have pursued that course under present circumstances, though highly agreeable to many friends would have been unwise in the extreme and perhaps unfair to the Lieutenant Governor, whose name can now, for the first time be constitutionally used and for whose uniform and cordial support since the administration assumed power, and the personal courtesy and kindness he has evinced towards every member of his Council, has left a deep and lasting impression on their minds. Looking to the position occupied as well by his Excellency, as the administration, they decided not to advise a dissolution, their resignation followed as a matter of course, and the seats of all the Departmental offices were this morning tendered, and they only continue to hold office until their successors are appointed. It is not necessary, sir, that I should say further under present circumstances, many matters of personal concern and interest to myself, I pass over until a more favorable opportunity.

Hon. Mr. Howe—Before the hon. Leader of the opposition addresses the house I beg leave to read the following letters.

HALIFAX, Feb. 19, 1857.

Sir,—The hostile vote passed last evening will, I learn from the Leader of the Government, be followed by the resignation of the cabinet

Will you be kind enough to convey to His Excellency the Lieutenant Governor the respectful tender of my resignation of the office which I hold as Chairman of the Railway Board, and of which I shall continue to discharge the duties only until my successor is appointed.

Will you also do me the favor to convey to His Excellency the expression of my grateful acknowledgements for the confidence and sup-

port given to me in the discharge of those offices which I have from time to time held under His Excellency, and for the courtesy and kindness which I have invariably received at his hands.

I have, &amp;c.

[Signed.] JOSEPH HOWE.

Wm. H. Keating, Esqr.  
Deputy Secretary.

## PROVINCIAL SECRETARY'S OFFICE,

Halifax, Feb. 20, 1857.

Sir,—I had the honor to receive this morning, and submit to the Lieutenant Governor, your letter of yesterday's date, in which, referring to a recent vote of the Legislative Assembly, you tender the resignation of your office as Chairman of the Board of Railway Commissioners, only continuing to discharge the duties until your successor shall be appointed, His Excellency commands me to state that he receives that resignation with deep regret, and also instructs me to express his high sense of the ability and zeal with which you have discharged the duties of that important station.

I have, &amp;c.

[Signed.] WM. H. KEATING,  
Deputy Secretary.The Hon. Joseph Howe,  
&c.

&amp;c. &amp;c.

Hon. Mr. Johnston.—His Excellency has been pleased in consequence of the resignation of his constitutional advisers, to do me the honor to send for me and request that I should form an administration. The brief period which has elapsed has entirely prevented the necessary consultation with my friends—that communication having been only made this morning. His Excellency was also pleased in the most courteous terms to express his entire disposition to afford his cordial co-operation in carrying on the government. I regret the observation made by the hon. Attorney General with respect to the position occupied by some of his former supporters in voting against the administration. Nothing could have been more unconstitutional and unparliamentary and I shall not imitate the example he has set. Under existing circumstances, I think it will be necessary that the house should adjourn over for a day in order that time may be afforded for the perfection of the necessary arrangements.

After some conversation it was suggested that as the hon. Mr. Howe had some explanations to make with reference to certain remarks of the hon. member for Cumberland, it was better that he should avail himself of the present opportunity.

The hon. Mr. Howe said.—As it seems to be the disposition of the house not to adjourn, and we have some little leisure upon our hands, I will trouble you, Mr. Speaker, with a few observations upon statements made the other evening by the hon. member for Cumberland, and I shall do so without imitating the tone and temper in which they were delivered. I am not quite sure that even had

I followed him immediately as I think in all courtesy I was entitled to do; I should then have followed his example; but now, after the lapse of two or three days—time having been allowed me to reflect upon what is due to the dignity and decorum of this house, I feel no desire for recrimination, and, would not occupy your time were it not that a few personal explanations were necessary—the first point then, to which I would advert is the language in which he thought proper to describe me, it is in the memory of every man here that he racked his imagination for charges defamatory and epithets offensive, and did his best to hold me up as a man without a rag of character, not entitled to a single shade of public confidence. I ask the house to bear in mind that, assuming all he said to be correct, if true now, it was true a year ago. If I am a drunkard, a disloyal man, a poltroon, a defamer, with public money sticking to my fingers in the winter of 1857, the charges could have been preferred with equal propriety in the winter of 1856—What then I ask could be thought of the individual who believing all this of a gentleman makes to him repeated overtures and seeks to share his confidence. What will be thought of him who lays himself prostrate at the feet of such a character, and proposes to enter an administration of which he is to be the leader. Sir, if these charges be true, I would be entitled to the confidence of no man, and would be unfit to sit in any administration, but the hon. member will find before he has been long here, that statements hazarded at random and charges preferred without foundation will not bear down the character of an opponent or establish his own. Let hon. gentlemen mark me, I have never been his intimate, I have never been his friend, and never have exchanged except on the public hustings even the common courtesies of life. We have been bred in different schools, started from different points—met and parted as he himself has said in antagonism to each other. Let hon. gentlemen then ask themselves this question, that to a man so situated, who had never been my confident, intimate or friend, I would have hazarded such an observation as he charged on me the other night. There are men who sit around these benches with whom I have been associated for half my days—my political supporters and private friends—to not one of them have I ever said, that I desired to cut the throat of my hon. friend the Attorney General. These two things then must be borne in mind—first, that the man himself was never my intimate or a friend,—and secondly, the utter impossibility of my having made such a remark to a person so situated.

But, sir, when the hon. gentleman presumed to describe me as the blackest scoundrel that ever sat within these four

walls, when we reflect upon the overtures which, by his own admission, he had made, I ask him if he must not have taken leave of his senses. I was sitting in my office when the member came in. I do not exactly recall whether demand of confidence was made, but if such a pledge was given; his subsequent conduct entirely annulled it. I hold that in the hours of social intercourse the seal of secrecy should never be broken, but I deny the right of any political enemy or political friend to come to me to propose plans for the destruction of an Administration which I have not a perfect right to use in further negotiations. For the first five minutes of our interview, I must say I was considerably puzzled to know what the young gentleman was at. It was evident that he meant something, and on the word and honor of a gentleman, I state that he showered upon me the most fulsome adulation, and that during the whole of my political career, no compliment I ever received from a friend even equalled the praise and commendation he bestowed upon me. I was the man that had the confidence of both sides, and was therefore the one to step in and assume the leadership of the proposed administration. I let him talk away for some considerable time, and at last I said, "but what is to become of Mr. Johnston?"—his name had been studiously kept in the back-ground,—and reluctantly the admission was made that Mr. Johnston was to go upon the bench. And then, sir, having allowed the young gentleman to shadow forth his policy, I said, "You know, Doctor, that I could be party to no combination the effect of which would be to cut Mr. Young's throat," and I confidently ask if this was not the natural language of a colleague and supporter of Mr. Young's to a political opponent. The reply was—"Mr. Howe, what claim has Mr. Young upon you! you know he wedged you out of the Government!" What was my answer? "Your statements are entirely incorrect—inconsistent with facts. I came out of the Government of my own accord, and resigned my seat in the Executive against the entire wish of the Government, Mr. Young included."

When the Railway Bills passed, not only the Governor but also every member of the Government was averse to my leaving it; and it was only on my urgent remonstrances founded on the strong opinion I entertained that the positions were incompatible, that they reluctantly consented. It is therefore incorrect that Mr. Young either did or could wedge me out of the Government. Could it be supposed, then, that I would become a party to a combination, the effect of which would be to destroy the Liberal party, and thwart my hon. friend in the attainment of his legitimate ambition. The Doctor went away, the circumstance having left no serious impression on my mind. Two or three days

afterwards he again called, and the substance of the conversation then was, that he did not desire me to become a party to any combination, but that, in the event of the administration being overthrown, I would not afford them any assistance. My answer was, "if I reply in the affirmative it will not only induce you to continue your efforts to destroy the administration, but may aid in separating from the administration some of their supporters." This concluded the negotiation, and I have never exchanged another word on the subject with him since.

What next occurred? A day or two afterwards the hon. member for Pictou (Mr. George McKenzie) took me to the window and stated that Dr. Tupper had taken him up to Dr. Parker's and there proposed the breaking up of the then Government and the formation of a new administration; and there stated to Mr. McKenzie, "that as far as Mr. Howe was concerned he would be all right." When I found these things going on, and that my name was used, I attended a meeting of the Liberal party, and in their presence stated that no inducement would at that time tempt me to enter the Executive; that I had given no authority for the use of my name, and could not, and would not be a party to any combination. There are many persons around these benches who know that what I am stating is true; the first reference to the conversations which occurred between the Dr. and myself then came from him, and completely and entirely discharged me from any obligation of secrecy.

Sir, I am in no hurry to leave this Province,—but the hon. member intimated that I was disloyal in feeling and that the sentiments I expressed while in England were disapproved of by the statesmen of that country. Sir, I have in my possession a letter from Lord John Russell, expressing anything but disapprobation. Sir, it would be well for that hon. gentleman, if instead of wasting his life in these splenetic outbursts he would give a little of his time and talents to the discussion of such questions and the utterance of such sentiments as the pamphlet to which he referred contains.

The hon. gentleman here read the following extract:—

"If I sought to 'dismember the Empire' I would hold my tongue, and let these contrasts work their way. I point them out, because I desire to keep the Empire together—to organize and strengthen it—to rally round the national flag the energies of millions who strike no blow in its defence—to bulwark the British Islands with natural Allies—to make them independent of Turks and Austrians, and Sardinians—to draw into the Imperial employments the high intellects which embellish, the energies which control the destinies of its distant Provinces—to make Queen Victoria's service a service of love and emulation every where—to enable her to command every sword within her dominions. To teach Englishmen to value their own flesh and blood—to teach Colonists to look to this

great metropolis as an arena, which at any moment they may be called to tread—to Westminster Abbey, not as to an antique pile of masonry covering the bones of their fathers, but as the sacred depository where their children may be laid, when they have discharged in open and fair fields of emulation the higher duties of Empire, and won its proudest distinctions. When that day comes, and come it will, when the good sense that extended Parliamentary representations to Manchester and Birmingham shall have extended it to Canada and Jamaica, to Australia and the Cape; when the men of the east and of the west, of the north and of the south, speak with authority and fulness of knowledge, from the noblest forum to the largest civilized community in the world, then shall we have a camp at Aldershot, and an army, that, unaided by foreign alliances or mercenaries, can protect the civilization of the world."

These, Sir, are the disloyal sentiments I have spoken, (Cheers) and it does not and cannot avail the hon. gentleman anything that in the face of these expressed opinions he ventures on such statements. The hon. gentleman then explained the course he had pursued at Amherst, and concluded by saying that the remarks he had made could be confirmed by half the House.

Dr. Tupper.—If, Mr. Speaker, the hon. member for Windsor had adopted the tone and temper he has to-day much acrimonious feeling would have been spared. Having perhaps followed his lead too closely on the former occasion, I shall do well to copy his moderation now.

It is unnecessary that I should enter at any length upon the subject he has touched.

I may remark that this is not the first time that I have been at issue with Mr. Howe on a question of fact. On the hustings at Cumberland I gave a detailed statement of a conversation with Mr. Howe at the house of a friend during the canvass upon the subject of an Elective Legislative Council. Mr. Howe finding that he was in a very inconsistent position, came forward and gave my assertion a distinct denial and declared it a pure invention. I then named a highly respectable gentleman who was present and who had heard the conversation. The hon. Mr. Howe then backed down and said that on that occasion he talked a great deal of nonsense and forgot afterwards a great deal that he said. I refer to this to prove that by his own shewing his memory is rather treacherous. There is however no very great discrepancy between our statements. When I told the House the other night what took place between Mr. Howe and myself last winter, he gave my declaration an unqualified denial, he now admits its main features, but says it was done to draw me out. Allow me briefly to review the circumstances and what took place.

I found my position in this house under the tyranny of the hon. Attorney-General insupportable. Although the representative of a large and intelligent constituency, I was

without influence to serve or protect them. I owe nothing to that gentleman or his government, and I feel that it was right for me to form any combination with any person by which the elevation of Mr. Johnston, and a fair consideration for my party could be obtained. I found Mr. Howe quite disposed to co-operate, and I have no hesitation in admitting that, I would have infinitely preferred to support a government with him as its head by which these objects could be obtained, than have matters remain as they were. Mr. Howe did not disguise his respect for Mr. Johnston and his willingness to promote him or his dislike and contempt for Mr. Young, but said, without some public ground upon which to take his stand, it would not do for him to cut "Cut Bill Young's throat."—He now says that, he heard me to draw me out, and said "you know Dr. Tupper it would not do for me to cut Mr. Young's throat,"—no very great discrepancy after all. If, Mr. Speaker, my statement be true all Mr. Howe's subsequent conduct is intelligible and exhibits him as a cunning politician—if not we must deny him that sagacity he has been supposed to possess. By his attack on the School Bill, and subsequently upon the Catholics, to whom the hon. Attorney General was bound, he was seeking the means of separating himself from that gentleman, and putting himself in a position to lead such a government as I have indicated. I will now give circumstantial evidence in support of my statements. Look at his attacks upon the government of which Mr. Young was the leader, and upon that gentleman himself. I may mention in this connection that the whole programme of Mr. Howe's intended movements were given by his personal and political friend Mr. John McDonald, in Ferguson's hotel in Pugwash, to a warm friend of my own and doubtless intended to come to me. He said that immediately on the meeting of the House Mr. Howe intended to move a vote of want of confidence. That of course the Opposition would vote against the Government, and it would be carried by the aid of his friends. He would then be called upon to form a Government, and would guarantee the Conservatives that Mr. Johnston should be Chief Justice when the vacancy occurred. Make Mr. Archibald Attorney General, and the Solicitor Generalship would depend upon circumstances, and that he would offer me the Provincial Secretaryship. I do not of course say that the hon. member for Pictou was authorized to make those statements, but it affords strong circumstantial evidence of Mr. Howe's intentions. The hon. member for Windsor says that I have disinterred a long buried slander. Sir, I felt justified in referring to the past in answer to a statement of Mr. Howe, which did not revive a buried slander, but was intended to give vitality to a slander which never had existence, some of them malicious inventions of political foes who would stoop to say anything however degrading to injure or wrong me.

The hon. gentleman says he will not allow

me to defame him or others. I am glad, Sir, that expression is teaching him the impropriety of such things. But the defamer of Dr. Crawley who was savagely assaulted by him when outside the bar of this House where he could not answer, and for no crime but that of having written a number of highly valuable and classical letters on the subject of Education, must not upbraid me on that subject. Well would it be for Mr. Howe if he obtained the high regard which Dr. Crawley now does from all classes of his countrymen. I will allude to his virulent attacks on Dr. Henry and many others who were not in a position to answer him, but it is unnecessary and distasteful as their personalities must be to this House. I will conclude by expressing my regret that the uncalled for course adopted by the hon. member for Windsor should have rendered them necessary.

Some further discussion ensued after which—

Mr. McDonald said—Mr. Speaker, it is highly gratifying to myself, as I am certain it must be to every hon. gentleman present, to observe the calm tone of the present debate contrasting so strongly with what we have heretofore witnessed.

But, sir, I was a good deal surprised, and not more surprised than amused, at the allusion made to myself by the hon. member for Cumberland in connection with a statement of certain facts said to have been made by me in Pugwash—in his own County; and I am very happy to say that, on this point there is no difference between myself and the hon. and learned Doctor, it is one point at least on which we do not contradict each other. Some such conversation as that mentioned by him did take place in Ferguson's Hotel; the gentlemen mentioned, Mr. Pinedo, Jr., and the others were present. I believe his hon. colleague, Mr. MacFarlane, was also there; but what I or others then said in the way of arranging and adjusting the public affairs of this country, I am not now prepared to say.

The fact is, that being in Pugwash a few weeks ago on business, (as I generally am some five or six times in the course of the year), I happened to meet the gentlemen mentioned at the hotel—it being a favorite lounging place and a very good house, where some good things are said to be kept. The letters of the hon. member for Windsor, relative to the Railway riots, were then as they had been for some time before, the subject of general conversation. It was believed by all that some important changes in the public affairs of this Province were to arise out of the publication of these letters; and I believe that in a laughing, gossiping kind of way, we all of us gave our opinion as to what was likely to turn up. I do not remember now what kind of government was then framed; but then I am certain of that nothing could have been further from my mind than to say or hint that any opinion may have expressed was based upon any knowledge of what was likely to take place.

At that time I had not heard a word from any person in Halifax or elsewhere upon the subject; and up to the time of my arrival in the city, I had no communication from the hon. Mr. Howe, or any other person who might be supposed to be acquainted with the matter, except an ordinary circular from the hon. Attorney General received by me some days before leaving home, requesting the members of the party to be in their places at as early a day as possible. The idea therefore intended to be raised by the hon. member from Cumberland, that I knew and had then disclosed the intended action of any person with reference to the reconstruction of the government, is perfectly absurd.

But, sir, I rose not so much to notice this matter as to refer to another subject more nearly affecting my own personal position and character.

During the progress of the debate before the division when giving my view on the points involved in the discussion, I made a statement and mentioned a fact by way of comment on the speech of the hon. member from Cumberland, showing his inconsistency in the attack which he made on certain views expressed in the Eastern Chronicle. I find in the printed report of that hon. gentleman's reply contained in the Colonist that he has characterized my statements as untrue. (Mr. McDonald here read an extract from the speech.)

I am now prepared with evidence which I have taken the trouble to procure, to show that my assertion was strictly true in point of fact, that he did discontinue the paper immediately after the appearance of certain strictures on his own conduct, and renewed his subscription the very week after what he calls the disgusting attack on the hon. Mr. McKinnon.

Dr. Tupper.—The hon. gentleman will pardon me for interrupting him, but I merely wish to say that, the report of my speech now in his hand is incorrect. He then went on to explain what he did say.

Mr. McDonald.—Then I shall not make any further remark on that point, but I must say that I think it will be a subject of regret to every person that the hon. member should have suffered a report of his speech, published most likely under his own supervision, to go to the country containing an assertion deeply affecting my character, and which he now acknowledges to be incorrect.

On another matter, the hon. member for Cumberland and I are also directly at issue. I mean the charge or whatever it may be called made by me, that last winter he had been endeavouring to create a government which was to be organized and to exist on principles altogether inconsistent with the sentiments expressed by him now regarding the Catholics. This he also distinctly denies, but I must in self-defence repeat the expressions used by that hon. gentleman to myself, and will be quite content that those who now, the antecedents of us both should judge to which of us has the truth on his side.

And I now declare as I hope to be hereafter judged that during the last session, the hon. member from Cumberland used language to me within the walls of this house which fully justified me in making the remarks which I did. Taking me by the arm, he said "McDonald, I think you will agree with me, that the time has arrived in this Province that Protestants from both sides of politics in this house, and particularly the young men from the country should meet together, compare notes, and see if they cannot organize a Government that will be free from the Catholic control, which this Government is subjected to."

Now, Sir, a good deal has been said about the impropriety and indelicacy of retailing private conversations, and I may say that I have just as high a sense as any honorable gentleman has of the want of honor and delicacy which would induce any one to disclose matters or opinions mentioned when under the seal of confidence. Had I been disposed to be guilty of the meanness attributed to me I might have mentioned that a gentleman of the highest respectability in this city also approached me with proposals for a change of Government, involving offices of a highly favorable character for myself, but his name or the particulars of such proposal I never will disclose, because they were given and received under the seal of mutual confidence.—But I dissent altogether from the principle that one public man may unreservedly make proposals to another for a change of the existing state of things, based upon a particular principle, and that he may afterwards in my hearing repudiate such a principle, and act in a manner altogether inconsistent with it, whenever he pleases, where no change of public policy warrants it, without having such inconsistency exposed.

I shall ever hold myself at liberty to make my own use of such declarations, and those who choose to shift their ground and are unwilling to have their principles of yesterday contrasted with those of to-day, must just take the consequences, and govern themselves in their negotiations accordingly.

Dr. Tupper I rise to give to the statement made by the hon. member for Pictou a most explicit and emphatic denial. (Laughter.) It is true that I had a conversation with him in which we referred to a certain question, upon which I told him I was waiting to hear him develop his views; but I never made a remark to him with reference to a Protestant combination,—my views have ever been that that the Catholic body should have the head of a department.

The house then adjourned until Tuesday the 24th Feby.

TUESDAY, 24th February, 1857.

THE NEW GOVERNMENT.

Mr. M. L. Wilkins said—Mr. Speaker, I have been commanded by His Excellency the Lieutenant Governor, to inform the House that the following gentlemen have been ap-

pointed an Executive Council for this Province and sworn into office :

Hon. J. Johnston,  
 " Michael Tobin,  
 " Stayley Brown,  
 " John McKinnon,  
 " John J. Marshall,  
 " John Campbell,  
 " M. I. Wilkins,  
 " Charles Tupper,  
 " Charles J. Campbell.

I have also the same command to inform the house, that the hon. J. W. Johnston, a Member of this House, has been appointed to the office of Her Majesty's Attorney General; that the hon. Charles Tupper, also a member of this House, has been appointed Provincial Secretary; and the hon John James Marshall, Financial Secretary for this Province—by reason of which appointments the seats of these several officers have become vacant, and the proper course will be at once taken concerning re-election for the places which they severally represented.

I have also to announce, sir, that the hon. Stayley Brown, a member of the Legislative Council of this Province, has been appointed Receiver General.

The hon. Speaker said—Gentlemen, you have heard the announcement made, by command, by the hon. and learned member for Pictou, in consequence of which Writs will immediately issue for the election of members to fill the several vacancies caused by the recent appointments.

Hon. Mr. Young—Mr. Speaker, I understand an announcement has been made that the new government has completed its appointments to all the public offices, with the exception of that of Solicitor General. Am I correct?

Hon. Mr. Wilkins—I am not instructed to report any appointment to that office. That will also be filled, I doubt not, when the public service requires.

Hon. Mr. Young—I ask now in consequence of assertions of the hon. member for Pictou, whether he himself is to fill the office of Solicitor General?

Hon. Mr. Wilkins—It is not convenient to answer that. There is no necessity for so doing. If an answer were essential for the interests of Nova Scotia, it should be given; but I do not see that it is.

Hon. Mr. Young—The enquiry is founded on declarations of the hon. gentleman to more than one member of the house. He may answer or he may not, as he pleases; but unless he gives an explicit denial to the supposition, I will consider it a fact, and conduct myself accordingly.

Hon. Mr. Wilkins—I am not aware that a new government is obliged to fill up all offices with breathless haste. Some delay may be requisite. The new government may require as much time to fill up all the public offices as the old government did to fill the office of Register of Deeds for the County of Pictou. Greater difficulty might be expected in ar-

iving at conclusions in this instance, than in the other. Concerning conversations, I do not recollect giving instructions to any person to say as the hon member had intimated.

Hon. Mr Young—I ask the house to consider the position of the country at the present time. In view of that, I have no hesitation in saying that the refusal to declare the appointment, and to issue a writ accordingly, is a flagrant violation of the rights and liberties of the people. The hon. member speaks of an appointment, of a Registrar of Deeds, but no principle was involved in the delay in appointing such an officer, no interest suffered; here, however, is a new government which fills all the departmental offices but one. Is there not a constitutional rule which makes it imperative to fill all at the one time, and to refer such appointments to the country, simultaneously? Have they the right to reserve any one office, filling up the others? What do the Revised Statutes say,—page 9 "quoted" and read.

Let me enquire what was the object of that statute? It was copied from New Brunswick and was adopted as the rule in this Province. The spirit of the act is, that the people should on the same day pass upon the fifty-three members that constitute this house, and not allow an opportunity to candidates to try several places at the one election. That was the animating principle and scope of the act, in reference to a general election; but the statute has more extended application, as will appear from another quotation, thus:

"And in cases of general elections, or where more than one writ shall be required to be issued at or about the same time, the day named for holding the sheriff's court for commencing the election shall be the same in all the writs."

Is it the intention that the Solicitor General shall escape from the perils of an election, by stepping to the other side of the building? If so, that would be enough. If the hon. gentleman should say, there is a seat provided for me in the other house, I will consider my question sufficiently answered. But there is no vacancy in that house, and I have good reason to believe that none will be created by any at our side; the opposition will not make a vacancy; and I suppose the other side will not. What follows? Why that the act of which I complain is a disingenuous, unconditional, unjustifiable dodge? Let it be understood that the first step of the new government is one in violation of the law. Is there no object in this? If delay is to be tolerated with one office, why not with all? Why not also, on the same principle, wait until the seat of the Attorney General be tried? If the principle be good for one, it is for three. I pronounce the postponement a gross violation of the rights of this house and of the people. I heard it whispered yesterday, but laughed it to scorn; I did not believe that the new government would dare to do it; and finding it admitted to-day, I listened with curiosity to hear what excuse could be given. I want the leader of the government to vindicate

cate this step to his own party. Let him shew that he can reserve places in this way, and escape from the popular voice by postponing elections, in violation of a statute. If the hon. member from Pictou were to rise and say that there was a vacancy provided for him in the Legislative Council, I would be content;—there is no vacancy there—the Board is full, and cannot be added to, except by special leave of the Queen; yet if he were to rise and announce that he was to have a seat in the other Branch, and that therefore no appeal to his constituency was to be made, I would take that as an answer to my question and rest satisfied. Under the circumstances, however, I do not hesitate to tell the Province and the House that the first step of this government is an egregious blunder and a flagrant violation of the law of the land—of the rights and privileges of the people of Nova Scotia. I did not believe the rumour, and waited for explanation and denial. If these be not given, I will try the sense of the House by resolution.

Hon. Mr. Wilkins.—Concerning this unconstitutionality, I would like some better proof than the violent declamation of the hon. member who has just sat down. He says that the departmental offices should be filled without delay. I say so too; but the office of Solicitor General can scarcely be called departmental;—it is one of law, and I cannot perceive any absolute necessity to fill it with the speed argued for. The hon. gentleman has declared the delay unconstitutional,—but has not so proved it. Let him point out what part of the constitution of the country requires that the office under consideration should be filled within two or three days, or two or three months. So much for the constitution. The hon. gentleman must be hard pressed for law, when he quoted the revised statutes on the subject. In reference to elections, I do not exactly comprehend what his meaning was, in application to this question. His mode of argument appears to prove the barrenness of his case. The law prescribes a certain mode of conducting elections so that all for which writs are now issued should proceed on the same day;—that has no application to this question; writs are not issued until seats are declared vacant. Concerning the reference to a seat in the Legislative Council, I have to say, that if the hon. member supposed I wished to avoid an appeal to my constituents, or that I sought a place in another branch of the Legislature, I beg to relieve his mind on these points: I assert that no such step as the latter is in contemplation—I have not even thought of it; and concerning an appeal to the country, I have been in communication with the county of Pictou, and have reason to believe, that if I wished to run for the township my seat would be perfectly sure. I hope that will satisfy the hon. gentleman, and that he will not consider it requisite to move a resolution for which there is no occasion. A reason may be apparent why the office is not filled; three members have this day vacated their seats in

the House, and will be absent for some time. Much public business requires transaction, and it is desirable that some person be here to communicate with the House in reference to matters appertaining to the government. Good reason may be supposed for the delay complained of, when three important members are required to absent themselves from the Council Board and from the House. No great fear need be entertained, respecting any breach of the constitution, if delay in an appointment be made, for the purpose of relieving the government from the necessity of dismissing all its members from the House. The hon. gentleman may be certain, that if I conclude to accept the office of Solicitor General, I will be prepared to meet my constituents. I have no wish or design to avoid that—no desire to become a member of the Legislative Council. I would not accept a seat there if it were offered. I will sit here, if I do sit. If I become the Solicitor General, it shall be as the representative of the township of Pictou.

Hon. Mr. Archibald.—The hon. gentleman from Pictou speaks of a constitutional question being derived from the Revised Statutes; they are the proper source.—The whole scope of the law quited is, that when several elections requisite, they should be held at the same time. He has not met the point in question at all. The argument was, that if delay may be in one, it may in any or all of them, and so speculations concerning seats be variously encouraged. The delay complained of is unconstitutional, under the whole scope and spirit of the act, that declares elections shall be held on the one day. Otherwise one or more elections might be deferred until others were tried, and an officer, contrary to the spirit of the statute, might try several elections before being returned to the House. Respecting the public business, there would be no disposition, and there is no intention, to embarrass in consequence of the absence of leading members. If this were an ordinary party question, I would be one of the last to support it at this time;—but I look on it, not as one of party, but relating to the constitution of the country.

Hon. Mr. Wilkins.—Much that the hon. gentleman has said is correct. If several seats were vacant it would be unlawful to hold elections at different times. But that is not the question. Only three seats are vacant, and elections for these are to be held as the law prescribes. Considering the present state of the government, it does not appear very gracious for the member for Inverness to make this attack. Does he think that any resolution he might carry during the absence of three heads of departments, would have any effect on the stability of the government, in the eyes of the country? If so, he makes

a mistake. His course in raising such a question, in the absence of three leading minds, is as unjustifiable as it has in been other matters. The effect will not be of much consequence.

Hon. Mr. Wier.—I think the question should be settled. If the seat spoken of can be held vacant, any other may. The hon. gentleman from Pictou intimates that it is requisite to have a leading member of the government here, to communicate with his Excellency, I suppose. That was not paying a high compliment to others who are here,—one of whom said—

Mr. Speaker.—Better not repeat out-of-door conversation.

Hon. Mr. Wier.—The remark was made on the floor of the House; it was to the effect, that the old Government failed from want of requisite capacity,—but if that gentleman be elevated, what necessity would there be for the member for Pictou remaining to represent the Government? If one remain, why not all? They may thus select whom they please—may declare one seat vacant to-day, and another to-morrow, and so on.

Hon. Mr. Young.—I would not take any mere party question in the absence of three leading members whose seats here are vacated; and the hon. member for Pictou should not consider that I move the resolution for purposes of party obstruction. I would be sorry to see this question rejected or carried on mere party grounds. This manœuvre came to me yesterday as a rumour; but I did not believe it until I heard it in the House this morning. I do not call it a violation of the statute merely as a lawyer; any man of ordinary sagacity on reading the act would apprehend its meaning. The rule is simple and plain. If the exigencies of the public service require an appeal to the people, the elections must be held on the same day. Is that the law, or is it not? Can any one doubt it? Is it not the law and constitution of the country, that if two, three, or four of those offices pointed out by statute as requiring vacation of seat should be accepted, the consequent elections must be held all on the one day? None has a right to ascend the hustings, at such a time, with a second seat at his option. Does the hon. gentleman think that he talks to men of common sense? What is the extent of my proposition? Some offices have become vacant by a vote against the old Government; four who accept offices, therefore, are to go back to their constituents;—but only three go, and one remains. The hon. gentleman has relieved me in reference to another rumour,—that concerning a vacancy in the Legislative Council. He says that if

he become Solicitor General he will remain in the House; so there is to be no vacancy made in the other Branch. The postponement complained of, I repeat, cannot take place without a plain, open, flagrant violation of the law and constitution of the country. Has he adduced any argument to meet the position taken by me? Has he shown that I have not given a sound view of the law? Am I not justified in saying that the conduct under consideration is a mere dodge, an unworthy dodge, a disreputable dodge? That it amounts to a violation of the law of the land, and the privileges of the House? I speak plainly, for I feel strongly. I would not believe, without such proof as I have, that any Government would dare to make this the first step in their career. I will take care that it be recorded on the Journals in very specific terms. I hardly think that a majority will be found ready to record their names against so plain a principle; one so luminous, and which cannot be darkened by any sophistry that may be cast around it.

The hon. gentleman says that the office is scarcely departmental. Enough for me, that by our law, the acceptor of it has to vacate his seat as a member of the House, and return to his constituents. I seek not to overthrow the Government by this resolution, but to record my name against a course destructive of the rights and privileges of this House, they being the rights and privileges of the people also. The record of names against this first step of the new Government, the people will understand. At all events I will have performed my duty in thus opposing an act so destructive, so unconstitutional, so unwarranted.

The Resolution was read.

Hon. Mr. Killam.—Suppose during the past session that the Solicitor General had resigned his seat, how long a time does the hon. gentleman think, should be given to the Government before the selection of another? Would they have considered themselves incompetent to carry on the public business until that office were filled up? Is it so essential to appoint a Solicitor General at any time? Some persons think that the office is not at all requisite, and that the small salary given to the officer might be saved. His chief business is to give explanations in the absence of the Attorney General. Is the delay contrary to the law? I am not a lawyer, but can take a common sense view of the law. If a number of seats were vacant, the elections for all should be held on the one day;—but this seat is not vacant. The simultaneous election even, would not meet the object of the opposition; because a member may

vacate in favor of another, and so make an opportunity elsewhere if an election were lost. I do not see that the law is so violated. How could writs be issued for four seats if four are not vacated? I state what I deem to be fact and reasonable.

Hon. Mr. Wilkins.—I suppose the opposition does not wish to take this side of the House by surprise, but to allow the resolution to lie on the table. References were made to calm common sense, I think much that we have heard is common nonsense. How could the doctrine propounded be carried out, if a Solicitor General were not to be found? He says all the seats must be contested on the same day, but suppose a Government in difficulty in reference to an Attorney General, a Provincial Secretary, a Financial Secretary, suppose no person in the Legislature would or could accept the office of Solicitor General, what state would the Province be in then? Would all business have to be suspended on that account? The idea is absurd, nonsensical.

Hon. Mr. Howe.—If that be the state of the case, the member for Inverness is rather premature. If no Solicitor General can be found it would be hard to find fault for one not being appointed. I feel rather inclined to vote with the Government today, as it is the weaker side of the House, if I could think myself justified in doing so. They are either right or wrong however. The Government are entitled to all the offices or not. No Government is entitled to fill up some, leaving others vacant, while they have the materials for appointment. There may be an object in keeping this office open, three or four gentlemen having claims to it, and so to strengthen the hands of Government. It might be an easy way for a Government to hold on. I say to the member for Pictou, that if he is to be Solicitor General, I would rather that he should go to his constituents and return here, than not. Except that I may want to defeat the Government, I would be glad to see him in the house. The objection is, that a Government having materials, does not complete its official arrangements. The reason why, is a question for the Country and the House. I would be glad that the hon. gentleman for Pictou should have an opportunity of testing his popularity in his own county, of testing the popularity of the government there. The writs evidently should go together. We have been in session three weeks, and no business transacted yet, while much remains to be done. I, for one, am disposed, no matter who is here or absent, to carry forward the public business. The battle with the absent members is to be fought in the different

counties to which they appeal, not here. I think the protest offered by the hon. leader of the Opposition reasonable and requisite. I am prepared to vote for it, as it has been moved,—beyond that I do not desire to obstruct the business of the country. If the member for Pictou remain here in the absence of his colleagues, I, for one, will be willing to carry on the public business rapidly as possible. I do not think it requisite to have a constitutional debate every day of the session.

Hon. Mr. McKeagney.—Some additional remarks may be made, respecting constitutionality and law. The question is simple;—Is the seat referred to vacant or no? The present Solicitor General may hold place until his successor is announced. No announcement has yet been made on the subject; announcement should be made in the constitutional way;—if such be not made we are to suppose that the appointment has not taken place, and that the late Solicitor General still holds the office. Is there any legal necessity to change that officer at all. No constitutional step has been taken to shew that the office is vacant. If not how could a writ be issued? The office is still filled, the issue of writs only applies to those vacated. That is my answer to the other side.

Hon. Mr. Young.—I am content that this resolution remain until to-morrow. I wish that members on both sides should understand it. The member for Yarmouth spoke of the value of such an office. That is not the question. The argument now, is not, whether or not such an office might be dispensed with. We have the office, and it should be dealt with according to law and usage. In reference to another question, from the member from Yarmouth, I answer, that there might be no objection to keeping the office vacant for a while, if it alone were vacated. This is not the present state of the case. The office is vacant, the resignation of the late Solicitor General has been accepted, there is no Solicitor General for the Province now,—and the question is, can any government deal with the vacancy, in opposition to the law of the land, which requires that such places be supplied by elections held on the one day.

Hon. Mr. Wilkins.—It is not the law.

Hon. Mr. Young.—That is spoken to the ear, not to the heart. I ask, is he or is he not, to be Solicitor General? Silence gives consent;—he is to be, and as a member of this House I contend that the delay is against the constitution and the law of the land. Let those who vote against the resolution understand that the act complained of is in violation of the law and the rights of the people. I believe that no

party in the house desire to renew constitutional debates in the absence of the three members who appeal to the country. I only wish to place on the Journals a formal declaration on this subject; concerning an act which cannot be successfully defended. The hon. gentleman from Yarmouth shakes his head,—let him look at the plain declaration of the statute. I lay the resolution on the table, and I think that the gentlemen opposite had better consider it well for their own sakes, before they immortalise or signalise the administration which they support, by making its first step to be a plain invasion of the rights of the people and of this House. The question may be disguised as they choose but to this it will come.

Hon. Mr. McFarlane rise.

Hon. Mr. Wilkins.—We ought not to have any more discussion now.

Hon. Mr. McFarlane.—Mr. Speaker, it is pretty evident that the new Government must mend their p's q's; they have got to start fairly. It seems to me that the new Government has acted with promptness and energy. Two days since the old Government retired,—to day the announcement is made that all the Executive Council is filled up; and the various offices, except that of Solicitor General, which all admit is not one very essential to public business—or whose vacancy would impede the service of the country. I consider that the leader of the opposition started very early in his attempts to embarrass the Government. It would have looked better if he had allowed the new administration to get fairly into harness, to feel the harness, and know where it chafed. If then they should act unconstitutionally, opposition might well be expected, but let them not be suspected now, and on such a subject as that before the House.

Hon. Mr. Howe.—I rise, Mr. Speaker, to ask a question of more consequence: Are gentleman prepared or not, to say what the new Government intend to do, respecting general policy? If that were announced, we might go on with the business of the country.

Hon. Mr. Wilkins.—We are not prepared now; I hope to be in possession of the desired information to-morrow.

Mr. Speaker. Shall the debate be adjourned.

Hon. Mr. Young —I have no objection if, on reflection, the hon. gentleman should agree to announce his acceptance of office, I will withdraw the resolution.

The debate was adjourned,—and the House adjourned to half past two next day.

WEDNESDAY, February 25th.

House met at 3 o'clock.

Hon. Mr. McKinnon informed the House that the Hon. Martin I Wilkins, had accepted the office of Solicitor General, and that consequently his seat for the township of Pictou was vacated.

The ex-Attorney General said that of course as that was the case, he would withdraw the resolution he had introduced the day previous.

Hon. Mr. Howe said there was no disposition to embarrass the government on his side of the House. The business of the House had better proceed.

Mr. Esson—From Inhabitants of Middle Musquodoboit, county of Halifax, praying division of the County. He said before he introduced a Bill for that purpose he should like to test the opinion of the house as to whether they were inclined to proceed in reference to these Petitions, as there were others of the same sort. He would ask to have it read and laid on the table for the present. The petition was read by the Clerk, when Mr. Esson said, for fear he should be shut out hereafter, he would now introduce a Bill to carry out the prayer of the petition.

Mr. Whitman said it was evident that the object of these petitions for the division of counties was to increase the representation in parliament, He thought the matter should not be pressed in the absence of the leading member of the government.

Mr. Annand said that the Petition introduced by his colleague he believed did not refer to the increase of representation, it was merely in regard to the management of their Municipal affairs that the change was sought. He thought the division could not be obtained unless the other parties of the county concurred, which was not likely to be the case. He then remarked upon the anomalous state of Parliamentary representation, and as an instance mentioned that the poorest colored man from Hammond's Plains had 4 votes, while the richest inhabitant of Dartmouth had only 2. The whole system was rotten to the core and required revision; but he was not prepared to say that this was the time to consider the matter.

Mr. Esson, from inhabitants of Musquodoboit, praying Act of Incorporation for Musquodoboit and Subenacadie River Navigation Company. Laid on the table.

Also, asked leave to introduce a Bill to carry out prayer of petition. Read first time.

Mr. Howe remarked, in reference to the petitions for division of Counties, that it was a matter of some importance requiring the attention of the House, but he thought it would not be fair to introduce any measure

in reference to the subject in the absence of the members of the government. If the member for Halifax wished his county divided he would suggest that he would confine his efforts to this one county, at present, and not introduce any general measure. With regard to the County of Halifax, he had always thought it required division, it was entirely too large (being some 70 miles in extent) for the effectual management of its local affairs; but one of the difficulties he always thought in the way was, that there was no shire town Eastward of Halifax sufficient for county purposes. It is true that many of the objections which existed when he had first thought of the matter, were now in a great measure removed. He trusted that the matter would be fairly considered.

Mr. Esson said he had no disposition to press the matter in the absence of leading members of the government; he only wished to introduce the Bill so as not to be shut out hereafter from moving in the matter if he thought well of it. There was no doubt as to the necessity of a division of the County of Halifax. It was 10 miles in extent instead of 70, as stated by Mr. Howe, being entirely too much for two members to look after.

Mr. Esson presented a petition from John McGuire, of Halifax, in reference to loss sustained by him in the cutting down of Barrack Street.

Mr. ARCHIBALD said before a committee was appointed on this petition, he thought the house should decide the question as to how often the same matter had been brought before the house. This petition had been already three times under consideration, and had been reported against.

Mr. Esson said he believed there were some new facts brought forward in the present petition. The prayer of the petition, as he understood it, was not for recompense from the house, but to pass a law authorizing the City Council to reimburse him for his losses.

Hon. Mr. Howe said he was not well acquainted with the facts of this case, but he believed Petitioner was an honest, industrious Irishman, who had taken a contract for the cutting down of Barrack street, and in consequence of miscalculations had lost largely by it. He thought the man was entitled to recompense somewhere, but it was doubtful whether the house would be justified in entertaining his claims.

Mr. Young said his sympathies were with this man, who he had known for many years. The facts of the case were, that he had taken the contract for the cutting down of Barrack street, and having trusted the calculation to another par-

ty, he found that he had contracted for about two thirds too little. It was evident that he could not be paid out of the Public Treasury, neither could the house oblige the city to pay him, but they could pass a law authorizing the City Council to make him recompense, and he was inclined to think they would be willing to do it.

Mr. Whitman said there could be no difficulty about the matter. The house had established a precedent last winter in the passage of a law authorizing the assessment of Granville for Poor Rates.

Mr. Archibald—The committee, last year, thought the claim, if any, was on the City authorities, and we all agreed to assist, if possible, the petitioner in establishing his claim on them. There can be no objection to the prayer of the petition being granted having reference to the passage of a law authorizing the City Council to make recompense.

Mr. Wier thought the petition should be referred to a select committee. Referred to Messrs. McKeagney, Moses and Dimock.

Hon. Mr. Young stated that there were several matters which would require the attention of the government this session. There were papers connected with the Mines and Mineral question, which should be brought down at once. A law should be passed for assessment of railway damages. The tariff would have to be raised, as an addition of £25,000 would have to be made to the Revenue. He agreed to furnish Hon. Mr. McKinnon with a list of those matters.

Hon. Mr. McKinnon laid on the table by command the Accounts Current of the Receiver General for year 1856. Referred to Committee on Public Accounts.

Mr. Archibald asked leave to introduce a Bill to encourage telegraph communications between this Province and Great Britain and Ireland, in conformity with a petition previously presented by him on that subject.

Hon. Mr. Young said that a petition would be presented from another Company for a similar purpose. He supposed that a Bill would be brought in with reference to that petition, and the claims of each company would then be considered.

Hon. Mr. Howe thought that too many of these subjects were sent to committee before they were sufficiently discussed in the House. This was an important subject, and yet it would be sent to a committee who would report late in the session—too late to have the matter properly aired and debated.

Mr. Archibald suggested that the discussion of this Bill should take place on

the second reading, and then be sent to committee.

Mr. Young said that both companies, in exchange for certain advantages, ask for exclusive privileges. The question will be whether the Assembly will be inclined to give exclusive privileges to any company. I should like to test the opinion of the House on the point. He saw mention made the other day of a discussion which took place in the United States Senate in reference to this subject, and a Bill was passed granting certain privileges; there is an intention to have one of the termini in that country. We must take care not to be passed by altogether.

Mr. Archibald said that all the company asked for was the exclusive privilege of landing their cable on our shores. It must be borne in mind that their was a likelihood of Nova Scotia being passed by altogether. The present company have already a grant of exclusive privileges in Maine. The question, therefore, was, whether by refusing the prayer of the petition, we would not turn from our shores the stream of telegraphic communication.

Hon. Mr. Howe.—All my prepossessions are in favor of that company which is patronized by the British Government. They have the requisite means, and influence, and due control will be exercised over their proceedings. At the same time to give exclusive privileges for 50 years involves considerations that should be well thought of.—What checks, what guards should we have over the company. Exclusive privileges for 30 years were given to the Halifax and Dartmouth Steam Boat Company, and were renewed for 30 years more. At one time it seemed chimerical to expect a Steam Ferry Boat in the harbor,—but if the matter were open now. I believe we would soon have more accommodation and lower prices. When the Great Western crossed the Atlantic, it seemed a marvel, and so it was;—but the time is approaching when a steamboat will leave Europe to cross the Atlantic every day in the year. We ought not to attempt to discourage enterprising men, who have undertaken this great work, have sounded the ocean, and shown that they possess the requisite skill, perseverance, and means; they deserve much at the hands of every civilized community, still due care should be taken not to confer exclusive rights and privileges for too long a time

Hon. Mr. Archibald.—The proposition is, that the privileges should not continue, except the company succeed in their enterprise. The company has originated this at great risk;—they set about to solve the great problem at a risk of £250,000. If the plan fail that will be lost.—They

are entitled to most favorable consideration;—the enterprise has been sanctioned by the British Government, and by the United States—It is assisted by both. They have strong claims on our aid, it is well that the subject should be discussed in this cursory way, at this time; and I hope that the conclusions ultimately arrived at, will secure the advantages for the Province. If the enterprise succeed at all, it must be under such auspices as this company enjoys.

Mr. Whitman required respecting exclusive privileges in Maine.

Hon. Mr. Archibald replied.

Hon. Mr. Howe—I do not think that the exclusive privileges in Maine and Massachusetts amount to much. If the Atlantic can be crossed by one line, it may be by another. From the patronage and means of this Company, I assume that if it does not succeed, none else can. We have got to guard, that when parties are reimbursed, for first outlays, the rates should be reduced so as to meet the more extended business. Some control should be provided for.

Mr. Whitman—I expect that difficulty will be experienced in crossing the Bay of Fundy, in consequence of the frequent anchorage there.

Hon. Mr. Archibald—Our intention is to avoid crossing the Bay, in consequence of the difficulty alluded to. Our proposition is to go direct into deep water, and so escape the difficulties of the Bay.

#### BANKRUPT LAW.

Hon. Mr. Young—Much has been said concerning the requirement of a Bankrupt Law, and the difficulty in this Province is said to arise from avarice, that is a mistake. Difficulties have arisen in the U. States, and New Brunswick, and Canada, also, where such laws have been tried, and failed. A law was constructed in this Province, with great care and introduced to another Branch, but did not reach discussion here. I fear, in the absence of so many leading members, that we cannot touch such a measure this session. It is generally agreed that if a Bankrupt Law could be formed which would protect the honest debtor, which would relieve him and enable him to prosecute his pursuits, that a great advantage would be gained. But the source of power which would protect the honest might also shield the designing knave. I have some hope that if the best minds of the country would combine to perfect the law already on the table of the house, we might be able to secure some benefits without opening too extensive a door to frauds.

Mr. Howe.—The subject has been be-

fore the house frequently, but nothing effectual has been accomplished. I was amused in reading papers of the Southern U. States, at a new project for a Bankrupt Law. It appears that the advocates of slavery are not content that the system as it is be maintained, but they are now boldly promulgate the doctrine that the slavery of the whites should be tried. They say society should return to the ancient mode of dealing with debtors,—and that creditors obtain the right to seize, and sell into bondage, for certain time. Such is the projects and those who take up the bankrupt law, may consider that view of the question. The proposition almost took away my breath, so surprised was I at its audacity.

House adjourned until half-past 2 o'clock next day.

THURSDAY, February 26th.

The House was occupied in receiving petitions.

FRIDAY, February 27th.

A number of petitions were presented in the first part of the day.

Mr. Henry presented a petition from Sydney, for increased accommodation in reference to mail conveyance.

Hon. Mr. Young—Some remarks are called for on this subject. Much additional expediture has taken place in Post Office arrangements. While anxiety is entertained in favour of extending Post accommodation, I hope the committee on the subject will take into account the burthen that the department is becoming, in relation to the public treasury; and will be cautious in making additional charges. There is a flood of petitions for increase of salaries to persons engaged in postal arrangements.

Hon. Mr. Howe—Such petition have been before the house for several sessions. I believe the system absurd, and unlike the practice elsewhere. My impression is, that is if I were the head of a department, and if an officer belonging to it were to petition for increase of salary without my consent I would dismiss him. The Post-master General ought to be the best judge of such claims, and they should come on his report. When any of these offices are vacant, persons scramble for them, when obtained, petitions comes for increase of salaries. I would throw the responsibility on the Post-master General. Let the claims be made to him,—let him select and make a return to this house, stating the facts on which he recommends. A system should be adopted and observed. Members are not the best judges. A petition, for instance, comes to me from Windsor; the pe-

tionner is one of my constituents, my political friend, perhaps; I feel disposed to forward its prayer, to serve the petitioner, and increase his salary. The service should be under different regulations.

Hon. Mr. Henry—A committee of the house has given attention to the subject, with a view of devising something like a system, with a scale of salaries and routes, &c. They were prevented by circumstances from reporting last session, but I hope that they will be able to report a system this year.

Hon. Mr. Young—The remedy is, for the house to refuse such petitions, except they come recommended by the Post Master General. That was opposed by the late opposition of taking patronage out of the hands of the house. I am willing to aid the present government in providing a remedy. The very publication of these questions causes an increase of petitions. The member for Windsor spoke of the claims of political friends; political enemies sometimes seems to have stronger claims, for the wish is to exhibit generosity in such cases. It is time now that mode should stop. Next session I intend to raise the question, that none of such petitions, coming in this way, be received. Their reception amounts to an invitation of claims on the funds of the Province.

Mr. Wier—The rule elsewhere is, if a man be dissatisfied with his remuneration, he may leave. These offices are sought for, they are not relinquished, but parties seek increase of salaries. I would be in favour of not attending to such petitions, except the head of the department, for special reasons, reported in their favor.

Mr. Whitman approved of the suggestions thrown out concerning a check on such claims. To put the responsibility on the Post-master General, except he had a seat in the house to defend his conduct, might not be right.

Mr. McLellan—People entertain the idea that there should be post accommodations to every man's door and if they have such, once a week, they seek it for twice, and then for three times. Many mail routes might be considered as doing more injury to the roads than benefit to the people. A system could be adopted. If routes did not pay a certain proportion of expenses, I would refuse increased communications. The department is about £700 in arrear this year. The expenses were creeping up gradually.

Hon. Mr. Young—In 1856 a sum of £2500 was added to this service. I consider these charges should be reduced, not extended. The natural wish is to extend the accommodation, but certain limits should be observed. I would remark to

the hon. gentleman from Annapolis, who seems the leader of the government for the time being, that government appears to have quite a sufficient number of its members in the house at present, without bringing in the Post master General. Seven are here now; why so many should be in the house, while the whole legislature may be selected from, I need not say. The old government considered that they had a sufficient number here, so may the new, without seeking to increase, by means of the officer alluded to. I am not in favor of the addition, particularly as the present government are not expected to use their power with the same moderation, integrity, and prudence as the late government did theirs. (*A laugh.*)

Mr. Whitman—I did not wish that he should be here as a political officer, but in reference to difficulties which arise on questions connected with his department.

Mr. Henry—It is easier to speak of a wrong than to suggest a remedy. The committee on Post Offices affairs had recognized the difficulty, and wished to provide concerning it. It is not usual to debate the question before the committee which has it in charge reports. If the committee be not thought suitable, add to its numbers.

Mr. Archibald—May a report from the committee be expected at an early period of the session? Generally it comes in near the close.

Mr. Henry—The committee consists of 9 members. Papers before it are referred to the Post Master General, and his report has to be waited for. Large committees experience difficulty respecting meetings, for members are on more committees than one. I frequently had much trouble in trying to obtain meetings, and felt disinclined to serve in future on such extensive committees. I hope we will be able to report earlier than usual.

Mr. Henry presented a petition from Thomas Murphy, for assistance towards educating four deaf and dumb children.

Also, a petition for aid to a combined Grammer and Female School at Antigonishe.

Also, a petition from Post-master at Antigonishe, for increase of salary, (*A laugh.*)

Hon. Mr. Young—I do not concur with the hon. gentlemen respecting this discussion. I do not consider it ill-timed, but the reverse. It is desirable that the committee should have an expression of the sense of the house on the subject. The charge for public services has greatly increased since I came to the house. I do not seek to depreciate the labours of the committee, and I hope they may be able

to report some weeks before the close of the session.

Mr. Henry—The increase of road and bridge expenditure, from £16,000 to £45,000, has been spoken of; but we should recollect that these postal arrangements are of as much importance as those of the roads. If the country be opened up, the people seek for more post accommodation accordingly. As one increases so will the others. If changes are numerous, who are benefitted? the people; and the money may be considered well expended. The service may be estimated as second to none. It is a mode of circulating intelligence, of educating the people, and may be considered a service of that character. Education does its work in this way, as well as in the school houses.

Mr. Archibald—I admit the importance of the service; the question is, has it extended in a greater ratio than it should? Within four years the post rides and way offices have been multiplied by 3 or 4. The service should be extended within reasonable limits. You can now hardly put your finger on any point of the Province which is 7 miles from a way office. The receipts from some of these are very low. The desire is, that due care should be observed, and prudence, in carrying on the service.

Hon. Mr. Young—The house had better understand its position. We have to provide £25,000 for interest of railway expenditures. The traffic has only yielded £1000 beyond current expenditure. This £25,000 will increase to £35,000 next session. It is time to enquire where the requisite resources are to be obtained. From the commencement of the railroad none expected that it would pay 6 per cent for some years. In all branches of the public service—and that of Post communications is a valuable service—care should be taken that expenses are kept within the legitimate scope. When the Eastern traffic will touch the the railroad, returns may be expected to be considerably increased. At present, it requires much outlay, and our duty is to see how the expenses are to be met.

SATURDAY, February 28,

The House was engaged in receiving Petitions.

MONDAY, March 2,

STATUE LABOUR LAW.

Mr. Chambers—I propose, Mr. Speaker, the appointment of a committee to take charge of the statue labour law. Last year a committee reported by bill; it was published and sent to the country, and I hope that members now will be prepared

to grapple with the question. The bill required alteration, and the whole subject should be considered with much care. I move that a committee be appointed to report by bill or otherwise.

Hon. Mr. Howe—The subject of statue labour has been before the house for years. It reminds me of the old question of sewers, which came again and again, until some one had the courage to deal with it suitably.—The statue labour law ought to be revised; on the right working of such a law much of the improvement of the country depends, yet, not being political or exciting character, it is spoken of, and set aside, and nothing adequate provided. I would be glad to see something accomplished, if it can be.

Mr. Henry—Perhaps we could hardly have a worse bill than that now in the statue book. It is inoperative to a great extent, except the people themselves are willing to perform the work. In most places the law was nominal, and of practical force. Its entire foundation was bad. In 1853, I moved on this subject, and was appointed on a committee. I gave much time to the preparation of a bill, which was printed and published. I had contest to an election soon after, and I had reason to believe that the effect of the measure was to turn me out of my seat in this house. I said then that I would not touch the subject again, and I have not; but I believe that the true principle is that of rate by assessment. An objection to that would be, that in some districts where the people were rich, and the roads did not so much demand outlay, the rate would be productive, while in poorer settlements, where roads were more regarded, less would be realized. Some might recommend an immediate resort to county taxation, but I do not believe that the time for that has arrived. Much, however, may be done by way of amending the present law, and a system, based on partial assessment might be beneficially adopted. The subject is of much consequence; some years ago the labour amounted to more than grants from the funds of the province. If that were really the case, the roads would be effectually improved, with less demands on the treasury. Instead of that however, time was lost in effect to carry on the system and the work was not performed, but parties came looking for money, for services which might be otherwise provided for. To talk of the operation of the present law, was idle; I hope, however, that a bill may be produced which will recommend itself to the good sense of the house.

Hon. Mr. Howe—I can well understand how unpopular a man may make himself

by attempts towards direct assessment. I fear that many important matters are delayed from a morbid horror of paying by direct taxation. Scarcely a penny can be raised in this way in the eastern parts of the county of Halifax. Other places may be similarly circumstanced. Instead of insisting on assessment a money rate may be laid on, according to which a man might contribute in day's work, or failing in that pay the amount.

Mr. Dimock—I feel pleased Mr. Speaker, that this subject has been brought forward. Some time was occupied last session by a committee in amending the act, but people in the country thought it worse than before. Some improvement may be made this year.

Mr. Tobin—The law works badly in fishery districts. If people are summoned to perform statue labor at a time when the fish are going they cannot attend without much inconvenience—the work put off, and frequently is altogether neglected. A money rate might be fixed, and if persons were willing to work well and good, if not let them pay. I believe that none would seek an entire money rate.

Mr. Chambers—Our duty is to do what we believe best for the country. If acting according to our judgements should hazard seats here, that should not prevent us from doing our duty. It is full time this question was grappled with in a creditable way. I think it useless to attempt to amend the present law. In my opinion it should be abandoned, and a new system be introduced based on assessment. If that can be carried out fully the main difficulty would be removed.

Hon. Mr. Howe.—If that be the hon. member's views I would suggest that instead of sending out a committee, the house go into committee on the general state of the Province, and let the principle rest there.

Mr. Chambers—It was tested last year.

Mr. Ryder—I agree with the views of the hon. gentleman for Newport. The country expects some improvement, and I hope that some will be effected.

A resolution for appointing a committee was adopted, and the following gentlemen were appointed—Messrs Chambers, Howe, Archibald, McDonald, Robinson, Ryder and Munro.

#### THE REVISED STATUTES.

Hon. Mr. Henry—Last year, Mr Speaker, I made suggestions respecting some revision of the revised statutes. Some may think that the laws are contained in the present printed volume, not being aware of the many changes which have occurred in them since that was published. In this manner magistrates and other non profes-

sional men are led astray concerning what the laws really are. I have heard the judges on the bench speak of the absolute necessity of the revision now suggested. I know not whether to move for a committee, or a commission—but it may be better to appoint a committee to examine and report concerning requirements of this step. I do not think that the revision would cost much. Several of the statutes are repealed, and these might be omitted and the amendments be made in others, and the additions supplied. The work proposed is of great consequence to the country. Many changes have been made: the practice of the Supreme Court has been altered, and chancery business has been referred to it; and for many reasons the volume of revised statutes has become almost comparatively useless, particularly for practical purposes. The labors of a commissioner would be light; the chief cost would be the publishing, which would pay for itself.

Mr. McLellan—If the magistrates do not know more than the hon. gentleman intimates they should. A small cost is spoken of,—but we know what such matters do cost. The revised statutes have been but a few years printed, and I do not think it is worth while to go to this new expense now. We may go on as we are, for two or three years more. Better have the court in a more fixed position before alterations and additions be made.

Hon. Mr. Lock—The statutes must be revised before much time elapses. For instance, two amendments have been made in the statute labour law—one revising the other, since the volume was published. Considerable difficulty occurred among magistrates in this way.

Hon. Mr. Young—The volume of the Revised Statutes is no longer what is wanted by the province. It was supposed that the legislature might, after so considerable an experience, embody a set of laws not likely to be changed. But that was not so;—and persons of the legal profession had to keep notes of the numerous alterations in their copies. Five years hence we may be in the same position concerning any revision provided now. The province is not yet able to establish a system of fixed character. Massachusetts is similarly circumstanced; that state puts out a volume of new statutes every year. So it is with New York. In new expanding countries, having new wants and demands, a permanent volume of laws is not to be expected. I think that a Committee should be appointed, were it only to report the state of the existing volume, and what number of the laws should be cancelled; with information thus obtained, we might

decide whether we should incur an expense of £800 or £1000, in publishing a new edition. Altho' a considerable number of extra copies were offered of the Revised Statutes, these are now exhausted, others cannot be obtained, so that a new edition will be required next year, under any circumstances. A commission might be appointed to reprint the volume, striking out repealed laws, and adding new clauses. That would be a labor which a larger committee might accomplish in a week. I have a volume of the statutes marked so as to exhibit the laws as they now are. The revenue laws, for instance, are altered in various clauses. The labor of re-enacting the whole revised statutes need not be taken. A committee of three or five might be appointed to report what might be done. The outlay would be small, unless you resolve to give the magistracy copies free of charge. A new index is particularly required. As one of the former commission I had nothing to do with that part of the work. It is not as it should be.

Hon. Mr. Howe—When a committee was appointed to revise, consolidate and print the statutes we expected that twenty years would elapse before a new edition would be required but now it appears that numerous changes have been made. We may infer from all the changes that are spoken of that if the house had the power to revise the ten commandments, they also would be altered every session. We have repeatedly altered the terms of the courts, and some doubts exist concerning the working of recent changes. The Chancery Court was called a nuisance, in consequence of expenses and delays; but it appears that last term one common law case lasted almost as long as a Chancery case; three weeks I believe. If this results from improving the laws, we may doubt that much good has been effected. Subsequent to last Supreme Court term, it was stated that 50 or 60 cases were turned out of court, to be tried some six months hence. We may doubt whether we are going on better in consequence of many of the alterations made. If possible should we not have something of more fixed character. The reason why these statutes are rendered almost useless, is, that a disposition exist, if any one wants a particular object, to introduce a bill to alter the revised statutes: not much examination follows;—the bill passes, and a chapter of the statutes is knocked into unintelligibility. Some one should stand over the revised statutes, as guardians, and to prevent needless changes.

Mr. Tobin—He should be armed to accomplish that. Last session I noticed nu-

merous bills introduced to alter these statutes. I did not know what so much law could be wanted for. Bills are frequently introduced respecting meeting houses and societies; I think some short act of incorporation might be passed, to apply generally, and then those wanting its provisions, and complying with its provisions, might avail themselves accordingly. Thus multiplication of acts might be prevented, and much time be saved.

Hon. Mr. Henry—Members need not think it astonishing that changes in law occur here; it is so in every civilized country. Our changes are in imitation of those of England. Their system improves, and for that purpose they are changing year by year. We, in fact, in these matters, are copying the greatest country in the world. Various improvements and alterations must proceed—improvements in the letter as well as in the spirit of the laws, so that what is unintelligible shall be made plain by revision and change. The revised statutes were good enough at the time they were prepared, only that they never had a proper index; one difficulty is to find what the law really is, owing to the incompleteness of the index. England is endeavoring to obtain revised statutes, to do what we have accomplished; and although our volume is not now what is wanted, it has been referred to by Lord Campbell in the House of Lords, and spoken of as very creditable. The labor now, in revising again, would be comparatively slight. I do not think it would cost £200 besides the printing, and that might be paid for by the sale of the work. I believe the magistrates would be willing to pay, and would be glad to get such a volume. The cost would be a mere bagatelle.

Mr. Chambers—The changes alluded to may perhaps be attributable to the professional gentlemen here. They are constantly tinkering them so unintelligibly that the people cannot understand them. I hope, if the committee proposed be appointed, that it will include some lay member of the house.

Mr. McLellan—I may explain, Mr. Speaker, why so many laws are wanted. Lawyers come here to get new laws to suit the particular cases of their clients. I feel satisfied that the greatest half of the laws we enact had better be unpassed. I have made up my mind to oppose the enacting of all new laws except they are decidedly better than the old, the well known laws. We ought to watch all laws made to suit particular purposes. As regards the existing volume and the alterations, magistrates and lawyers have them strung together ready for reference; they fasten

them together, year by year, and can turn to them when required.

Mr. Tobin—I may refer to one law which requires attention—the jury law. It is very difficult at times to obtain a jury; the law is not suitable, and the fines imposed have but little effect.

Mr. Wier—The hon gentleman says it is difficult to get a jury, but when you do, and a verdict is found, it is sometimes difficult to obtain your money. I was engaged in a suit for two years, and obtain a judgment 18 months ago;—but by some quibble, some *rule nisi*, it has to be argued again, it will not come up until next term, and perhaps not then. That is wrong. The money may be lost by the delay. The person is now well able to pay,—that may not be so when the case is decided. Costs have been reduced in appearance, in reality they are as much as ever, if not more. The lawyers manage that. I think we pass too many laws. If a goose happens to stray over an old woman's fence, in may come a bill to remedy the trespass. Concerning general laws for meeting houses and societies I think we have some 20 or 30 of that kind now. I saw the hon. gentleman for Halifax, himself, the other day, with his handful of new laws. A useful move might be, to fix the statutes so that they should not be altered for a certain number of years.

Hon. Mr. Young—The house does not seem disposed to take the view of these Revised Statutes which it should take. No intelligent lawyer could examine the volume without being convinced that it was a vast improvement. I admit that there is too great proneness to legislate in small matters, and if the house were to lay its hands on modifications which are really required, the evil complained of would not be experienced. There would be changes, however, independent of those needless instances alluded to. We abolished the Court of Chancery, and professional gentlemen know, that that change was one of the most valuable ever made in this country. In reference to facility, to time and economy, it was a great improvement, the costs were reduced one half. True, in complicated cases, a lawyer might say, the costs will not pay for my trouble;—that was right; a man has to be paid for his time and talent in one way or another, but the taxable costs or debts are reduced one half, and great facility is given. I may state an example; a man applied to me concerning a house he had purchased; he was willing to pay the price, but the person from whom he had bought refused to give the deed, because he could obtain more money for the property. A few years ago, the costs on what would be

£100, and the delay about two years;—it was settled in a fortnight. In reference to facility, economy and time, in such matters, we have advantages greater than those of any other colony under the Crown. Thus have we altered the laws. The Jury Bill spoken of was a new experiment; and it requires examination, no doubt. The late government intended to frame a suitable Jury Law; that will be three or four days work for some one, I am not disposed to undertake now; some one should; the practice of the Supreme Court has been altered, and pleadings which formerly required perhaps 300 folios, are now comprised in ten. A long case has been alluded to,—but that delay was caused by the amount of evidence; the written forms occupied a few sheets of paper only, which formerly occupied 200 or 300.

Hon. Mr. Howe.—Why was so much business deferred.

Hon. Mr. Young.—A certain number of days are assigned for a session,—and, whether assigned or not, the Court becomes wearied, both bench and bar, and will not go beyond a certain limit. One of the Judges was subject to unjust remarks on this subject; he was not to blame, but proceeded regularly according to the usual routine. Eight days of the term were occupied with the criminal trials,—21 with the single case alluded to, in which 50 witnesses were examined,—during which, the Court sat many hours each day. Near the close of the term the Judge enquired, “will we try any more cases,” and the unanimous wish was that the remaining trials should go over. Pass laws as you like, Courts will not proceed beyond certain bounds. So it is here,—after we are in session a certain time, all wish to be off, and no orator can command attention here. The Court is similarly circumstanced. Objections urged on this subject have but very little foundations in truth; changes made in the laws of late years have been of vast value, economy, efficiency and speed; they have been hon. to the country. A copy of the Revised Statutes was presented by myself to the Lord Chancellor, and his Lordship returned a letter, complimentary to the work. There is no reason to find fault with the Legislature, or the Lawyers on that subject; that is the truth. I am not prepared to say that the house is likely to concur in any serious expense in reference to the Revised Statutes, at this time, but I think that a committee ought to be appointed to report concerning the volume and the required alterations. Parties also should not be allowed to come in and alter laws to suit particular causes. It would be well if some one would take on himself the duty

to examine and state such alterations from time to time, as were of undoubted character.

Hon. Mr. Howe.—The hon. member for Inverness says that he has a copy of the revised statutes marked, so as to exhibit alterations. If he would hand that to the committee it might facilitate inquiry. If changes have occurred as stated, then the Magistracy have a copy of a volume of laws, which are not law.

Hon. Mr. Young expressed acquiescence concerning the loan of his copy the Statutes.

Hon. Mr. Campbell.—It appears to me that some members are arguing to put more money in the pockets of the legal gentlemen. The more complicated the laws are the more money goes to the profession. We want such an arrangement now as that people may know what is not.

Hon. Mr. Henry.—The hon. member has not truly stated the case. From my experience I may say, that the legal gentleman of the Province have lost hundreds and thousands by the changes spoken. They have lost by the Revised Statutes, and it is not fair for those who do not understand the subject to rise in the house and make unfounded insinuations against the profession. I never saw ground for these insinuations. I was not on the commission for revising the Statutes, but I believe that no body of farmers, if they had the knowledge and intelligence, would have performed the work more disinterested than did the persons who were appointed. The result was of much credit to themselves,—and I wish now to give the people the benefit of their labor. The publication of that volume cost about £1000 or £1200, but I believe the country has saved thousands by it, while lawyers have lost. A member speaks of Magistrates having the laws tied together, and of their being able to turn to what they want;—but I have found the whole bench and the bar engaged for an hour trying to make out what the law really was, in consequence of the changes and insufficient arrangement. If gentlemen wish that state of affairs to continue, then let them keep matters as they are. I have seen hundreds of pounds voted away for objects of little or no worth—while much objections is made to important services.

Mr. Morrison.—The hon. gentleman first eulogised the revised statutes, and asserted that they had saved much to the country,—and then he said persons could not understand what the laws were.

Hon. Mr. Henry.—I referred to changes made since the publication of the volume.

Mr. Morrison.—A new revision it seems

is required; the statutes, it appears, bear hard on the pockets of the legal gentlemen, and they want to remedy that; such seems the argument. I would suggest that some three laymen and two lawyers be appointed to prepare a whole code of laws, and let that be brought here and passed in a day. It might prove a blessing to the Province.

The appointment of a committee to consider the revised statutes was agreed to—and the gentleman named as follows were appointed on the Committee:—Messrs. Henry, Young, Wade, Chambers, Howe, and McLellan—What is the duty of the Committee? No doubt much good was accomplished by the former commission.

Hon. M. Young—The committee will be expected to point out the laws which should be omitted, and the chief alterations which have been made,—and to report accordingly;—also the desirableness of printing a new volume, and what its cost would be. The appointment of three laymen and two lawyers, for the work proposed, was an utopian motion; the work would take three or four years for completion; after the task was concluded.

Hon. Mr. Young. In the absence of Members, will the talking up of this business be thought right?

Hon. Mr. Henry. I consulted no one the subject. The House ought to commence its consideration.

#### HOUSE IN COMMITTEE OF SUPPLY.

The House resolved itself into Committee of Supply.—Mr. Dimmock was called to the chair.

A number of the usual items, as they stand printed in the Journals, were moved by hon. Mr. McKinnon, and passed.

Several grants for aid to Ferries were read.

#### GRANT TO FERRIES.

M. McDonald. I suggest, Mr. Chairman, the propriety of referring these items to the Committee on Navigation Securities. Are all these grants requisite?

Hon. Mr. Young. I approve of the proposal. I believe that one third of the grants are not really required, the list should be examined.

Mr. Chipman. I believe many of them pay the parties who keep them, without grants.

Mr. Wade. When a particular grant comes up, to which objection applies, let some member rise and oppose.

Mr. Whitman. The Committee on Navigation Securities have been frequently urged concerning such services. I believe none have been fixed in the list for two or three years.

Mr. Killam suggested that the changes be transferred to the committee.

Hon. Mr. Howe. They are kept up by the country. I will be satisfied,—but I apprehend that the Counties will not provide for them, and they should be maintained in some way. I consider them a very valuable service. Some of the ferries are of much hazard. I might instance that of the Shubenacadie, of the LaHave, and of the Strait of Canso. Some of these charges, perhaps, should not be in the book, but generally speaking the service is of consequence.

Mr. H. Munroe—How many ferries are there in the County of Yarmouth? Because of the circumstances of that county, the hon. member who spoke of a county charge made the suggestion. Look at Cape Breton and its requirements of numerous ferries.

Some explanations were made concerning claims and grants.

Mr. McLellan—Which is the House, or session, the best managers for these matters? I think the Session would manage them better than the House.—I have known aid given to ferries, which if sold, would realize considerable sums. In some places the mode is to sell all the ferries,—and either get money for them,—or give, if they were not remunerative. In new counties such grants may be well enough, in old the service should not require aid from the Legislature. If some counties should feel burdened by such charges, that might be considered in the road money. The service should be transferred to the counties; they would know best how to manage them.

Hon. Mr. Howe—Some evils might arise, if the system were changed without notice.

Mr. Munro—Now as Cape Breton is concerned, particularly the Eastern part, if you take away the grant you stop the ferries. Men can scarcely be found in some places now, with the grants, to undertake the service. Nova Scotia proper is differently situated.

Mr. Churchill.—Perhaps there is no service in the Province so poorly compensated as this. Two-thirds of the ferries would not pay at all. They cannot be done without, and if they are placed on the counties there will be too few for public accommodation. I would be sorry at any move which would make them worse than they are. If not supported from the House, many ferries would stop; the counties are not alone benefited, but the public generally, and the service should be sustained.

Mr. Whitman. If the grants be taken away, the ferries would apply for remunera-

tion for carrying the mails, which would come to more than the present charges.

Mr. Parker.—The time is coming when these services should be otherwise provided for. Would there be any greater hardship in counties keeping up ferries than in keeping up bridges. Difficulties might arise, however where rivers separate different counties. Wherever a ferry was within a county, I do not see more difficulty in keeping it up, than in providing for a bridge.

Mr. McLellan.—The separation of two counties need cause no difficulties.

Mr. Speaker.—In several of the counties arrangements have been made for the year. Better adopt the suggestion of the member for Windsor; let the matter stand over for the year, and let the country take the discussion as a notice that a more close investigation will take place next session.

Hon. Mr. Young.—The committee on Navigation securities might be instructed to report which of these should be supported.

Mr. Chambers.—Might it not be well to give notice that all these claims will be dismissed, except such as have strong cases made out in their favor.

Hon. Mr. Locke.—That would be improper. Let the committee take the question into consideration.

The usual ferry boats passed.

The Committee adjourned. The House resumed.

The committee of supply reported.

Hon. Mr. Young moved, that the Committee of Navigation Securities be instructed to examine and report which of the grants annually given ferries should be struck off, modified or reduced.

The resolution was agreed to.

The Speaker distributed the various petitions to the different committees.

#### COMMUNICATION FROM GOVERNMENT.

Hon. Mr. McKinnon—I call the attention of the hon. member for Inverness, to a subject concerning which he made some enquiry recently. I have been instructed to say, that "on the subject of the Rail Road, in absence of several members of the government, and being without much information essential for a just estimate of the liabilities to be provided for, and for comprehensive view of the subject, it is impossible for the government to say more, than that it is their intention fulfil all the pecuniary engagements of the late government, and to maintain, inviolate, at home and abroad, the credit of the Province."

Mr. Wier.—That does not convey to my mind any satisfactory statement or pledge, as to whether the policy of the late government concerning these works, is to be

carried out or not. It leaves them to be dealt with as the government may think proper, and we know what the opinions of the leader of the government are on that subject. I will not raise the question just now, but the country ought to know what policy on this subject is intended to be adopted.

Mr. Esson—I ask the members of Government to lay the Railway Accounts, and those of the Board of Works on the table, soon as possible, for the benefit of the Committee on Public Accounts.

Hon. Mr. Howe.—The Accounts of the Railway Board, up to 31st December, are in the Secretary's Office. The Government sent for certain returns to be framed in a different manner. These are being made up. One year's accounts are in the Secretary's Office, and these I suppose are what the Committee requires.

Hon. Mr. Young.—The announcement concerning the Railway gives no information whatever;—it promises there shall be no repudiation, but no one expected or apprehended that. It might not seem courteous to press questions on members of Government, during the absence of their colleagues, but I would be glad if they could say, whether present contracts are to be carried out,—whether the roads are to go east and west;—we are left completely in the dark on these subjects. As to the right of obtaining information, I will not at present enquire. The statements given amount to little more than nothing, I hoped for something explicit on these questions.

Mr. Wade.—A guarantee is given that all engagements will be carried out faithfully; the Government are not in position at present to submit full estimates. I take for granted the meaning is, that the present Government will faithfully carry out these undertakings.

Mr. Wier.—I do not take that for granted. The principle of these works was fought out for years, and I wish to know now whether it is on that principle they are to be carried on. The announcement, in my opinion, does not leave us in the dark,—it may imply that Government does not intend to carry on the railroads on the principle of public works. If that is the intention why not say so.

Mr. Wade.—Would any be so silly as to say, on these great questions, at this time, that they would do so and so? I am not here to defend the Government, but I would give them a fair trial. Should they not have time for examination? Can you expect, just now, that explicit answers should be given?

Mr. Wier.—The hon. gentleman seems the real leader of the Government at pre-

sent, for he gives reply whenever a question is asked.

The House adjourned.

TUESDAY, March 3, 1857.

House met at 3 o'clock.

Hon. John Campbell—By command laid on the table the following papers:—

The Account Current of the Provincial Railway with the Receiver General for 1856. The Account Current of the Board of Works for 1856. The Railway balance sheet for 1856—which were referred to the committee on public accounts.

Hon. Mr. Howe said—He would make some explanations in reference to the railway papers just laid on the table. Exception had been taken as to the way in which these accounts had been kept and presented to the Executive. It was due to the house to say that the person entrusted with this duty, was a thoroughly competent man, and one of the best accountants in the city. The misconception arose from the balance sheets of the four quarters having been mixed together: for instance, take a single item, such as office furniture, the balance sheet for March does not exhibit the amount expended in that quarter for this purpose, but contains the gross amount, carried forward, which was paid for that contingency in the proceeding quarters. These accounts have been regularly sent to the Financial Secretary's office, accompanied by vouchers, having been previously checked and audited by two members of the railway board. As a late member of the Board, he was anxious that these accounts should be thoroughly investigated and examined, and it would afford him great pleasure to make any explanations that might be required in reference to them. The Balance Sheets are returned from the Financial Secretary's Office, to the Railway Office, where they can be seen and inspected by any gentleman of this House.

Hon. Mr. Young enquired for the papers connected with the mines and minerals.

Hon. John Campbell—stated the question of the mines and minerals cannot be brought before the Legislature with propriety or effect until the Executive Council aided by the Crown officers and heads of Departments shall have had an opportunity to become acquainted with and maturely to consider the existing state of that important subject. It is therefore deemed inconsistent with the service that any papers should be brought down on that subject at present.

Mr. Young said he did not desire to create a debate—but was of opinion that the decision to which the Executive had arrived was most singular. The Des-

patches upon the mines and minerals with others equally important were all printed and ready to be laid on the table. These belonged to the people and should not be withheld; the more especially that, under existing circumstances, if retained until the close of the Session, on the return of members forming the administration no action could be taken upon them—and their consideration would of necessity be postponed until the next Session.

Hon. Charles Campbell—The despatches referred to will be brought down in due season.

Mr. Wier—It may be inconvenient perhaps, for the Executive to permit the country at this juncture to know what has been done by the late government on these subjects. Their policy is, and has ever been, to keep the country in the dark, and prevent this people from receiving that information which of right belongs to them.

Mr. Killam said, there was one measure which should be brought before the house without delay. The late Attorney General stated last session that he would bring forward a Bill to enable the City of Halifax to be assessed for the proportion of railway taxation. He would ask the member for Inverness whether he intended to fulfil his pledge.

Mr. Young said he did not think it likely that the member for Inverness would trouble himself about the matter. He handed everything of that kind over to the new government, and it would be entirely out of place for him to introduce any measure which it was the duty of the administration to initiate.

Mr. Annand thought it would be time enough to bring forward such a Bill, when the new government declared their policy with reference to the prosecution of the railway works.

Mr. Killam—That has nothing to do with the question. The citizens of Halifax are bound by the railway acts to bear their share of the taxation, not exceeding in amount the interest of £100,000. The policy of the government cannot effect their obligation.

Mr. Wier said he believed the people of Halifax would do their duty, if they were confident that the railway would be carried to Windsor on the one hand and to Picton on the other. Any deviation from that course would absolve Halifax from its obligations.

Mr. McLellen made some remarks that were inaudible to the Reporter.

Hon. Mr. Howe would be sorry to think that Halifax would violate any of her engagements with regard to the Railroad. He would never change his views as to the duty of its citizens to bear their share of

taxation. As to the Railway policy of the government, the law as it now stands, until altered, must govern their actions, as it did that of the late government; and at the same time he would have liked better if the present administration had declared their intention of carrying out the policy initiated by the Liberal government.

Mr. Young—No one had any doubt but that Halifax would be prepared to bear her proportion of taxation, but if the road is stopped short of Pictou the transaction would assume a new aspect, and the obligations entered into on the part of the city he was inclined to think, would be avoided. The question of assessment for railway damages should be taken up and passed upon at once as there were a great many persons, who had their lands taken up for railway purposes some time ago, and had not yet received remuneration.

Mr. Wade—Of course it was not expected of the hon. member for Inverness to bring in measures under the present circumstances. He would like to ask whether he understood the hon. member to say, that if the Railroad was not taken to Windsor and Pictou, he would assist in absolving the City of Halifax from its obligations. Suppose that from any fluctuation of the money market it became necessary to stop at Windsor, would he then be prepared to take the course intimated in the remarks he has just made?

Hon. Mr. Howe—In view of any extraordinary state of circumstances, such as that supposed by the hon. member for Digby, which would prevent the further prosecution of the works, of course, it would not be expected of the present government to go further than the late administration would have done. In such a case as that, no one could honestly or fairly seek to absolve the city of Halifax from its liability; but if such a contingency arose, it would have to be clearly shown that that was the occasion of the stoppage of the works. There is no doubt that the money market has altered materially since our railways were commenced. The action of a new Bank in France which attempted last year to do what no sound Bank could stand, viz. to lend money on securities which were not negociable, produced a stringency in the money market, which, but for the energetic action of the Emperor Napoleon, would have caused the stoppings of the Bank of France. This of course had an immediate effect upon the state of the money market in England; but that difficulty has now been overcome and we need not fear anything on that score. With regard to other land damage, there should be some immediate steps ta-

ken. There is no doubt that when the different counties are once secure of the road they will not be inclined to pay for these expenses. If the matter had been left to the Commissioners, it might have been settled long ago, but by the law they had nothing to do with it. There is an old property at Windsor which stands in the way of the proposed terminus, and is of some value, say about £1,000—the Commissioners did not like to appropriate the property until they could assure the owner that some mode had been established for the payment of his damages. The matter is therefore in abeyance until the passage of a law on the subject which is now an absolute necessity—but none can expect the member for Inverness to assume the responsibility of bringing in that measure.

Mr. Wade said he trusted the new government would receive from the opposition every assistance in carrying out the railway policy. He had no doubt they would receive it at the hands of the hon. member for Windsor, who, he was convinced, would consider some time before he assented to absolve the city of Halifax from her just obligations. Suppose a bill is brought in now for the purpose of assessing the city, will gentlemen of the opposition say whether they will oppose or support it?

Mr. Wier had no hesitation in saying that he would oppose the bill unless the government declared their policy. It was part of the bargain that the road should be made to Windsor and Pictou. Any departure from that course would, in his opinion, absolve the city from her liability.

Mr. Wade agreed that it was the duty of the government to propound their policy; but he thought it unfair to press the members of the government in the absence of their leader.

Mr. Young—The railway is a public and provincial work; the policy of the late government is laid down in the several acts of the province relating to this work. If that policy, solemnly sanctioned by this Legislature, is not carried out, in all fairness, the city of Halifax should not be compelled to redeem a pledge given under the belief that the works were to be completed to Windsor and Pictou. The expenditure of a million of money is as much as the country can bear; the payment of 60 or 750,000 annually of interest is as large a liability as this legislature would be disposed to incur, and to this extent I was quite willing to make it a first charge upon the revenue. The present Provincial Secretary, when he ascends the hustings at Annapolis, may be compelled to pledge himself to carry

the road to the New Brunswick frontier. The hon. member for Annapolis may feel it his interest to pledge that it should go to Victoria Beach; and the hon. member for Pictou will no doubt urge the propriety of carrying it to Pictou. How these conflicting interests are to be reconciled I cannot determine; but if the policy of the late government is carried out, there is no doubt but that the city of Halifax is morally bound to carry out its engagements, and contribute its £100,000 towards the railway.

Hon. Mr. Howe could easily imagine the probable difficulty which hon. gentlemen about to run their elections would be compelled to encounter. For instance, the hon. Provincial Secretary would be glad to say to his constituents—when the railway arrives at Truro it will turn north. No doubt but that the hon. member for Pictou would desire to be in a condition to state that it would proceed to Pictou; but, sir, I have always been of opinion that the railway policy of this country should be kept far above mere party obligations. I would rather see three governments overturned and crumbled to pieces than that the public works of this country should be retarded or handed over to a company which would do what has been done in New Brunswick—nothing! I believe that these works should be carried on under the law just as rapidly as the public finances warrant; and, if possible, completed as originally contemplated. Will the hon. member for Falmouth be willing to allow the railway to stop at Windsor? I should think not. The fertile country which lies beyond must eventually be tapped by railway. We have been told that these works will not pay; if by paying it is meant that they will yield sufficient to meet the interest on the outlay and working expenses, I have never been of opinion that they would; but I do not think that portion of the line now constructed, they will yield a per centage above the working expenses.

Hon. C. Campbell would ask why the late government did not enforce the obligations of the city? He thought it was not proper that the member for Halifax should repudiate the acts of his own government.

Mr. Esson read the act and asked what the member for Victoria meant by repudiation? If he will say that the new government is prepared to carry out the original railway policy he for one would not favor the repudiation, by the city of Halifax, of her legal obligations.

Mr. Killam—As to the fears that had been expressed as to the action of the pres-

ent government in regard to the railway works he had no doubt they would do as the late administration would have done, viz: carry out existing obligations and then prosecute the works prudently and economically: It is said that one million pounds is the utmost the Province can bear. That sum is more than half spent now. Let any one look at the state of the works and he will see that they are not half completed. It is very evident that the citizens of Halifax do not intend to pay a copper to the railroad if they can avoid it: The distant counties will have so pay their proportion, and I think the late government did not perform their duty in not enforcing the obligations of Halifax before this.

Mr. H. Munroe had but little faith in the new-born zeal evinced by the hon. member for Yarmouth for the Island of Cape Breton. That hon. gentleman since he came into the house had opposed everything which was advantageous to that Island, and if to morrow it were sunk at the bottom of the sea there was not a man in the house who would regret it less than that hon. gentleman. As far as Cape Breton was concerned, her people were quite as willing to contribute towards the public works as the most beautiful western counties.

Mr. W. A. Henry remarked that the discussion was out of order, inasmuch as there was no motion before the House.

### WEDNESDAY, March 4.

#### ROAD AND OTHER EXPENDITURES.

Mr. Geldert moved that a special committee be appointed to consider concerning a proposed grant, for a high road in the county of Lunenburg.

Mr. Wade suggested that a committee to take up special road service, generally be appointed.

Mr. Archibald said that the house would consider the grant in question as having special claims, without any intervention of a committee.

Mr. Wade acquiesced.

Hon. Mr. Young advised the member for Lunenburg not to mix up the question with other matters else it might slip out of sight. It would be well for the government and the house to consider what policy should be pursued respecting the road service; whether a certain sum should be moved and adhered to, which was the wiser course, or that a sum be moved, with the understanding that a large addition would be proposed for special claims.

Mr. Archibald suggested that the particular grant spoken of, should be considered as resting on its own merits, and should

be entered in the motion book, and obtain precedence accordingly.

(Some conversation took place concerning the motion book, and adhering to the usual routine.)

Mr. Wade made enquiry on the subject.

Mr. Archibald said the hon. gentleman ought to be aware of the intention of government.

Mr. Wade—I did not belong to the late government, nor do I to the present.

Mr. Archibald—From the position which the hon. gentleman takes when questions are asked of the government, and his readiness to apply, we may suppose, that if not a member of the government, he is so far in the secret that he might let us know what their policy is.

Mr. Wade replied, but was not heard distinctly.

Hon. Mr. Howe—What the house should object to, is, the appointment of committees to arrange several special road grants. In such cases, frequently, the intent seems to be, not so much to consider the value of the services, as to secure votes to carry them. Thus, occasionally, certain counties obtain large extra grants, and the claims of others are not provided for—Gentlemen opposite might save a fortnight of the session, by deciding the amount to be asked for, for the roads and bridges, and by abiding by that amount. If special services appeared subsequently they might be considered.

Mt. Esson—Before the road money can be decided the report of the committee on public accounts should be before the house.

Mr. Whitman—That delay may not be requisite; I take it for granted that the tariff must be increased to meet liabilities. Perhaps the road grant will have to be reduced also; but I think it may be taken into consideration, be fixed and voted; let the committee of public accounts go on, meanwhile, and then arrange the tariff to meet requirements.

Mr. Archibald—In reference to deficiency it may be remarked, that while the Province has gone on increasing its expenditure, its revenue has not increased in the same ratio. As the state of the revenue and expenditure has been brought into consideration, it may be right that the house should be informed as to the exact condition of the matter.

The Receiver General's account is not an accurate transcrip of the revenue of each year. It showed only how much passes through the Treasury in any one year from the 1st Jan'y to the 31st Decr.

The actual revenue for colonial and light duties, during the year 1856, was with-

in 2007 or thereabouts, of the year 1855; but as the Receiver General's account takes no notice of any payment made after the 1st January, 1857, it would appear that up to that date there had been paid into the Receiver General's office: For colonial duties, 11,765/ 18 10;—In the year 1855, was paid, for the same period, a sum of 118,372/ 12 9:—leaving a deficiency of 1,686/ 14 11 for the year 1855. Add to this the sum of 7525/ 7s deficiency in the receipts of the casual and territorial revenue, and it would appear by the Receiver General's account, that the assets received by him in 1856, to meet the disbursements of that year, were less than those of 1855, by the sum of 9132/ 1 10. While therefore the means to meet disbursements were not increasing, the disbursements themselves were largely advancing.

In 1856 the expenditure by the Board of Works was greater than in 1855 by £3750. The legislative expenses show an increase of £3,227. Breakwaters £15,38. Postal Communications £2,393, making in all £10,928. With a deficiency, therefore, of £6,132, and an increased expenditure on four services only, of £10,928, there is a balance between the two years of £20,000, against the Province.

In 1854 the sums granted for Breakwaters was £810—in 1856 £2,157,—so that in the short space of two years, the expenditure has increased nearly four-fold. Not only that, but it appears that besides the large sum drawn for this service, there were already on the Statute Book, grants to the extent of £4,000 additional, to be drawn when the conditions of the grants are complied with.

Concerning the Post Office expenses, the excess over revenue in that department in 1854, was £4,453, in 1856, £7,912, or nearly double in two years.

Viewing this in reference to the floods of petitions for increase this year, it is right that the house should consider how far any extensive addition is compatible with our resources.

The hon. gentleman for Yarmouth alluded on a previous day to the increase of debt incurred during the last year, independent of Railway expenditure, and asked how it was to be accounted for.

The details already given would go far to explain that increase, but it was right that the house should understand how that matter really stood.

In 1854, we derived from the Savings Bank £20,500, and from Treasury Notes £11,000—making together £31,500. We appropriated toward the Railway £56,228 leaving a balance of £24,728, which

was applied out of the general revenue to the Railway.

In 1855, we derived from the Savings Bank £21,500, and from the Treasury Notes £44,000, making £65,500; we paid to the Railway £43,771 17s 6d, returning to the revenue £11,728 2s 6d.

In 1856 we derived from the Savings Bank, £14,000; from the Treasury Notes, £15,000, making £29,000. And we applied to the Railway £6,645, returning to the revenue £22,345.

We have therefore drawn from the general revenue £24,728, and returned to it £11,728 12s 6d, and £22,345 together £34,073 2s 6d., being an excess of £9,345 2s 6c. It follows that from 1854 to 1857 we have expended beyond our assets—independently of the railway debt, a sum of £9,345 2s 6d.; so that besides our railway obligations we have added that sum to the amount of our Provincial debt in the course of three years.

The sum expended for the St. Peter's Canal being somewhat about £5000, and the large sums disbursed in the erection of Light Houses, Lunatic Asylum, and on other public property, may be considered as an offset against this debt.

At the same time it is obvious that it will be the duty of this house to carefully watch the expenditure of the current years and keep it within just and legitimate limits.

Unless the grants authorized by the house are justified by the state of the Treasury, embarrassments of a serious kind will necessarily ensue, and it will be the duty of the Government and of the house to graduate its expenditure according to its revenue; and whatever amounts shall be granted, to make such a modification of the Tariff as will preserve unimpaired the public credit, without unnecessarily crippling the resources and commerce of the country. I agree with the member for Halifax that it would be well to have the Report of the Committee on Public Accounts before the house, previous to any extensive grants being made. The probable amount required for the services of the year should be known, before making a large appropriation for roads and bridges. That is for the government to consider and to state for our guidance. It seems to me, Mr. Speaker, that the house should pause before entering on any lavish system of expenditure; that it should take the alarm, and not suppose that it is in a position to grant money on every petition that is presented.

Mr. Geldert—Let the grant which I advocate rest on its own merits. Let us know what we are to expect, so that we

may alter the road back, if we have not means to proceed as has been proposed.

Mr. Archibald—The road alluded to is an exception—it is a great public and general service that ought to be attended to. The hon. member may reckon on anything I can do to forward the object. That, I think, at all events, will obtain favorable consideration.

Mr. Wade—Expenditures on breakwaters have been dwelt on; but it should be recollected that in the western part of the province the service is of much consequence. Our seaboard is unprotected by harbors, and these modes of shelter are peculiarly demanded. The eastward had had the public works expenditure to itself. I think that the proper time to check the expenditure was during the administration of the late government. It devolves on the government for the time being to control its supporters concerning demands and grants of money. True, we must study economy now; but the balance of the excess should not be laid to the west.

Hon. Mr. Young—It is not in the power of any government to control the expenditure of the house. The initiation of money votes does not belong to the government of the province; that lies with the house solely. I have repeatedly warned the house respecting the inevitable consequences of the system. I was opposed to the increase of the legislative expenses of the house, and refused to report from a committee in their favor. The members are aware that the appropriation of the £3000 mentioned had my disapproval. I opposed the views of the committee on breakwaters, not that I depreciate the service, but that I felt it wrong to plunge into financial liabilities; to commit the great evil of not keeping the public credit pure and untouched.—A new spirit must be breathed into the house, else we cannot meet our obligations. This year a sum of £25,000 must be raised in addition to the revenues to meet the interest of the public works.—The casual revenue exhibits a deficiency of £9,000 for the past year; payments from that source came into the treasury in previous years, anticipatory of 1856. Looking to the revenue and expenditure of 1855, 1856 and 1857, we must be convinced that reduction or borrowing must be the result. Better for the house to pause than to plunge into difficulties. I consider, however, that we are pledged to the grant for Lunenburg; I hope the government will add it to their estimate; and that it will not be allowed to open a door to numerous other extravaganzas. I do not assume peculiar credit to myself; I may have sanctioned votes which might have

have been refused, but I state these general views now, for the benefit of all parties.

Mr. Killam—Scarcely is there a breakwater to be found which would not be self-supporting if tolls were collected and proper management used. I would be willing to take these works and pay twice as much as the legislatures give for them, if the wharfages were to be collected; if this were attended to, and proper repairs looked after, they would pay. Some of them are allowed to go to wreck, and no person has the proper superintendence.

Mr. Wade—The grants are asked to enable parties to build; when built they might be self-supporting. Several vessels have been cast away for want of harbor between Petit Passage and Strait of Digby. The last grant asked for a breakwater in that part of the province, was for one now half built. When completed an act of incorporation for its management will be sought, and it will be self-supporting. The people have not the means to build them without aid—when built they might be conducted without legislative grants.

Mr. Killam—I spoke in reference to breakwaters already built. Most of these for which application is made have been receiving grants for several years.

Mr. McLellan—Something should be done. The leader of the government, last year, spoke of bringing in a bill on the subject—I know not whether he will do so now. In 1854 the service took about £800; in 1856 upwards of £3000. It has gone on nearly doubling year by year for some time past. The work may be useful, but the whole burthen should not be thrown on the public chest. I dislike the mode of proceeding by special votes for road services—it amounts to kind of a job, and gives much dissatisfaction. Whatever government happens to be in authority let them name a sum for roads and bridges, and let that not be increased. If special grants are required, let them come in previous to, or with, the general proposition.

Hon. Mr. Young—I adopt that sentiment. I hope that this year the house will pass a road vote, and then not be tempted by any persuasion to resort to any of these committees for extra grants. Concerning breakwaters, I believe that the conditions are to a large extent evaded, and that expenditures made by parties do not entitle them to draw the legislative grants. Without undervaluing these services, I think a strict eye should be kept on them. The heavy expences of the province, with the large contingencies which have to be provided for, may place Nova Scotia as New Brunswick is situated—in which drafts on the treasury are not equal to

cash. I argue that the public affairs be conducted as a prudent man would manage his own, so as to keep expence within the income.

Mr. Archibald—It may be well to remind the house that the arrears for three years, setting aside the railway debt, is about 10,000%. This includes the outlay of 5,000% on the St. Peter's Canal, which is represented by a charge on the property, and which brings the actual arrears to 5000%.

Mr. Whitman enquired, had the revenue fallen off for 1856, 2000% as compared with 54.

Mr. Archibald—No. In 1854 an unusual large revenue was realized, and decrease was expected. If all the returns were in for 1856 an actual increase probably would appear.

Mr. Wier—In 1854 large importations were made, and 2000% or 3000% was deducted by the reciprocity. The revenue generally speaking, has constantly increased. The effect of the war should be considered; much of our revenue comes from differential duties, and the increase in the price of articles lessened the consumption.

Hon. Mr. Young—I do not see that the report of the committee on public accounts will throw much light on the question. Suppose the tariff yield, for 1857, as much as it did in 1856—and the growth of the country ought to cause an increase of about 5 per cent every year—but assuming it to be the same, an addition will be requisite to pay the interest on the public work's expenditure. This discussion may have some good effect; some of these grants will have to be reduced, and it would be well for the government to decide soon on what amount they intend to ask for roads and bridges.

Hon. Mr. McKinnon intimated that the amount would be named on Friday.

Mr. McLellan made remarks which could not be heard distinctly.

Mr. Killam—The expences depend on the feeling of the house. I think if gentlemen who represent the government were to make up a reasonable road scale, that it would be supported. All are interested in the question. If the house, however, are determined to have large grants, the government cannot prevent it. The late government could not prevent it. Let the house express an opinion, and the government bring down a scale, but if members say they will have more money, government cannot prevent it.

Mr. Locke—It is for the government to propose a sum, and not for us to move, say 50,000% for road service, which is about what ought to be given.

Mr. Esson suggested that time should not be lost, in reference to a bill for increasing the revenue. He offered his service.

Mr. Wade spoke of passing a revenue bill during the absence of members, and proposed a clause, as remedy.

Mr. Wier—Better move that the world stand still till they return.

Mr. Wade—No, I do not want that.

Mr. Howe—No government here can be bound by rules which apply in England. There, on the budget of the Chancellor the ministry depends. When a budget is brought down that the commercial classes scoff at, the ministry is gone. Here, we are differently situated. I am glad that the member for Colchester has examined the details of revenue and expenditure; some one alarmed me two or three days ago, on the subject; but it is not as bad as reported. When the absent members come back, they will be so tired with electioneering labours, that they can render but little assistance up to the 31st March, at which time the revenue laws should be completed. That is, assuming that they do come back,—but I flatter myself that they will not,— and that on the hon. member for Inverness will devolve the responsibility of closing the session. Looking to positions all round, the better way is for the house to go on with the public business as rapidly as it can knowing that one or other must be the responsible party. Concerning the increased road expenditure, we should recollect that 45,000*l.*, at the higher rate of wages may not perform as much service as 20,000*l.* or 30,000*l.* did at an earlier period.

I think, for this year, that 30,000*l.* may be considered sufficient: if we reduce the expenditure to that, I apprehend no difficulty in sustaining our financial affairs, with or without increase of duties. The tariff may be increased; however, without doing anything extraordinary. The tariffs of other colonies are much higher than that of Nova Scotia. The country was relieved to a certain amount by the reciprocity treaty and the increase of revenue consequent on the commencement of public works was chiefly felt in 1854. The increase of expenditure should not be charged to government. Instead of government controlling its supporters they frequently control it; and threatened consequences if certain claims are not conceded. Assuming the new government to be moral, conscientious men, I sympathize with them on these questions. To say that we must wait till members return, or to say that we shall sit here a long

and that would not suit the wishes or conveniences of the house. Let a moderate road scale be brought down—ways and means discussed, and revenue bills introduced.

Mr. Esson—I cannot agree that thirty thousand pounds for roads and bridges would be enough. The county of Halifax has heavy requirements. I think a sum equal to what we had before is requisite. I recollect in former sessions large extra votes were asked for to embarrass the government. None at this side of the house wish to follow that course now.

Mr. Dimock—I was surprised to hear the proposition of the member for Windsor. If ever there was a season in which an increase of road money was wanted it is this. There never was a season since the settlement of the country in which so much damage was done by freshets. The bridges of extensive districts have been swept away in Hants. Instead of reducing the road monies I would prefer that the tariff be raised to meet demands. If the grant be reduced many bridges will have to go without repairs, and intercourse will be stopped, as it has been to some extent already.

Mr. Archibald—With such a district as Windsor to provide for the hon. member for that place may talk of reducing the road grant. I believe that much damage has been done in Hants, and much has also been experienced in Colchester. I believe it has been greater this year than in any within the memory of man. The government should feel indebted to the opposition for the cautions expressed. I believe that gentlemen of the new government are not remarkable for efforts towards limiting the expenditure. I know that when I wished an extra grant I was pleased at some of the gentlemen who are now heads of departments being placed on the committee, being satisfied of their disposition to act liberally in such matters. I think they are indebted to the opposition for the warnings given. The house need not wait for the return of absent members; certain duties are to be levied, certain expenses have to be met,—and we need not delay in arranging provisions for the services. The revenue bills may be introduced,—and a change made in the 6*th* duties would meet all exigencies: or if that should not be thought sufficient, increase might otherwise be made. If the changes be delayed, importations to meet them will occur and a large amount of goods that should pay the additional revenue will escape. It is only fair to persons in trade, as well as to the public generally, that the bills be here as soon as possible.

Hon. Mr. Young—That which is intended to be done on this subject should be done instanter. In reference to our duty to the general merchant and the Legislature, delay should not be made. The tariff may be arranged; respecting the road grant, the responsibility of that belongs to the government. I intend to take no part in it; they ought to know what the revenue is, and what the requirements are; I am disposed to support a reasonable sum, and to resist all extra votes. It is not for this side to propose an amount, and to pass it; but we are inclined to give the government fair support on the question, and not a factious opposition. Sympathy had been spoken of; the late government experienced but very little sympathy in financial measures. Again and again large votes were moved, to embarrass the public works; we will not act in that way; we seek not to give each obstruction as has been experienced.

Mr. Killam—The proposition alluded to was made before the public works commenced. It was to borrow 100,000*l* to be expended on roads, rather than to embark in these works. I believe the people would endorse that. We are now differently situated; and the works have to be gone on with. I agree with what has been said concerning the passing of the revenue bill without delay. If the 6½ duties are to be raised to 10, we may as well say so now, as postpone it to the 31st of March.

Mr. Esson considered the addition spoken of not sufficient, it would produce about 18,000*l*. He thought 50,000*l* should be given this year to the road and bridge service.

Hon. Mr. Young—A greater additional amount than that named might be realised by the change. New Brunswick has imposed an additional 2½ on every article imported, except those provided for by the reciprocity treaty as a railway fund. The proceeds of the additional duty are devoted to that particular work.

Mr. Whitman—It may be well for the government to propose a road vote in the course of a few days. The house had better proceed with the public business.

Mr. McLellan—Concerning the Post Office subject, Mr. Speaker, it may be well to decide on some principle.

In 1842 a committee reported something of a principle that ought, to some extent, be adopted. It was that no post routes be extended, except the inhabitants of the district interested pay the expenses for two years.—That might be going too far; but something should be done. I propose a resolution, according to which

the persons applying for additional post accommodation shall have a guarantee that a certain part of the expenses be met by them. I have left the proportion blank to be supplied as the house may think well. The resolution as follows:

“Whereas, The difficulty in the amount collected by the Post Office Department to pay the expenses, has been steadily and rapidly increasing from 2164*l*. in 1852, 2900*l* in 1853; 3151*l* in '54; 5600*l* in '55, to 7192 in '56; and that in the latter year 7881*l* was paid to mail carriers, while the entire expense of the department was 13,931*l*. Therefore, however desirable it may be to have posts established over the country, yet from these facts it is evident that some further limit than the present is needed to prevent too large a sum from being drawn from the Provincial Treasury—Therefore,

“Resolved, as the opinion of this house, that no application for a new post route, or for additional mails be considered by the Post Master General, unless accompanied by a guarantee that the amount (or additional amount as the case may be) to be collected on such route shall amount to—part of the salary of the couriers to be employed;

“Resolved, That whenever there is found not sufficient money collected on any branch to pay the couriers part of their salaries, that the Post Master General shall notify, by having bills posted up along the route, stating the amount of deficiency—that unless such deficiency is made up by the inhabitants within three months, such mail—(whether it be first, second or third,) will be discontinued,—and to act accordingly.

Subsequent to some general remarks respecting order of business, the house adjourned.

THURSDAY, March 5.

Hon. John Campbell, by command, laid on the table of the house a number of railway vouchers.

Mr. McLellan said the house had been flooded with petitions every year on the subject of new post rides, and he thought it was necessary that some system should be adopted. The only question was how much the house would be inclined to vote, when a new post ride was petitioned for. The hon. gentleman went on to argue that the expenditure for this service had largely increased, and it was therefore necessary that some restriction should be placed on a further increase and concluded by moving the following resolution:—  
Whereas the deficiency in the amount collected in the post office department to pay the expenses, has been so steadily and

rapidly increasing from £2,641 in 1852; £2,902 in 1853; 3,251*l.* in 1854; 4,500*l.* in 1855; and 7,912*l.* in 1856; that in the latter year 7,881*l.* was paid to mail carriers, while the entire expense of the department was 31,931*l.* However desirable it may be to have posts established over the country, yet from these facts it is evident that some further limit than the present is needed to prevent too large a sum from being drawn from the provincial treasury; therefore,

*Resolved*, As the opinion of this house, that no application for a new post route or for additional mails should be considered by the postmaster general, unless accompanied by a guarantee, that the amount (or additional amount as the case may be) to be collected on such route, shall amount to one half the salary of the courier to be employed thereon.

*Resolved*, That whenever there is not found sufficient money collected on any branch line to pay the couriers one half of their salaries, the postmaster general shall cause handbills to be posted along the route, giving public notice that unless the said deficiency—the amount of which shall be specified in the notice—shall be made up by the inhabitants within three months, such mail (whether it be the first, second or third) will be discontinued, and shall act accordingly.

Mr. Dimock said he had been waiting for some time to hear some one more competent express their opinions. It was agreed upon all hands, that the advantages of postal communication should be extended as widely as possible, and there were some districts so poor that if compelled to contribute, as proposed by the hon. gentleman, the privilege of postal communication would be denied them altogether. He thought the Committee should be allowed to decide as heretofore on the claims brought before them.

Mr. John Tobin thought the hands of the committee should not be tied up as proposed by the resolution: In a new country the amount collected from the postal revenue was never sufficient to meet the outlay: and even in England until the new system was adopted the expenses exceeded the collections. The merchants of New York had petition for certain improvements, among which were that franking should be done—free delivery adopted and an essential prepayment, but double charge on all unpaid letters. It was for the house to consider the wisdom of adopting these principles.

Mr. Parker agreed that the outports should not be debarred from the privileges of postal communication, and thought the

post office committee should be permitted to decide upon the respective claims.

Mr. Archibald was sorry to see a resolution of this kind introduced; he did not see how it was possible for the hon. gentleman without the intervention of a committee to decide what policy ought to be adopted. We should look to the effect of the resolution upon our present postal arrangements, and the returns from the Post Master General ought to be submitted before the house was called on to decide.

Mr. Young moved by way of amendment to that, the house do come to the following resolution.

*Resolved*, That the committee on the post office be instructed to report to this house, as a preliminary step to their report what conditions, if any, should be imposed on the granting of new rides, or on the continuance of the rides now established.

He said it was obvious that the motion of the member from Colchester was intended to obtain instruction from this house irrespective of the action of the committee. It was a matter of considerable importance, involving large expenditure it was therefore necessary that the house should be in possession of all the information they could obtain before they decided the question. For these reasons he was induced to move the amendment—the object of which was to receive information from the committee before they reported so that when the report came up, the house would be in a position to decide.

Mr. Wade—The house can decide the question as well now as after the report.

Mr. Young did not desire to postpone the consideration of the question after the committee had fully reported. The amendment instructed them to report partially before they made their general report.

Mr. Henry, as chairman of the committee, would like to have the instructions of the house as to the course they should pursue, and thought they were in a position to divide on the amendment at once. Last year the expenditure increased somewhat largely, but very few applications would be made this year, as the country was now pretty well supplied, and therefore the vote for this branch of the public service would exceed but by very little that of last session. He would observe, as to the charges of extravagance preferred against the committee that no recommendation for the establishment of a new post ride had ever been made without every information having been first obtained from the Postmaster General.

Mr. Wade said he thought the house

would be in a better position to decide the question after the committee had reported, and saw no necessity for an antecedent partial report. He would therefore move the following as an amendment to that proposed by the hon. member for Inverness:—*Resolved*, That the consideration of the propriety of imposing any conditions upon the granting of new rides, or on the continuance of the rides now established, be postponed until the committee on post offices affairs report finally to this house.

Mr. Young could understand the action of the hon. member for Digby. The resolution of the hon. member for Colchester propounded a certain policy; the information upon which alone the propriety of that policy could be determined was wanting, and his (Mr. Y.'s) amendment merely required that before the house decided, the committee should be instructed to report the necessary information.

Archibald thought it best that a preliminary report should be obtained.

Mr. Whitman—What effect will ensue? The committee was asked to report partially, which in my opinion is not necessary. I think the discussion should be deferred until after the final report is brought in.

Mr. McLelan said he could not understand why the motion he had moved was premature. He had been striving for many years to obtain the adoption of some system regulating that now in operation, and restricting these post rides within the means of the province. If this object was secured, he was careless as to the means adopted.

The amendment of the hon. member for Digby was then put, when there appeared—

*For the Amendment*—Mr. Bill, Thorne, Martell, Hon. O. J. Campbell, McClearn, Churchill, Bourneuf, Tobin, Moses, Hon. J. Campbell, Ryder, Whitman, Wade, Brown, Hyde, Robicheau, Fuller, Henry, Smyth.

*Against it*—Mr. Parker, Davison, Bailey, McKenzie, Webster, Robertson, McLelan, Young, Wier, Dimock, Morrison, Chambers, Annand, Archibald, Locke, Esson.

The house then adjourned until 2½ o'clock on Friday.

FRIDAY, March 6.

Hon. Mr. McKinnon moved that the House go into Committee of supply.

House in Committee, Mr. Dimock Chairman.

ROADS AND BRIDGES, &c.

Hon. Mr. McKinnon. I rise Mr. Speaker, to propose the road grant of the

year. I move that a sum of £32,000. be appropriated for the ordinary road and bridge service,—and a further sum of £10,000 for the great road service.

Hon. Mr. Howe.—Well, Mr. Speaker, I wish merely to congratulate the house on the melancholy picture now exhibited to the Province at large concerning the financial difficulties of the country; to remark, that this new Government, who came into power proclaiming that a financial crisis had made it necessary to change the administration,—who averred that the rescuing of the Province from its embarrassment was the reason to be given to the people why their rulers should be changed,—who declared that the desperate state of the public revenues called for a new Administration,—this Government takes as a first step, the moving of £42,000 for the Road and Bridge service of the year! I will be glad to vote for it;—will be excessively pleased to give the Province such an answer, to the lamentations and charges of the member for Guysborough, and others about the financial embarrassments caused by the late government. We find now, that all comes to this: The new government pledges itself to maintain the credit of the Province at home and abroad,—and purposes to grant £42,000 for the Road and Bridge service of the year. It may not be worth while to prolong debate on this, but I wish to mark the significant fact.

When I came to the House, the sum given for this service was £12,000,—and the country got on pretty well; in 1848, £35,000 was voted, and now we have £42,000! The same amount was given 1st year, and in 1855, £45,000. I feel greatly pleased at such an answer as this, to the charges so often and so loudly proclaimed. None in the House, now, need feel much alarm,—and none in the country. I will be prepared to vote for the sum proposed, and am happy that there is so much money to spare.

Mr. Tobin.—It is well known, Mr. Speaker, that the road service this year, requires a large outlay; much damage has been done by freshets, to the roads and bridges over the Province. A larger vote than that proposed might be desirable, if the finances warranted it. I do not therefore think the amount named too much, and I trust that our finances are in a sound condition,—that we will find ways and means to meet obligations and to carry on the public works in a manner creditable to the country. I do not think that we could well come with a less sum than that named, to put the roads in proper repair for the people.

Hon. Mr. Young.—The hon. gentleman

says that less could not well be asked ; but suppose there was not that to give ; in that case the government would have to ask less. I feel quite satisfied ; we are about to vote a sum equal to that of last year,—the grant for 1855, being the largest ever recorded for the service in this Province. The truth is, Mr. Chairman, this financial crisis of which so much has been said, exists only in the imagination of some members of the House and some out of doors. There is no financial crisis ; the public service is to be provided for, the public works carried on, and the public confidence and credit maintained, if the new men be equal to the task. That is the announcement,—whether all the results will follow, time will tell. A cry was raised here to alarm the House and the people, and it has become a staple of the electioneering traotics in four Counties of the Province. That cry has no foundation in fact ; there is no cause of alarm on that subject. The service moved for belongs to the peculiar duties of the government of the day. No doubt gentlemen opposite had the advice of the leaders of the government to within 21 hours ; they are supposed to be well aware of what the country requires, and what the House can give. I look on the proposition of to-day as coming from members not present, as well as from those who are. They come down, then openly, to the House, and say that this little Province can afford this enormous sum for its road and bridge service. Such votes are almost unexampled in the history of the Colonies. Canada does not give so much ;—not one of the thirty two States of the Union, can take this amount and expend it as we do on the soil. I do not say that the sum may not be judiciously expended,—few value the appropriation more than I do, but it puts an end, for this year at all events, to the factious cry about finances,—made to terrify the country,—and by which a blow was aimed at the late administration. The proposition puts an end to that. The members of government must take some other ground than that, after this vote. By the deliberate action of themselves and their friends, they have overturned the late government on the ground that they had ruined the public finances ; let this answer be put on record it will place the old government in a new position, and the new government also. I rejoice that the government has resumed this responsibility, for their own sakes, but more, for its effect upon the imagination and judgement of the people of Nova-Scotia.

Mr. McLellan.—Last year members appeared generally to acknowledge that the

road between Lunenburg and Liverpool had special claims on their attention. I think, before the general vote pass it should be understood that the other grant is to be given. I intend to vote for both.

Mr. Henry.—I agree with the member for Colchester, concerning the special grant for the road alluded to ; it is of great public importance,—it avoids a dangerous ferry, and on various accounts deserves particular attention. I will not promise to vote for any other special grant, and will not move any, as so large a sum has been named for the general road service. Except some peculiar object should appear, I will not vote for additional sums.

Concerning the sum proposed by the government, I may remark, that large sums were expended in 1856, which are not required for the present year. I find that the Board of Works expended about £28,000, which I believe includes repairs to government house to the extent of some thousands pounds, not required this year. The road services of 1856 amounted to 43,900l ; if we keep this year to 42,000l, and 500l for the road in Lunenburg and Queen'Counties, we will save about 1,400 in the expenditure for that service, and will, after all, appropriate that amount less for roads and bridges than the appropriation of last year. I have looked over returns of revenue and expenditure, and have made an estimate which I believe well founded. A result is, that the ordinary expenditure of 1856, exceeded the revenue by 13,594l, besides 15,280l for Railroad interests, making, in all, 28,854l. Among the expenditures were 3,500l to the Inland Navigation Company, 6,045l interest on Railroad debentures, 1,680l other interest, which may be charged to the same service ; 1,905l repaid to persons who lodged money for public lands in 1855,—and 1,550l loaned on St. Peter's Canal. The total expenditure over and above the revenue in 1856, was 28,154l. Of this a sum of 14,000l was made up by the Saving's Bank, and 15,000l by the issue of Treasury notes ; together making 29,000l, and leaving a balance of 146 over the 28,854l.

The entire amount expended for the year, including the Canal loans, was 171,703l 8s. 5d,—the total revenue, from various sources, amounted to 142l 8s. 5d., to which add, from the sources mentioned, 29,000l, making in all, 171,703l 8s. 5d. The real balance between revenue and expenditure was 13,574l,—which with 16,280l, to meet railway interest, makes 28,854l, as the total over expenditure for the past year.

Hon. Mr. Howe.—The amount paid towards the Railway, was from the Saving's Bank and Province paper.

Mr. Henry—The excess was made up from both sources.

Hon. Mr. Howe—I would like to know how we are situated this year, in reference to the last.

Mr. Henry—I reckon the expenses of 1857 at 156,276l 19s. 6d.,—which added to the 30,000l for railroad interest, makes 185,000l 19s. 6d., to be provided by revenue. The revenue of last year was in round numbers 142,000. —balance in the Treasury 22,000l, leaving about 22,000l, additional to be provided. I consider St. Peter's Canal as on the same footing as the Railroad; I presume, hereafter, it will be so placed. I do not deem it one of the ordinary expenditures to be comprised in the annual estimates, but to be met as the railroad is, by borrowing money to defray expenses if the work be prosecuted. The 28,854l, added to the debt of the Province, is reduced to 13,575l, deducting the 15,280l interest paid for the Railway last year. This, in addition to the loan to the Inland Navigation Company, 3,500l, and 1,550l to Saint Peter's Canal, and 1905l paid back in reference to public lands, would exhibit the exact expenditure. Not being acquainted with the accounts of the Board of Works, I cannot say whether much of a saving in that department can be made for this year;—but I believe that five or six thousand pounds were paid by that Board, last year, for the repair of Government House.

For piers and breakwaters a sum of 3,000l was expended last year,—I know not what the committee on that subject may report during the present session;—but perhaps so large sum will not be required. Last year 1,000l was given for importation of sheep, and 2,000l for other agricultural purposes;—I do not know that such sum will be requisite for 1857. The ordinary grant appears to me sufficient. A sum of 1331l 10s. was given to the packet services,—and perhaps that cannot be greatly reduced. In all, then, I conclude that a sum of 22,000l, will have to be provided by extra taxation for this year, including Railroad interest.

I have nothing to do with the cry concerning a financial crisis; I have stated about the true merits of the case, as regards revenue and expenditure. Whatever may be said about a crisis, it cannot be applicable to the ordinary services—it must refer to the Provincial Railway, and that has to be settled by the Legislature. I trust that means will be found for all services, for this year and the next; and that no difficulty on the subject will be experienced by the present administration, or any that may succeed it. Means, I doubt not, will be quite sufficient to main-

tain the credit of the country. I will be glad if the present proposal be agreed to. This year a point might be stretched, even to running a little in debt, to meet the requirements of the country, under the peculiar claims concerning damages done in the counties by storms and freshets. I believe we may safely give the sum named. I do not intend to vote for any additional sum for the service, except that for the road before referred to.

Mr. McLellan.—Our advances for roads for this year amount to 4,300l; last year they were 1300l. The Province should have credit for that. Thus I would bring the deficiency spoken of down to about 12,000l, as compared with last year. In 1854, the Province expended much less than the income; last year the Board of Works drew about 4000l more than the year before.

Mr. Killam.—The gentlemen who spoke with so much feeling respecting the financial question appear displeased that so large a grant for roads and bridges should have been proposed. They supposed, probably, that if the government were afraid of a financial crisis, they would have proposed a small road grant, and then the opposition would have the pleasure of moving a larger sum, and of thus showing to the country, that the present government was not going to do what they themselves would if they held power. From the statements made by the member for Sydney, it was very evident the expenses of last year overran the income. That was not a good state of things. Respecting financial difficulties, they were not spoken of as obstacles which could not be overcome; the government wish to make both ends meet, and I hope they will. It has been said again and again, that the Railroad was not going to diminish the services, but to add to them. If the government intended to do as they said, maintain the credit of the country, they had to propose a respectable sum, and not come down with a small road grant, and thus show that they were getting into difficulties. That would impair the credit of the country at home and abroad. The only way was to meet difficulties as they arose, and give the road grant which the country required.

I may remark, concerning claims of the rail road, that money may be borrowed on railroad bonds, and not drawn from other services; that, with the money in the treasury, would keep the Receiver General in funds. I do not pretend to say, that the rail road credit will be maintained; I think it is impaired now. The law says, money is to be borrowed on the bonds,—it has been borrowed long as was found con-

venient, and then other means were resorted to: I do not think that that was contemplated. If the bond will not sell at par, and if the Province therefore be called on to provide money,—what effect would that have on the credit of the rail road, and of the Province? If that work has to stand still in consequence of not being able to sell its bonds at par, it will not be the fault of the present Government;—and I do not say it would be the fault of any one. If money can not be obtained as the law directs, I suppose the law must be altered. If we ask a less sum for the roads and bridges, the opposition would say, there is a government come in, which is not going to give so large a sum as we would;—see what you have gained by the change.

Mr. Wier—The hon. gentleman from Yarmouth is apt to impute motives to others. I propose that he be sent as a deputation to London Bankers, with that famous letter which he wrote in his hand. No doubt he would do everything he could to injure the credit of the country; he has done so already; he published that letter to destroy the credit of the province; and sorry I am that the public works are handed over to him and his compeers; to men having such feelings towards these works, which I now consider condemned, in so far as the principle on which they were originally based is concerned. The hon. member said that the £30,000 spoken of, belonged to the general road service, and should not be taken for the rail road. He wishes the railway to rest on its own merits:—he would expend the surplus revenue for the roads and bridges, and borrow for the work. I think he is the last who should speak about the credit of the Province,—if ever any one tried to ruin that credit, it was he.

Hon. Mr. Young—The member for Yarmouth made declaration early in the session about excess of expenditure over revenue, which is not established by figures. The explanations of to-day have thrown some light on that. I look on the amount for Railroad interest as a legitimate charge on the ordinary revenue of the country, and not to be obtained by special loans, else the system would be ruinous. Could it be intended to borrow money year by year to pay interest? That would be considered a kind of fraud in private concerns,—it would be a piece of madness in the Province. I do not understand the reasoning by which these works are kept distinct from ordinary services, they should not be so; while the Railroad is public property, the distinction should not be made. The proposition is to raise revenue to pay the interest, to avoid borrowing, and that will not be difficult, particularly

with so many of the over-expenditures of last year reduced as regards the present. It has been said, that the government exceeded its authority, by borrowing £70,000 beyond the scope of the Act. They have only sold a small amount of Provincial Debentures;—if they placed them at 6 per cent and sold at par, a large amount would at once have floated into the Treasury, from Halifax. We have always sold in London at a premium, because Baring and Co. took at par, and held at a premium and realize profits; so that we were obligated to sell at 3 per cent premium also. Money did not come in on those terms, so rapidly as was required; what was to be done? Would the hon. gentleman have reduced the value of debentures, and lost 3 per cent? No prudent man would say that we went to the Bank and asked for an advance at legal interest, and obtained it, they holding debentures as security. We have been told by the member for Victoria, the new member of the Executive who is such an ornament to the Board,—that the government of last year expended beyond the sum in the Act. He seems to forget that a joint resolution authorized the expenditure, and the Railway Board kept strictly within the meaning of the law.

The member, for Yarmouth said that the opposition were lying by in the hope that the government would propose a small road vote, that they might move a greater. Does he suppose that the opposition undertake the machinery of party no better than that? Would the government, with its majority, permit any such vote from us to pass? Were they not all prepared to support what was proposed, and no other? and would the opposition move a grant for the purpose of exposing itself to defeat? The new Administration are getting so well initiated in tricks and manoeuvres, that I fear the corruption of the late government will appear but as spots on the sun, compared with the hideous deformity, the schemes and the misdoings of the present administration. (Laughter.) This, however, is rather a figure of speech, I do not exactly mean that what I have said is to be taken literally; but we will not follow the bad example set by the members of the new government, during the recent long debate, in which so many bitter sayings were uttered to suit their own purposes, and for the foolish persons out of doors who believed them. We do not take example by their obstructiveness. If hon. gentlemen opposite attack the late administration, let them have some grounds to stand on; not such as may be scattered to the winds, and which are calculated to make them contemptible in the eyes of any

man of sense and integrity. They have done their work, in that slanderous debate; and some of them now are preaching far and wide against the late government, and their tongues rail fluently upon charges often refuted here. The people will be told that now the golden age approaches, or at least the silver age,—that the age of iron is past;—that the happy time is coming at last, and that the Province is freed from misrule and mismanagement. But the vote of to-day, and the explanations, cannot be met by such declamation. They will be understood here and elsewhere, and will reduce a large body of accusations to their nothingness. Let the people not be told of corruption and mismanagement, which the accusers would not dare to maintain before any proper tribunal. Let such charges be trampled under foot, only bring infamy to the source from which they sprung. Let it be understood that the government, by its proposition and pledges to day, put an end to the charges which its member advanced.

Mr. Tobin—The hon. gentlemen has spoken of selling a large amount of Railway debentures at par. What is the fact? Previous to that sale, the government of the country withhold these bonds from their own people, with interest at 5 per cent, and sold them in London. The hon. gentleman said that a sum of £6000 was in his own office, that would be invested in these bonds at par. Was that a position for a government to take? I heard none speak of financial difficulties so much as the hon. gentleman himself. He spoke a few days ago about the increasing expenditure, and raised the cry of alarm here, so that gentlemen were almost frightened at his representations. I did not see any great cause of alarm; I believed the tariff would have to be raised to realize the £25000 required; but I did not think the public finances in the dangerous state spoken of.

Mr. Henry—You must either take the Railroad interest as charge on the revenue or not. If it be so taken, the expenditure of last year will have to be considered as £28,000 over the receipts. I deducted the charge, and reduced the expenditure to £13,000. But if it is as the hon. gentleman from Inverness argues, and as I think it should be, then the higher deficiency should be named.

Hon. Mr. Young—I would say to the hon. member for Halifax, that when a charge was made last session such as he makes to-day an efficient defence was made by himself.

Mr. Tobin.—No; I did no such thing. He will find on reference, that I stated then as I do now. I said the bonds, at 6

per cent, might have been sold here, if offered.

Hon. Mr. Young—A discussion arose last year, on this particular. It was thought that in consequence of the credit of the Province, and the relative value of money, debentures would sell freely in Halifax, at 5 per cent. We found, however, that capitalists would not advance any except small sums at that. The House should recollect that not 80,000/ or 40 000/ only was required, but 200,000.; and where was it to be obtained? Not here. We had to resort to England, and sent a delegate to obtain it on the most favorable terms. To the amount of 150,900/. was sold at par. Subsequently, when the debentures to a premium, there, we would not do justice to the gentlemen who bought, or to ourselves, by selling on different terms; we speak of financial crisis in this debate,—such was specially spoken of by the member for Cumberland to whom I referred. That gentleman, at the present time, makes it one of his staples of electioneering tactics. The true policy of the Legislature is to adjust the annual income so as to pay Railway charges.—and not to run in debt by paying interest.

Mr. Killam—The statement which I made has been substantiated by the member for Sydney. He said that we expended 30,000/. above receipts last year. A glance at the Receiver General's account would show that. There is no difficulty about it. In fact 39,000/. has to be provided for. So that I stated about 7,000. less than might have been named.

Mr. McLellan.—Concerning the Rail Road, and selling debentures, we may recollect that when the work was about to commence, the members for Yarmouth, Annapolis, Pictou, and Guysboro' raised the alarm, and cried "ruin, ruin, ruin." Was it any wonder that the government of the time were forced to go to England with their bonds? The gentleman alluded to, forced that;—they are to blame. The fact is, that after four years, they will then be in a similar position.

Hon. Mr. Campbell said that the hon. gentlemen opposite had sounded the alarm himself. (Other remarks, not distinctly heard, were made by Mr. Campbell.)

Hon. Mr. Young—I am very sorry that I lost that brilliant effort.

Hon. Mr. Howe—The hon. member for Halifax complains that the government did not sell their Railroad bonds in Halifax at par. The fact is that very little capital was offered here at any price.—When I returned from the Cumberland elections, Government had advertised for £25,000; they were astonished to find that only some £2000 or £3000 was offered at the rate

They resolved to send a deputation to England, to negotiate a loan. I can only say that it was very fortunate the sale was effect so early.—At a later period of the year it could not be managed so favourably.—Before I assumed the responsibility of dealing with so heavy a question, I consulted with the Government, by letter, and obtained their authority. That we could then, or now, obtain a large sum at par, here, I scarcely believe. We might get £30,000 or £40,000; but I hope that debentures will become more favorably estimated. An alarm, an outcry was raised against the Railroad; a continued clamour to the extent of intimating that the money of the Saving's Bank would not be safe, invested in the work,—and these efforts did, to a large extent, injure the credit of the Province. Only for that state of things I believe the debentures might have sold extensively. I do not wish to go back to these affairs now, and am glad that a change of administration does not threaten to violate the credit of the country, or to say the railroad. I believe that gentlemen opposite have not the power to do so. We have been told, that the friends of the Railway said it would raise the Revenue of the country, and increase its trade. I acknowledge that formed part of my argument, and I now invite the attention of the house to some items in reference to this subject.

The Revenue in 1849 was £72,000 in 1850 £170,000,—in 1851 £108,000, in 1853, £124,512. Previous to the passage of the Railway acts, the revenue never reached higher than about £124,000. In 1854 it was £157,000, in 1855 £143,000, in 1856 £138,000—thus it appears, that in the lowest year since the commencement of the work, the revenue was higher than it was previously. Taking the three years together the railway may be said to have earned by increase of revenue, sums varying from £14,000 to £30,000. The year 1851, 2, and 3, produced revenue to the amount of £829,939,—the years 1854, 5, 6, £438,370 so that if the Railroad interest to be paid amount to £30,000,—the work may be considered as having been productive to more than that sum.

Mr. Eason.—I agree with the remark made by the member for Londonderry; I believe the credit of these works have been injured by the persons now in authority. The ready sale of debentures at 5 per cent if Halifax was supposed probable; but it was not so. One institution to which I belong has 10,000l. funded in England, at 3 per cent; its members are, to a great extent, opposed to our railway policy, and a resolution to bring the money into the country was carried by a majority of two to three only. The member for Yarmouth

has been the means of causing more embarrassment on these affairs than any other man in Nova Scotia.

Mr. Tobin.—When the debentures at 5 per cent, numerous applications were made to the Receiver General in reference to the higher rate; but he said there was no use in making such offers.

Hon. Mr. Howe—All the money that was offered at 6 per cent obtained that.

Mr. Tobin.—If the interest were fixed at 6 per cent, and tenders asked for, the debentures would have commanded a premium here. The public were not in that condition they were told that the bonds were at 5 per cent only.

Mr. Killam—It has been said that I did more to injure the credit of the Province than any other man. From the first I declared my belief, that the railway policy was wrong, and would do injury. I have not altered my opinion yet, I believe that now. I believe that policy will do more harm to Nova Scotia than any one can imagine. If it do not, it will be a chance. I state that; at the same time I say, that I will give the work a fair trial now. I am willing to do so. A few days ago we were given to understand, that the Railroad depended on a thread now; if so and if the scale turn the wrong way, what then? The revenue, we are told cannot bear more than it is chargeable with. If the Railway be carried to Windsor, and then don't pay, would not the result be ruinous? This year, to sustain the credit of the Province, the Tariff has to be raised. The people will understand that; they are to be taxed to sustain the Railroad, not to maintain their roads and bridges. This year, we have to raise the revenue, but if subsequently, the road does not pay, we may not have to raise to 10 per cent, but to double that amount. To obtain that you will have to provide a coast guard along the shores of the Province, and every mercantile transaction would be more or less tied up and trammelled. Even now you cannot bring a shallop to a wharf without going hat in hand to custom officers where perhaps you are looked at as a rogue, one going to cheat the revenue and not treated civilly by those who are the servants of the people. Are the people to be governed in that? What are the people of England doing? They are endeavoring to reduce arrangements and to be provided by means of direct taxes. The people here seem differently situated and in reference to what they do not want at the present time; to that which not one half of the population would receive any advantages from even if it were in successful operation. That is well known and except you carry it through the length

and breadth of land. I have tried to keep down the Railway policy; I did what I thought right; as every one should:—I feel no remorse on the subject but would do it again. I wish that many others were of the same opinion. If the County of Yarmouth was one-twentieth of the Province,—it would have to pay 3,000l, towards these Railroad expenses and receive no advantage; Cape Breton and the shores of the Province were since largely circumstanced. Even in the Counties through which the Railway goes, many will experience no effect from it.

Mr. Wier—The people of Nova Scotia have the fortune to have one person come to power who says that because the railroad does not go to Yarmouth, it is no advantage to persons there. What kind of argument is that?—The railways in the interior of the U. States are of advantage to us. We send fish to Portland for Toronto; would that be the cause only for railways? So it is as regards the interior of the Republic. To say that because the railway here does not touch Yarmouth, while it costs the people 3000l, it is of no advantage,—is perfectly absurd. The hon. member is quite consistent however; what he says to-day reminds me of the frantic speeches made in days past. Not only was such opposition given by him, but by the present leader of the government; they followed in the same strain from week to week. We are now told that these same gentlemen are going to carry out the work, to give it a fair trial! What does he mean by that? Is it to leave it as it is? To drop the work when the existing contracts are completed. The fair trial is to carry it to Pictou; but I believe they do not intend that. I fear they intend to destroy it, and to make it appear disastrous to the Province.

Mr. Whitman—Gentlemen seem inclined to blow off a little gas this afternoon. It is not to be wondered at that they feel somewhat uneasy, to see themselves out of place, and others in. The member for Windsor speaks of increase to revenue in consequence of the railroad. In the year alluded to large sums were expended on these works,—but the revenue has decreased since. I do not see that railway operations had anything to do with the revenue of 1854:—in 1855 and '56 they might have some effect. The expected increase at this time is not realized. I suppose the resolution before the House is going to pass, and does not require any particular remark.

Hon. Mr. Young—I consider the debate of this afternoon something more than an explosion of gas. The member for Yarmouth had not the same influence last

year that he has this; and the small party to which he belongs, numbers a Receiver General not in the house but having control of the public funds; touching the railway, I must suppose that the gentleman alluded to speak the sense of the government. Either they express the views of government, or keep that government place. What do we hear to day? Was it idle talk? Let the people of Pictou and Cumberland understand, that the member for Yarmouth, who represents three supporters of government in the legislature, has here, openly and bitterly, denounced the railway policy. He retains his opinion,—if he act on them, what is he bound to do.

Mr. Killam—Give it a fair trial.

Hon. Mr. Young—To complete the works? No,—but to exercise the power which accident, a fatal accident, gives him, to control and cut short the public works of the country. Is the narrow, sectional, paltry policy, heard to-day, to prevail on the floors of this house? Cannot our minds explain a little? Cannot we rise to our true position? Cannot we try to raise the country up to the level of other places? Why are the people of Canada in a position so superior to ours? Is Nova Scotia content to be always inferior to others? Mark what they say in Canada now: they are no longer content that a large sum of money shall be taken from the British Treasury, to subsidize a line of steamers as at present arranged; they claim that for Canada, not only on the ground of national affection, but as substantially for the interest of the people at both sides of the Atlantic. Railroads are calculated to produce immense results in reference to Quebec and the interior of the continent. One of their effects will be to add a month to the navigation of the Saint Lawrence.

Mr. Killam—Not a day.

Hon. Mr. Young—The gentleman is good authority in the affairs of Yarmouth; and it may be of the Province, but his is no authority concerning the Saint Lawrence, in comparison with Mr. Young of Canada, who, by his published letter, says that the effect will be, if the lines are carried down to Trois Pistoles, to add a month to the navigation of that river. The steamers can touch at that spot eight months of the year, instead of seven; and thus would be connected with the mother country, not with a foreign soil, respecting which various difficulties might arise, but with a part of the Empire, having common feelings and interests. Am I to be told when such facilities exist, and are in progress there, that Nova Scotia is to fold its hands, and rest satisfied without any. Let the railroad once go to Windsor, and no

power in the Province can stop it there. Will the constituents of the hon. gentleman for Horton, be content to paddle along at the rate of five or six miles an hour, when they can have means of going 20! No; and if the Province cannot do the work for them, they will do it themselves, by means of municipal bodies, and such aid as the Legislature can give. I thought it probable that the new government would arrest the progress of the railway, but I have strong suspicions now. If the member for Yarmouth be true to his principles, the line cannot go to Pictou under existing circumstances. If the line be not so completed, the time of this change will be considered a fatal day for the province. If the road once touched the Gulf of St. Lawrence, and we experienced the benefit of such an intercourse, its advances would be tangible, and it would become a productive public work of very important character. The hon. member spoke to-day of the rudeness of public officers, but he forgets that all this has been changed within a few days. that the time of piety, and happiness and courtesy, has come; that all past evils are to be cured, that the political paradise is now, we are at the gateway; a memorable year has commenced; let us set up a white stone in commemoration. I repeat, however it is a very significant fact, that a man of such present influence as the member for Yarmouth has denounced the work which is near the hearts of the people of every shadow of political opinion. That work, however, has passed into hands which can control the government. Let that be known. Let the people know that the power has passed from their hands, into those of the mortal enemies of the railroad. Let them mark the price they will have to pay for late changes. If I looked at this as a mere politician I might be rejoiced, but I looked beyond, and see evils ahead which as a member of the community I deplore.

Mr. Wade—I can't help remarking, that, on every occasion, while members of the Administration are running their elections, the member for Inverness tries to make political capital for the country. Not a movement does the Government make, but up gets that member, and says the country must understand this and that. But the country is not going to understand that the Railway is to be stopped. I for one, will, support only that Government which carries on the Railroad. I might say, that these works should not be carried on beyond the means of the Province, —and the hon. gentlemen, according to his late line of arguments, might say I was out in favour of the public works, be-

cause I qualified my approval. If the people cannot understand they must only take a view as they think best. I believe that the member for Inverness has overstrained the remarks of the hon. gentlemen from Yarmouth; I must be allowed to put my construction on his words also. I may not have the perception, the talent to twist an argument, that others have,—but the hon. member alluded to said, that he would give the works a fair trial, and with that declaration he only repeated his former opinion. I do not agree with that hon. gentleman's views on the subject, and will not without seeing the injury that is anticipated. When the road grant is proposed, the member for Inverness attacks the Government and speaks of improvements by the late Administration. I find no fault with them,—I am not here to do so,—but I do not think it right, that the hon. member should stand forward, whenever a vote is moved, and try to make capital from it. All that he has made let him take. We had facts and figures from the member for Sydney, proving that we are in a position to grant 42,000 for Roads and Bridges, provided other expenditures be prudently guarded. Why raise a debate foreign to the subject, and not edifying to the country?

Mr. Whitman—The member for Inverness has been glorifying himself and the opposition for the reputation built up by the late Government. As we cannot offer them anything better, we may as well leave them there in their glory. The railway works have been admitted, and the understanding is that they will be prosecuted to the amount of a million of money, I believe that there is not a member of the House who does not feel satisfied that he is bound to go to that extent, and I believe the present government purpose if they can obtain the money—if the resources of the Province enable them to do so. The intention is to go to Windsor and Pictou, but particulars cannot be given. We do not exactly know what the work has already cost, and what will be required. The member for Inverness appears to be of the mind that we should not go beyond the million; but I am doubtful that that will be enough. It may be; if so, I do not believe that any government could be got who would stop the work. I do not believe such a government would stand, provided the money were obtainable.

Mr. Tobin—Observations have been made, Mr. Chairman, concerning increase of revenue in 1854; but we may recollect the impulse given to trade that year, by ship-building, by the opening of the California mines, and other sources. The revenue augmented, and outlays on the pub-

lic works went on. The revenue was subsequently aided by such outlays, and I believe that as these works advance the revenue steadily feel their effect. I believe also that when a million of money is expended, the country will be in a position to expend another half million. Trade and population will increase, and consequently the revenue also. Canada is far from being in the position that it was when it commenced its public works. It has three millions of money invested in Canals, and 18 millions in railroads. When they began, did any believe that the investments would extend to that amount? Somewhat similar experience may be expected in Nova Scotia. I have no fear concerning these works; I believe as they go on so will the country increase in population and means.

Mr. Esson.—I am glad to hear my colleague speak so. When he controverts on these subjects the views of the hon. member for Yarmouth, I agree with him. I think he has expressed the true state of the question.

Mr. Morrison.—I was amused, Mr. Chairman, at the efforts of the the member for Digby to justify the hon. gentleman from Yarmouth, and to deny charges made against him; but the House will recollect that that gentleman himself, when charged with writing a letter to England to damage the credit of the Province, said that he only did then what he would do again to-morrow. Does the member for Digby justify him in that conduct? What does that say for the extension of the railroad?—and other indications have come from other members, the member for Guysborough and others, proving that the railway has fallen into the hands of its enemies; and I for one do not believe that it is going to be well treated there. The member for Victoria speaks of it as a humbug, and talks of the people of Cape Breton going to be taxed for it. He has been recently elevated we may presume, because of his hostility to the railway. Are we to take for granted that these works are to be considered public works of the Province only to the extent of the present contracts?

Mr. Henry I also listened to the observations of the member for Yarmouth, and take a view of them different from that taken by other members of the House. The hon. member said that the Railways were commenced, and he would give them a fair trial. What is the meaning of that? Not to make the road to the woods and leave it there,—not to stop at Subenacadie,—but, I take it, a “fair trial” would be, to take it to Pictou. That, I presume, is what the hon. gentleman meant. He went on however, to say that he was op-

posed to it on principle, that I did not believe it would succeed as was expected, and that it would cause the people to be taxed; he thus repeated his proper views; still the whole scope of his remarks was, that he was determined to give the work a fair trial. I suppose that to be, to carry out the original intention,—he could not mean to stop at the termination of the contracts. I think that his speech was not understood, or was not fairly dealt with. The member for Digby and I agree in that view. I have no means of knowing the opinions of the Government, I am not a member, of it,—but I say, that I believe no government can be formed, which would last a week, with the avowal that they would not carry on the work.

Hon. Mr. Howe.—The expression of some view to-day, has been a source of much pleasure to me. No doubt the locomotive will go on, and will become a new power in Nova Scotia. I sympathise with the member for Yarmouth,—he is in a new position, one which he never expected to occur. He is the supporter of the government that can not survive, except it contravene his own policy. As the machine moves on, others will be found in similar positions. The members for Digby and Sydney also, may try to make out a case for the side on which they are committed to the acts of the late administration. If that administration misgoverned the country, if it caused financial difficulties, those gentlemen must bear part of the iniquity. The member for Halifax finds fault on certain points, but he appears never to have discovered them until now; and he sustained those who did the acts. Concerning the member of Yarmouth, let him have fair play in his day of tribulation. He supports a government body to go on with the railroad! No doubt he, like the member for Horton, did take peculiar view on the subject; and he has them yet, none can convert him; but I give him credit for sincerity; he, no doubt, believed as he said, and resisted the work because he thought it would be injurious to the Province. I live in the belief that the day is rapidly approaching, when proof will be given that his views were wrong; evidence cannot yet be furnished,—but the locomotive will provide evidence for itself, step by step, and will obtain assent from every man capable of forming a light estimate. The member for Yarmouth touched broad questions of commerce and taxation to-day, which do not belong to this discussion,—and which refer to direct and indirect taxation. The subject is of great importance, and if the honorable gentleman move, on some fit opportunity that we go into committee to discuss these matters, I will be

ready to take up the question with pleasure, and to give every assistance to the consideration of that class of enquiries.

Some misapprehension seems to exist, concerning the Railroad, as to what can and what cannot be accomplished. Certain returns have been required of the Board, and they may be ready for presentation to-morrow. One of the requirements made of the Commissioners is that they state from the best information within reach, what it would actually cost to finish and equip the lines to Windsor and Pictou. The Board has given due attention to that question, feeling it to be a matter of moment, whoever happened to compose the government;—the answer will be, to the effect, that to finish and equip to Windsor and Pictou, in a manner suitable to the existing condition of the Province, would cost £855,400 sterling. A portion of that is already supplied, another part would be raised by Province Papers, not paying interest; and Halifax is to participate to the amount of £100,000 currency. The general estimate then is, that reckoning the works of £5,000 a mile, which is considered sufficient, the million of money will be enough, and £125,000 over; to go towards branch lines, east or west, as may be determined. That would meet the expenses of about 20 miles of railway; but assuming the works pay working expenses and 3 per cent, another half million may be taken to go to Amherst, or to Annapolis. That is the true state of the case I believe; and I hope the member for Yarmouth will live to see this, and to find his fears dissipated, and the project successful.

Mr. Brown—There have been so many fine speculations about the cost of these works, that I put but little faith in them. We were told, at one time, that the revenue would be trebled by the Railroad; but it has really fallen off. It has come down to £142,000. I cannot believe these fine statements. We were told that the road could be built for £4,000 or £5,000 a mile,—it seems likely to cost £10,000. My views are not altered concerning these works. I believe that it was a misfortune to Nova Scotia that the government undertook them. If they were let alone, in a short time, individuals would have engaged in them, and thus the country be saved great trouble and expense,—and all in good time it would have its railroads without cost. Now, see what the state of affairs is. Credit is said not to be safe, whilst last year the over expenditure amounted to £30,000 or £40,000. These are my views. My mind is not made up as regards future prospects; I would be glad if we could ascertain whether these

roads are to pay or not. If probability should not appear of their paying, what then? Windsor might have the road made—but that to the East probably would not be completed. Is it likely with the population of Nova Scotia that they will pay? If the credit of these roads be already shaken, as some intimate, the money to go on may not be obtainable.

Mr. Wier—The secret is pretty fairly out now. Another supporter of the government denounces the railroad. Can a private person be expected to do that which is described as likely to ruin the Province—will a second Jackson or some other schemer undertake it? Such speculations are beneath notice.

Mr. Brown—I said that if we wanted the railroads here they should be built by private persons, as they have been in other countries.

Mr. Wier—If the roads would be ruinous to the Province, should not private persons know that! Provided we obtain the money, should not we care about their risk or loss?

Mr. Tobin.—It is pretty well known, Mr. Chairman, that we might almost as well try to stop the tide, as to stop the railroads. They are found necessary to civilization. They have progressed in every civilized country, and they will here. Let persons say what they please, the lines will go to Windsor and Pictou, and I have no more notion that they will stop there, than I have that this legislature will adjourn, not to meet again. What is the bases of revenue, but population! And what is the bases of population, but employment and extension of the means of well-being. Would Canada be as she is only for her efforts respecting canals and railroads?—her population has increased over 55 per cent, in 5 years. Will the population of Nova Scotia increase similarly, if you have nothing for the people to do? You must improve the country, give means of employment,—and as the population increases the revenue will. As the country's resources are opened up, people will come, and settle. Time is money. How many hours and how much labor of men and horses, might agriculturists save by travelling by railroad, instead of being 4 or 5 days, at expenses of and money, on their way to town, they may perform the journey in one day by railroad. One merchant of New York, in reference to the question of free letter delivery remarked that by the present system, two trips a day had to be made to the post office, which at the ordinary wages of a working man, was worth £150 a year; and that would be saved to him, by the change proposed. What made England the great country she is, but the operation of railroads! What does Mr. Stephenson the celebrated engineer say? That if railways were discontinued, 300 millions of money would not perform their work; and that they in effect saved annually about 2 millions to the people. How could that

country export their produce as it does, and its manufactures so as to compete with the world, but for those great improvements? Are we differently circumstanced here? The improvement to real estate there, would pay for every railroad made in the land. Railroads have accomplished that,—and the effect will be similar here. Would New York State have its three millions of population only for its public works? The railroads there had added 10 per cent. to the whole real and personal estate. See Ohio also, and its vast comparative progress by means of railroads. But these matters, concerning the value of railroads, are too well known to require the occupation of the time of the house. Railroad works must go on,—no government would exist a day that would stop them.

Mr. McLellan—The country may know now, as well as we, that the member for Yarmouth, and for Horton, and his colleague, can compel the government to comply with their wishes. The question is not what the government will do, but what these gentlemen will. You need not talk to the administration, but to those three, without whose aid the administration cannot go on. It seems useless to talk of general policy;—these gentlemen's opinions are of the ruling influence now.

Mr. Churchill—Mr Chairman, I may remark that I am not prepared to support any government which is not prepared to carry on the public works. I believe government will be forced to do that. The mind of the hon. gentleman from Yarmouth has been turned to ship building, more than anything else,—and that affords a reason why it is so prejudiced against these railroads. He may yet be convinced, however. When the railway gets to Windsor, if the present government should abandon the work, plenty of persons, probably, would be bound to take it up, and carry it on. Even the member for Yarmouth, when his mind becomes changed, may be a rail road man yet. I cannot suppose that the member for Horton will hold to his old opinions long. I will not sustain a government that is opposed to anything which I believe to be for the good of the country. I consider their pledge to be, to carry out the work, to try the experiment. When the road goes to Windsor no government can stop it, it will find its way then, and effectually recommend itself to the minds of the people. Great changes on the subject may be expected then. A government acting in opposition to these works could not stand; the present administration are in a fix, they cannot help themselves, they must carry on the railroads.

In reference to the resolution before the Committee, Mr. Chairman, the country could not properly do with less; members could not well go back to their counties with less means than that proposed for the Road and Bridge service of the year.

Mr. Henry—The member for Colchester says that the Government are dependent, in reference to railway policy, on the views of

two or three gentlemen. I do not know, however, that there is any peculiarity in their position, calling on them to oppose the railroads. They are in the position which a person would be in who should purchase land with a mill half built on it. He would have to go on with the building, on obtaining it in that state, rather than lose. So it was with the railway—I believe the Government intend to finish it; their position is similar to that of the person coming into possession of the half built mill. I think that no one has a right to say that the member for Yarmouth is opposed to the railroad as he finds it. He says that he is willing to give it a fair trial. If the railroad were not built, he might act on his expressed views, but that is not the present conditions of affairs. He does not say, that having the railroad here, he will oppose it and I believe he has no ideas of that. What he and another gentleman said was a mere re-echo of what they said at the time when the railroad bill was under consideration. The intention is not to give effect to these views under present circumstances.

Hon. Mr. Howe.—Perhaps it may be interesting to turn the attention of the House, for a moment to what the railroad has been doing within the last month. The road to Shultz's was opened about a month ago. An accident caused about a week's delay, but for about 25 days, the returns are as follows: carried over the road,—3075 persons,—522 horses,—405 waggons and other articles,—809 barrels,—116 boxes,—65 bundles,—25 parcels of iron,—and 10,000 feet of lumber;—the revenue from the road was £337. This, however exhibits nothing decisive, but it holds out hopes as to what may be expected to pass over the line by and by. We hope for very different results when the line is opened to the country.

Mr. McDonald.—What portion of the revenue comes from the carriage of material used in making the road?

Hon. Mr. Howe—I can not readily answer this question. Last year, that which is called the contract freight yielded about £800. But I believe that any one staple of any half of a county, would yield more than that. By what has been done, in the way of carrying horses, we may judge what may be expected from the general traffic of the country.

Hon. Mr. Young—The discussion of the afternoon is of some importance, after all. We have heard the declaration of members; the policy of the government however has not been announced. Can any say where those roads are to be carried to? Whether the policy of the late government is to be abided by? I believe that a million of money is enough to carry the line into Windsor and Pictou; the member for Yarmouth appears to think not. I shall be satisfied if the present government say that they will endorse the policy of the late administration, up to that amount. I think the line ought to touch the Gulf of Saint Lawrence. Before results can be fairly estimated. Possibly

however, the line may go to Truro, under the present administration, and then not go further, except the line to the Westward be made also. Thus a great loss to the Province might accrue. The member for Digby should not suppose that I availed myself of the question before the house, to raise opposition to the administration; the discussion necessarily arose from the day's proceedings. It is unjust and ungenerous for those who compose the government, to charge the opposition with obstruction. I opposed the first step of the administration as unconstitutional, and there are not ten members in the House who would have voted against my resolution. The government did not persist, however. What else has been done? What obstruction can be stated? Did not the opposition invite the government to the resolution of to-day, although some of our friends thought it going too far? The charge made by Mr. Johnston, in his letter to the electors of Annapolis, concerning the conduct of the opposition, was unwarranted by facts. When this question comes up legitimately, are we to be told that the discussion is a mere letting off of gas? The subject is of vital importance to the country, it ought to be understood, and it will be better to understand to-day than it was before. The party who support the government, and yet are to be enemies of the railroad, may be sincere, but they are directly opposed to others on the same side. I have to infer from the indirectness of the answers given, and from the published letters alluded to, that the policy of the railroad is essentially disturbed; and the People of Pictou, and of Cumberland also, may find to their loss that to be the case. The discussion of the day has been uncalled for, or without its utility.

The resolution for granting £32,000 for the general road service, and £10,000 for the great roads—passed.

Mr. Geldert moved that £500 be granted for the road from Bridgewater to Mills Village.

The resolution was agreed to.

The Committee adjourned.

The House resumed.

The grants were agreed to.

The House adjourned.

SATURDAY, March 7.

#### THE MANIFESTO.

Mr. Webster rose and said he saw in one of the morning papers an address to the people of Nova Scotia,—and as it purported to be the joint production of a committee drawn from both branches of the Legislature but not signed, he should like to know whether the sentiments expressed were endorsed by the hon. members in this house.

Mr. Young—That, sir, is a question of a very different character and of much more importance. The document referred to contains certain statements of facts,

and announces certain principle touching recent events which requires grave consideration and mature deliberation. As one member of this assembly, I do not hesitate to announce that the principles it contains I fully concur in and endorse—that the time has arrived when the policy it propounds respecting an appeal to the Protestant feeling of Nova Scotia should be openly adopted and determinately acted upon, that the independence of this legislature may be maintained, and the rights of the people secured. During a pretty long political life—representing a constituency to a large extent Catholic—connected by many other ties with that body, I have invariably held this doctrine: equal rights to all—no oppression, no proscription, no invidious distinction; no Catholic proscription—no Catholic ascendancy. And, sir, while I have been ready to concede to Catholics the fullest measure and measure of justice they deserve, I would not and cannot allow anything like an unjust or unfair pressure, brought to bear by that or any other body, to prevail in compelling the perpetration of a wrong. It is high time that the distinctions between liberals and conservatives should be forgotten, and a new standard erected, beneath whose folds men should unite to restore to this house the independence of action which, during the present session, it has lost; a union not for proscription but for political liberty, the principles of which shall be—*equal rights for all, ascendancy to none.*

I shall conclude, sir, by moving that the house resolve itself into a committee on the general state of the province, that hon. gentlemen may have an opportunity of expressing their opinions on this subject.

Mr. Henry could not understand the object of the motion; it certainly had not been the practice heretofore for hon. gentlemen to fly kites, and at the same time openly avow that they had no object in view. The motion is not seconded.

Mr. Annand—I second it.

Mr. Wade—As one member of this house, I may say to the hon. member for Inverness that I shall be happy to give him my opinion. The course pursued is most singular and extraordinary. The learned member says he moved this resolution that hon. gentlemen may have an opportunity of expressing their opinions upon a certain document which appears under the editorial head in a journal published this morning. Sir, if we are to have debates here upon all the editorials published, we may as well make up our minds to remain during the entire year. But this is not my only objection—the

solution is moved avowedly with no object in view—the time will be consumed and no practical result can follow; if, however, the debate must come—if opinions upon this manifesto, address or editorial, whichever it may be, are to be expressed, I, as a Protestant, do not hesitate to stand here and assert that the principles it enunciates are not mine—that the policy it propounds is unsound and must prove prejudicial to the best interests of the country—and that the people of Nova Scotia must rue the day that such a document was published. It, however, will do one good—the eyes of the people will be opened; they may have been humbugged, duped and induced to place their affections upon idols in the past—they will do so no more. The value of the protestations of professed friends they can now faithfully gauge and measure. But, sir, I do not fear the result; I do not believe the people will be much terrified by the political bug-bear which has been got up for a purpose, and that purpose so transparent that every man, however humble his capacity, can see through it; nor do I think the principles stated in that manifesto will meet a response in the breasts of the intelligent classes in this country.

Mr. H. Munro—Yes!

Some discussion here ensued upon a point of form.

Mr. Tobin—If the hon. gentlemen wish this manifesto to go to the public as indicative of their opinions, why do they not sit down and append their names to it without consuming the time of this house in useless debate, and exciting acrimonious and ill feeling? What have we to do with it? I read it this morning and laughed at it, believing that the arguments used were most futile and childish. The hon. member for Inverness says that a certain power in this country is to rule the country hereafter unless a combination is made. Does any man believe that?

Several voices—Yes, yes.

Mr. Tobin—Sir, I believe that manifesto contains the sentiments of but a few disappointed politicians. When the Catholic body supported the liberal party there was no necessity for proscription then—we did not hear anything of ascendancy; but now, merely because they have happened to have transferred their support to the Conservatives, they have become most dangerous and bad subjects. The ruse will not do, sir, we all understand it.

Mr. Munro—The hon. member for Halifax says the manifesto is got up by a few disappointed politicians; that statement is inaccurate. I hold no office, I covet none, but I endorse, and am prepared to

maintain every opinion which that document expresses. He talks of discussing newspapers; why, sir, what did we see during the debate on the address? The hon. member himself came down with a file of newspapers and detained this house for two weary hours reading over that which everybody was previously well acquainted. I will state again, sir, that by the principles contained in that manifesto I am prepared to stand or fall.

Mr. Archibald—The hon. member for Halifax says that the Catholics were all right when they were on the liberal side, and all wrong when they went over. Sir, no man denies to Catholics the liberty of acting independently, and of ranging themselves upon whichever side of politics they please, provided they do so upon principles; but what I do say, and that against which I here protest, is this: that it is improper for any number of men to combine for the defeat of the government—to pass from one side of the house to another at the bidding of any ecclesiastic. If the Catholics, as a religious body, are thus to combine, to make and unmake administrations in an hour upon religious grounds—if the tenure by which a government retains office is subserviency to the dictation of a religious body, then indeed, sir, it is time that the Protestants of this country combine that something like political liberty and stability of principle may be secured to this people. Sir, the opinions I entertain are not the birth of today; I have for some time past seen and felt the inclination to entire control among the Catholics; that influence has gone on increasing until they now assume a position of ascendancy, and with entire truth may it be said that the administration in power is the creation of the Catholic Archbishop (hear, hear.) If he said "get you gone," they could not exist an hour.

Mr. Wade—No!

Mr. Archibald—I tell the hon. gentleman that it is so; and more, that he holds his seat only upon the tenure of the Archbishop's favor.

Mr. Wade—I will not allow the hon. member for Colchester or any other hon. member to make misstatements. (Cries of order.)

Mr. Archibald—I shall make just such observations as I believe to be true. The opinions I express are those of a large body in this house, many of whom may vote against this resolution. Things have been granted to the Catholics which never would have passed this house but for the fact that the applicants were Catholics. But a year since a man who contracted to cut down one of the streets of this city

and lost, came down here and asked for compensation.

Mr. Tobin—Was he a Catholic?

Mr. Young—I must insist that order be kept—otherwise the debate cannot go on.

Mr. Archibald—Oh! sir, hon gentlemen need not interrupt; their efforts to prevent an open expression of my sentiments will prove entirely unavailing. (The hon. gentlemen then referred to the case of Mr. Martin as an instance of favoritism to Catholics.)

Now, sir, let me say with reference to the manifesto under consideration that it contains no sentiment of expression that does not meet my entire concurrence, (hear, hear,) and all I desire is to put my sentiments on record, that the public, through the press, should know the ideas I entertain upon a question of such moment.

#### MONDAY, March 9.

Mr. Henry introduced a bill to amend a chapter of the Revised Statutes in reference to partnerships. He explained its objects. It was to extend the applications of arbitration in such cases, to sums over £5,000.

Hon. Mr. Howe—This is one of the bills to which allusion was made on a former day. A gentleman moves for a change in a chapter of the revised statutes, —the bill is sent to committee, —passes without much notice, and away goes a chapter of revised statutes. Might it not be well if that class of bills came with a certificate from the judges to the effect that the alteration was desirable. Some guide was requisite to satisfy the minds of members that the proposed changes were judicious. The service might be too much to expect of a judge; but some guide was desirable. Members said that such bills were introduced to suit particular cases; he did not impute that to the hon. introducer, but some check seemed called for.

Mr. Henry—I would not introduce a bill for a special purpose, except my friend told me that the change ought to take place. The bill before the house is merely for the purpose of extending a principle. The referring to the judges would not be proper, either as regarded the dignity of the house, or the duties of those officers. The judges had to expound the law, but not to aid in making it. The latter formed one of the old complaints. The house, like all other legislative bodies, had to consider the law for itself, and according to the best views at its command.

Hon. Mr. Howe—A commission, of which Judge Bliss was a member, has

been described as of much use. It reported improvements which were adopted. Judges should not be here, or in the other branch; but in these questions valuable assistance might probably be rendered by the bench.

Hon. Mr. Young explained the nature of the bill and the law. He argued that the judges should not be called on to suggest concerning legislative action. In England an officer was about to be appointed with a suitable staff, to revise legislation, and to prevent anomalies and absurdities in law making. The bill provided for compulsory arbitration—it was not requisite now; means of speedy and economical adjudication had been provided. Under former chancery practice, the settlement of partnership questions was tedious and expensive.

Subsequent to remarks concerning the numerous changes in the laws, and requirements of the bill—it was referred to a select committee, composed as follows:

Messrs. Henry, Archibald, Young, McLelan and Morrison.

Mr. Ryder moved that a committee be appointed on the Militia Law. He explained that sums of money were paid from the treasury, in reference to militia services, while no duties were performed. It might be well to inquire whether those sums might be saved to the Province.

Members acquiesced in the desirableness of inquiry. The expenses this year would be about £600. A committee was appointed, as follows:—Messrs. Chambers, Ryder and McLelan.

The house adjourned.

#### TUESDAY, March 10.

The Speaker announced that he had certain papers to communicate to the House, from the House of Assembly, Newfoundland,—on the subject of a Fishery Convention between Great Britain and France.

The delegates appointed by the House of Assembly of Newfoundland, to present the papers and explain the views of the Colony, were introduced to the Speaker, and took seats within the bar of the House.

The papers were read,—they were addressed by the Speaker of Newfoundland, to the Speaker of Nova Scotia. The substance was, an earnest appeal against the terms of the convention, and an invitation to Nova Scotia to co operate on that subject.

Hon. Mr. Young—This question Mr. Speaker, which may be new to most members, is, to some extent, familiar to my own mind. I was consulted by Admiral Seymour, in reference to the subject, and

this caused me to look into the treaty and become acquainted with its character.

It is a question between Great Britain and France, intimately affecting our fellow subjects. I deeply regret that any action of the Imperial Government, affecting a colony so ancient and so valuable, should have led the Assembly of that Island to express itself in such strong and indignant language as that we have just heard read. It could hardly be supposed that a convention affecting those interests would be concluded in London without reference to parties residing there, and well acquainted with the island and its fishery. If the statements of the address, however, be correct, it appears, that by the superior skill and zeal of French negotiators, Great Britain had, as in other transactions with foreign states, surrendered the interests of its own colonies in favor of a foreign power. If so, Nova Scotians would naturally and reasonably, sympathise with their fellow colonists,—and this House, to a great extent, participate in the feeling of the House of Assembly of Newfoundland, and would willingly consider how it could adequately express opinions on the subject so as to strengthen the hands of the delegates and of the colony which they represent. If the leading members of government were in their places in the House, I would leave this matter to their guidance;—but as they are not and those who represent them may not have turned their attention to the subject, I thought it right to explain it briefly, and suggest that the papers be allowed to lie on the table until the House have an opportunity for enquiry and consideration, or that a committee be appointed to look into the correspondence, and report what action, if any, the House should take. Every legitimate aid should be given, and suitable expression made, from a people, as we are, living under one Crown, enjoying the same rights and liberties, and having many interests and objects in common. Warm discussions occurred here, when our fisheries were touched with our consent,—but if the Imperial Government negotiated without our intervention more feeling would have been experienced. I am glad to see by one of the papers that the terms of the convention are not to be carried into effect without the action of the House of Assembly of Newfoundland;—and I would rejoice that we give such aid as may be acceptable and appropriate.

Mr. Henry expressed similar views, and wished the papers to lie on the table, so that opportunity might be had, to consider how far it would be legitimate for the Assembly of Nova Scotia to interfere in

concerns which exist between another colony and the mother country.

Mr. Tobin spoke of the great importance of the Treaty to the people of Newfoundland, and the interest which Nova Scotia had in the subject. He was extensively concerned in the trade of the Island and in the fishing tracts which were about to be ceded.

Hon. Mr. Howe remarked that he did not know much of the question now brought to the attention of the House, but it reminded him that almost every day's experience in the history of the Colonies showed the importance of having some one at the other side of the Atlantic to represent and guard the interests of those dependencies. The House might recollect what had been arranged, some years ago, concerning the interests of Nova Scotia, and when the consent of the Province was asked, with a significant hint that, if it were not given, a short act might convey away to a foreign power the right of fishing along the coast of this Province. Today we find extensive fishing and territorial rights given to France, without consent of the people, but under condition of their acquiescence, because something remains to be done by the Colony. How little however could that island effect against the will of France and England, on such a question. Representation in England, and organization for protection against interference in such matters as this may be expected to be forced on the Colonies ere long. Let none, he said, imagine that he uttered a word savoring of disloyalty,—Heaven forbid,—he only alluded to common grounds of action for self defence. How little comparatively, was known or thought of Newfoundland, in the old country. Yet it has territory equal to that of several European Kingdoms,—it has sea ports of vast importance,—from its fishing grounds millions have been gained,—its climate and employments conduce to a hardly population, and it is 500 miles nearer to Europe than any of the Provinces on the main. The part which that Island will, play in the future, in reference to great interests, is scarcely thought of yet. The country that in wars own Newfoundland, and has its depots of fuel there—now that war is carried on chiefly by means of steam propellers—will be the country which will maintain its preponderance in these parts of the world. He looked on Newfoundland as of the utmost importance to Great Britain, and deserving of much care and maintenance. Whatever aid may be given by Nova Scotia to the island, on the question,—at all events every courtesy should be extended to its delegates. He would propose that these gentlemen be

admitted, not to the Bar of the House, but to its floor and benches, and that they be heard there in explanation of the views which they came to represent.

Mr. Wier spoke from personal knowledge, of the vast consequence of the territory under consideration, and of the extensive interest which Nova Scotia had in the question. Cape Traverse, a place named in the treaty, was the particular location of the fishing of the Province;—to cede that would be to destroy that fishery; Mr. W. spoke of the horror which the Colonial fisherman at the Labrador, had of French fishing vessels, because of the mode they adopted to secure the fishing for themselves, and which were supposed to destroy the fishery of others concerned. The tracts about to be ceded were superior in timber and soil, to the southern portions of the Island; but they were doomed to sterility, by French arrangements; settlers might have land, but not fishing privileges, and so the place was comparatively deserted. All the Colonies should take much interest in the subject brought to the consideration of the house. What was the case of that Island to-day, might be that of other places to-morrow. This was different from the reciprocity;—in that so much was not given, and much more was obtained in return. He would be glad to aid in the putting an end to the bartering away of the interests of the Colonies.

Mr. Tobin spoke of the anomalies arising out of these claims of Foreign nations, and in reference to part of the Island being composed of free ports, while others were differently situated. The proposed extension of such matters, and loss of territory were manifestly of great consequence to the people of Newfoundland, and of much also to the people of Nova Scotia.

Mr. McLellan remarked that enquiry and suitable aid should be given to the question. If one man's fishing ground could be given away might not another man's field? The Colonists should be consulted, even in possible cases where generally interests might require some interference with their concerns.

Hon. Mr. Young said, that however the House might be ready to extend every courtesy to the Delegates, their introduction to the floors of the House, as if they were members, would not be according to usage, and might lead to embarrassment. He suggested that the House adjourn soon after meeting to-morrow,—and let the gentlemen then explain their views, to members, and to the public, who might be admitted on that occasion.

Mr. Henry expressed approval of the suggestion.

Hon. Mr. Howe,—argued for the mode proposed by him, and by which the Delegates might address the House assembled in its legislative character. The difficulty was only a point of form;—once set aside, the benefit would be secured, and the privilege, given to colonists in England, might be of mutual and general advantage.

Other gentlemen explained their views on the subject.

The Speaker said—While I am willing to extend every courtesy on this occasion, sitting as I do here, I do not feel at liberty to depart from the rules of the House in this instance, whatever my personal wishes may be.

The papers were laid on the table.

TUESDAY, March 10.

Mr. McKinnon by command, laid on the table of the House the Report of the Commissioners of St. Peter's Canal for 1855—referred to the Committee of Public Accounts.

Mr. Young presented a Petition from the Inhabitants of Inverness against the division of that County—laid on the table.

The House adjourned until ten o'clock on Thursday.

WEDNESDAY, March 11.

Hon. Mr. McKinnon laid on the table a report of the Saint Peter's Canal.

Hon. Mr. Young presented a petition against the division of the county of Inverness.

The House adjourned to the next day,—to meet then, have a call of the House, organize Committee, and adjourn to three o'clock in the afternoon.

The Speaker left the chair. Strangers were admitted below the Bar, and the delegates from Newfoundland proceeded to address members of the House and other auditors, on the Fishing convention between Great Britain and France. The delegates occupied nearly two hours in their addresses earnestly appealing against the terms of the treaty, and in reference to a sense of right, of Colonial interest, and of Imperial strength and honour.

Applause followed the delivery of each address.

THURSDAY, March 12.

NEWSPAPER ACCUSATIONS.

Hon. Mr. Howe said—I rise to call the attention of the House to one or two matters of some importance. He had observed the other day, in the Colonist newspaper, that a motion in this House was to have been met by another motion relating to the investigation of public accounts, in

some way discreditable to the late government. That motion was not made, but I observe in this morning's Colonist extracts from the account of the Board of Works relating to the celebration of the 9th of June, accompanied by comments of great severity levelled at the venerable Chairman, the Hon. Hugh Bell, and some of them at myself. Sir, it is usual in all Christian countries, where the government undertakes the construction of a great public work for them to celebrate by some public demonstration the laying of the Corner Stone. The Lunatic Asylum is a large institution, and will cost from 20 to £25,000, and it was necessary that the laying of the corner stone should be performed decently and with the accustomed ceremonies. When the citizens of Montreal opened the Grand Trunk Railway, £10,000 was expended. When the Great Western road was commenced to Boston, that municipality invited the inhabitants of surrounding cities and treated them with magnificent hospitality—even when the corner stone of the Market House was laid in this city, the Corporation did what seemed to be mete and fitting on the occasion; and, sir, when the corner stone of the Lunatic Asylum is laid, the complaint is that £313 7s. 10d. was expended. Now, first, I assert that as contrasted with the expenditure in neighboring Provinces, on similar occasions, the amount was not extravagant, but if the head of the Board of Works had expended the whole amount wastefully and extravagantly, it must be remembered that he has contributed towards the Lunatic Asylum from his private means an amount equal to the entire sum.

I have no hesitation then in saying that the reflections on that venerable gentleman were as unfair as they were uncalled for. So much for the Chairman of the Board of Works; but there is another charge most indelicately, unfairly, and without investigation hurled at myself. In a bill of Mr. Edward Hoynes is contained this item: "refreshments furnished to Mr. Howe and party, £106 odd";—that statement is incorrect. I went to the celebration as a private citizen, and took no party with me, not even a member of my own family. I had nothing to do with the ceremonies, but while on the ground Mr. Bell, the Provincial Secretary, or some member of the government—I cannot now remember who—came up and said to me, "will you go down and take with you any military gentleman you may see on the ground, and request them to partake of refreshments. It will be borne in mind that two regiments had recently returned from the Crimea. I walked up to such as I saw on the ground, delivered my message

and invited them to go, and attended to their wants. While in the tent hundreds of citizens passed in and out, and partook of food and wine. That dispensed at my request did not amount to more than a basket of champagne and a few pounds of food. Under these circumstances I think it was hardly generous or just to make the imputations referred to, and if members of the Government will only send in an account of the quantity consumed by the officers I invited, I will be most happy to pay the amount.

I notice here, sir, another matter which calls for investigation, the statement by me on a former day that a four pound weight had been flung at the head of a witness from the gallery of the Supreme Court is attempted to be explained away. Now, sir, I am not going to enter into a controversy with an officer of the Court, but I must say either this man has not stated the whole truth, or else I have misinformed by the highest authority of the Court of which he is a subordinate. Judge Bliss volunteered it to me at Government House where I met him, and I am under the impression that the statement he made was confirmed by another officer of the Court the following morning—I have referred to the hon. Attorney General who was present in Court, he will make his statement of what occurred. The account I gave of the condition of Smith, has also been treated lightly—yesterday he walked into my office, and I am quite prepared to put him at the bar of the house and let hon. gentlemen judge of his condition. I make these explanations that hon. gentlemen may see that I do not hazard assertions without substantial foundation.

Mr. Churchill rose and remarked that the less said about the public accounts the better. He had glanced over the statement alluded to, and thought he had never seen so great a piece of swindling, of public fraud imposed on the Province, as that contained in the account concerning the laying of the Corner Stone of the Asylum. Who sanctioned that he was not prepared to say; but he thought the construction of such a work like building a bridge; and what would be said if an expenditure, at the commencement of a bridge or the raising of a ship's keel! What would be thought in the latter cases of getting up a celebration, calling in friends to partake, and then making it a public charge? If they wished to have such an affair, it should not be at the expense of the Province. The people's money should not be embezzled and trifled away.—The people of this Province, take them at large, were not wealthy, and such a race as Nova Scotia should not compare in these mat-

ters. with the larger communities alluded to.—Very true, such things were the fashion; but he was not prepared to say that they should be introduced here, in that high-handed way. The building under consideration, ought to cost about £10,000, it would cost probably £15,000 or £20,000, and he understood that it was not built by public contract in the legal form. What an idea the silver trowel was!—what mason would think of that, they might as well use an newspaper.—This was all for fashion and fun, but if the persons concerned were so fond of a spree, let them not get it up at the public expense. This was only one item, other matters might be mentioned, but he would forbear at this time. The transaction did not add to the credit of the Province;—the kegs of beer and champagne made of chemicals, and whiskey and wine, formed a figure of which he did not approve; he understood that the labouring class did not at all partake of the refreshments.

Hon. Mr. Howe—After awhile I believe the place became in possession of the laboring class.

Mr. Churchill—I may be mistaken, but I understand it was a kind of champagne party, for certain persons and those whom they invited.

Hon. Mr. Young enquired how it was that that account came before the House to day. Vouchers, in charge of a committee drawn from both branches of the legislature, had got into other hands, and into a newspaper, before the submission of a report to the legislature. Such interference with the privileges of the Committee, was unwarrantable and improper. Was that done for electioneering or other particular purposes? The member for Falmouth takes liberty of speech rather unusual to the House and uncourteous, and which might require warm reply if it were deemed worthy of such notice. I do not rise to vindicate the expenditure under consideration,—I think it extravagant,—I do not think that any member of the government authorized such an outlay.—The venerable chairman of the Board of works was an enthusiastic friend of the Asylum, it was a favorite object of his public life, and he was anxious that it should be completed before he retired from the scene of mortal things. He applied to the Government, and suggested that the corner stone should be laid with the usual formalities. After some hesitation, it was arranged that the Masonic body should aid on the occasion, and some refreshments were ordered. He (Mr. Y.) saw the account for the first time to-day, and he regretted that so large a sum had been expended. But after all did that form any

reasonable ground for such charges as has been put before the public? Was it to be made political capital? He (Mr. Young) had nothing to do with the celebration, he was not in the Province at the time. The government appointed the Board of Works—the Chairman was their officer, but until accounts were submitted, they should not be held personally responsible, and he did not believe that any of the government were aware of the amount of expense incurred at that celebration. He would not gratify accusers by going over insinuations made, concerning persons living beyond their means and making free with treasury. He came before the Assembly with manly confidence that the late government and public Officers would be found to have acted faithfully in all these matters, and he hurled back the slander on those who originated it. The Receiver General's balance had been adjusted and paid over,—all was correct at the Excise, and so he believed it would be found respecting all the departments. On such an account as that under consideration, were slanderous charges founded, and groundless imputations made against the late government.

Concerning a more serious matter, in reference to expense and contracts relative to the Lunatic Asylum, he might remark that contracts had been taken, and he believed the closest enquiry might be challenged into these affairs. The material manufactured for the building, by the Board, were made for about one third less than they could be bought for. He would pass that subject for the present,—sorry that he had been called on to touch it, before the time proper for founding a correct opinion.

He would proceed briefly to state what he knew concerning the 4 lb. weight question. Two witnesses, required on the trial of the alleged Railway rioters, were sent for from Pictou,—and were in Halifax about a fortnight preceding the trials.—They were in the habit of attending the proceedings of the Supreme Court, and became known as expected witnesses.—Some days before those trials one of the men came to (Mr. Young's) office, and said that his life was in danger. He went on to describe that he had been standing under the gallery of the Court House, when a leaden weight fell quite close to his shoulders, and that had it fallen a few inches nearer he would have been killed. He (Mr. Young) suggested that it might be an accident, and went across to the Court House. The Orier of the Court said the circumstance was extraordinary, and exhibited the weight. The question was, who took such an article up to the gallery. The Judges were told of the occur-

rence,—and it made a deep impression on many minds. The witnesses were directed not to go into the Supreme Court again, until the trials came on in which they were to appear, and they did not. He did not charge or impute the throwing of that weight with deliberate purpose. None can positively aver that so diabolical an act as the throwing with evil intent, was committed; but the facts are as have been stated.

He would again assert, that he believed no charge such as had been insinuated could be sustained, against any of the principal public officers of the late administration. The late Government had especially impressed on the minds of its officers, that they should keep their hands pure and clean, free from implication concerning public monies. Not a shilling of the public money remains improperly with that Government, and therefore the groundless charges advanced would only recoil on those who made it.

Mr. McKeagney said he would not enter on the question of the celebration expenses; but as charges made out of doors, and newspaper remarks had been brought under notice, day after day, he might remark, that if articles at one side were denounced, those at another might also be declared to be a tissue of unfounded statements. As comments on such affairs had become fashionable, he would take that opportunity of saying a few words in reference to himself. In the Morning Chronicle of that day, was an article in which it was stated, that Mr. McKeagney, another Catholic, had demanded the situation of Speaker of the House. That charge was unfounded in fact. He never did demand to be made Speaker of the House; he challenged denial of that. He had never solicited a vote to that effect. When the Speaker became ill, which was a matter of regret to all, he, (Mr. McKeagney,) thinking it right to look to his own interests in reference to that seat, did ask from a few members, and not more, whether if he offered for the office they would give their support. They promised to do so; but when the question was found embarrassing, he asked his friends to withdraw the proposal. He now challenged any one to gainsay that explanation, or color it in the slightest degree.

In reference to the four pound weight, the house heard how that had been introduced into the newspapers, and on the floors of the house, and the conclusion sought to arrived at relative to Catholics. The Attorney General stated to-day, with fairness which does him credit, that he cannot say that the weight was thrown, or let fall intentionally, so as to do injury.

Was it possible that an argument could be so weak, as to be obliged to have recourse to such an affair to bolster it up! I ask the gentleman who introduced the incident, can he fasten on the Catholics of Halifax a disposition to connect themselves with the riots, to make it unsafe for Nova Scotians to prosecute their lawful employments in the Province? The Catholics of the Province with one voice, denounce the riot and riotous conduct.—The occurrence was an outrage to the community; would the member for Windsor say, that any three Catholics of Halifax, by any act of theirs, sanctioned and endorsed that outrage? If so, let him not deal in general assertions, but put his hand on the parties implicated. If men are to be injured by whispers, none would be safe,—none are above suspicion, male or female, but suspicion should not be unduly indulged, and brought forward. Where is the body of men, the association of Catholics, who have connected themselves with the outrage alluded to? Would the member for Windsor say, because men are accused and brought to trial, they are to be supposed guilty? That would be against the moral and charitable and legal axiom, that persons are to be supposed free from crime until they are found guilty. Because men are arrested on suspicion, and others, anxious that they should have fair trial, and because they obtain counsel for them, and thus put machinery of the law in wholesale operation, should that be strained in the way that it has been? I put the question fairly, hoping that the intention is not to blindfold, but to deal with the subject candidly. If a person came to me, and said that he was in trouble, in the hands of the sheriff, and sought my aid to obtain means for a fair trial, should I therefore, be connected with the crime of which the party was accused? I again ask can the honorable gentleman say that any three Catholics were implicated in the way mentioned, in the railway outrages.

Hon. Mr. Howe answered—I stated the circumstance concerning the four pound weight, as it came to me, and what I said has been corroborated by the gentleman who was crown officer on the occasion. He (Mr. Howe) had only done what was usual, in calling attention to public charges injurious to himself, and relative to public matters. He did what he thought right, in reference to himself, and to his friend, who was not present—the Chairman of the Board of Works.

The member for Cape Breton enquires, can three persons be fastened on, who participated in railway riots? The answer is, that he (Mr. H.) did not fasten on them, but Mr. London did. The fact could

not be evaded, that a combination had been formed, for the purpose, as Mr. Condon said, of having a fair trial: but that such a combination did exist, was well known to the whole community. From what had been seen of the action of certain parties, the difficulty would be, not to find three who sympathise with the persons charged, but three who did not, and the state of things then demonstrated, startled him (Mr. H.) beyond any other experience of his public life, and pained him more. He did not wish to go back to those questions, farther than to substantiate statements already made. He did not say that the weight did not fall by accident, but connection with all the other circumstances, he did not think it did, any more than he thought that the man who turned round and fired a pistol at another, did that by accident. He took things in the natural sequence, and to this hour these outrages have ended in the perfect failure of justice. Only for the unfair action taken, he did not believe but that justice would have been brought to some of the guilty parties.

Concerning the member from Cape Breton and the speakership, he (Mr. H.) was not a member of the house, and had no information on the subject except what was founded on statements that had come to his knowledge, and which he might have repeated, believing them correct.

Mr. Henry spoke of the understood rule of the house, in reference to charges and explanations; he considered any prolonged debate on such matters irregular. As several members had spoken, and as the House did not seem to have much to do, he might be allowed to make a few observations. Concerning the weight, far as he could learn, there was no evidence to show that it had been thrown, or let fall intentionally. The question was involved in doubt, and was liable to such conclusions as persons wished to make. A gentleman of veracity had told him that another party was standing near the witness when the weight fell, and than it went nearer that person than the witness.

Statements had been made to the effect that certain persons in the city were anxious to obtain the acquittal of guilty persons, in reference to the rail way riots. It was evident from all that could be gathered on the subject, that some of the persons charged were innocent of the offence. The friends of those persons might possibly come to the conclusion that all were innocent, and might be induced to come forward for the purpose of obtaining a fair trial. He would justify none connected with the riots,—they should be punished, and he never heard any persons say

that they wished the guilty parties to escape punishment. He tried to discover whether such wish existed, and had failed in coming to the conclusion, that there were guilty parties to escape. Steps had been taken by those who believed several were innocent, to have a fair trial, but no improper means had been proved, such as procuring perjury;—no fact on which the finger could be laid, as evidence of a determination to obtain acquittal, and to take unwarrantable steps toward such a conclusion. He was in Halifax at the time, and no undue means to cause acquittal had come to his knowledge. The Jury differed in opinion on cases in several of the Counties of the Province, and when the cases were removed to other places verdicts were obtained.

Hon. Mr. Howe—That is my argument. The rioters ought not to have been tried here.

Mr. Henry—If this were the only case of difficulty and disagreement in reference to juries, something might be said,—but it is only one of several in which similar difficulties had arisen. Efforts had been made to have counsel employed and a fair trial obtained,—but improper means for improper objects, which no party would support, had not been proved, and he did not suppose that grounds existed for charges advanced in reference to the trials.

Mr. McLellan—Concerning the public accounts persons should have waited until the Committee had reported, and then if any gentleman objected, he might have moved against the particular amount alluded to, if it were brought to the House. Gentlemen might recollect that the people's money was taken out some time ago, and given for horse races, and other besides general purposes. He was only sorry that the care and economy had not been commenced sooner. The member for Sydney spoke of the Speakership,—that hon. gentleman's memory seems very short on the subject. He (Mr. McL.) did not know what more that member could have done, than he did, except to knock down the whole Liberal party, in the efforts to obtain the Speakership.

The House adjourned.

On Friday, Monday, and Wednesday, the House was engaged in reading Petitions and Bills.

THURSDAY, March 19.

Mr. Morrison moved a call of the house. The call was made.

Mr. Whitman—Mr. Speaker, the position in which the house is placed at the present time, is calculated to retard the business of the session. Several members

are absent, contrary to one of the rules on the house; some of those members are of committees, others have questions before committees, and thus serious delays occur. In consequence of this state of affairs, I am induced to offer a resolution on the subject.

Mr. Whitman moved, accordingly, to the effect, that members absent without leave during the present session, give a return to the clerk of the house, stating how long they had been absent, and how many days in attendance, and that they be paid for the latter only.

Mr. Wade seconded the resolution. He said,—the resolution, Mr. Speaker is not intended as a censure on any of the absent members.—it has been common for members to take what is called French leave;—but looking to the dignity of the house and the business of the country, some regulation should be adopted as a check on such conduct in future.

Mr. Wier—Is this to apply to the present session, generally?

Mr. Wade—Yes, to all absent without leave.

Mr. Whitman—When the pay of the house was restricted to forty days, at the expiration of that time several members were in the habit of returning home by leave of the House. Those who remained did the work. An object in increasing the number of days' pay, was to keep members here. Now members go as a matter of course without leave; it is time that a check be given to that.

Mr. Wade spoke again in support of the resolution.

Mr. McLellan approved of the principle but was averse to its retrospective operation. All the members absent could have obtained leave if they asked.

Mr. Wade. None should take pay for days when they were absent. There were instances of members being absent for 10 days or a fortnight. The committee business should be gone through, preparatory to proceedings after the election.

Mr. Wier. Why not go back for a year or two and make members repay? There were peculiarities connected with the present session. I have come day after day looking for business from the Government,—but I might as well be straying about the country also. The Government are to blame;—but I may be well satisfied with it;—my pay is going on, and scarcely any business transacting.

Mr. Wade. Last session the late government were asked for measures, and the member for Halifax voted against the requirement of such;—now he finds fault with the present government for what he excused then.

Mr. Whitman—The member for Halifax should be one of the last to complain about want of business. He is chairman of the committee on trade and manufactures, and has not called a meeting of the committee yet.

Mr. Wier—Yes—I met myself: (laughter) the work can be done in fifteen minutes.

Mr. Whitman spoke of the great inconvenience caused by the absence of members.

Mr. Tobin proposed that the resolution lie over until the return of absent members. To pass it now would seem like taking advantage of their absence;—he was not disposed to do that.

Mr. Henry explained his view of the application of the resolution in reference to those who were absent with, and those absent without leave. He was against the retrospective effective. It might be hard for some to tell how many days they were present. Notice should be given of the proposed arrangement. He considered that members enough remained for transaction of business. Instead of stopping the pay of some of those absent, he was rather inclined to give them pay, and allow them to continue away. By that course the session would be shorter. The member for Halifax reminded him of the man who in looking out in the morning, found both hay and grain ripe, and was undetermined which he should attend to; so he went a fishing. Members acted somewhat in that way. They belonged to various committees, difficulties arose concerning meetings, and so no business accomplished. He disliked passing the resolution in the absence of members; wait till they return, let them give an account of their stewardship, then:—gentlemen were away from both sides of the house; probably some of them earned their pound a day as well as those did who had remained at the house.

Mr. Wade spoke again for the resolution and contended that it was not a question in which the members alluded to could take a part consistent with delicacy. The practice had been as decided, relative to members leaving the house, he wished to establish a principle. This was the proper time to pass the resolution.

Mr. Wier.—A rule of the house applies already. He would be gratified if those who caused the late resolution staid away.

Mr. Locke—Consideration of the rules of the House should be with closed doors.

Mr. Wade—The question ought to go to the country. The pay was raised, because those who attended to public business should be paid for their time. It

should those who stay away be also paid? The business done may be upset when members return, and thus hundreds of pounds be expended in consequence of their absence. True, the rule may be enforced, but none like to move that; it applies to extreme cases;—the resolution before the House would provide that members should not be paid in reference to absences for their own pleasure.

Mr. Locke—Are not members alluded to on public business? They are assisting to canvass the counties.

Mr. Henry—They have gone with the belief that the rule would not be enforced. To pass the resolution now would not seem fair.

Mr. Wier—The resolution would set aside the original rule. If it pass, none need ask leave, but make a minute of absence and report accordingly.

Mr. Wade—Special cases might be excused in the return of members. If the resolution be negatived, he would consider it his duty to enforce the rule of the House.

Mr. Whitman—According to the remarks of the member for Sydney, the member who asked leave would have his pay stopped,—while to those who did not ask leave the pay would continue. Could he justify that?

Mr. Parker thought that the mover of the resolution was hardly serious. He would not pre-judge absent members; let them come back,—and then adopt the resolution. Might it not be better to send for them than pass that in their absence? He had left the House himself, following the example of older members. He thought that absence caused loss of pay; and made deductions accordingly, last session; but that was not the practice. The absent members would probably bring additional intelligence with them. He found the fresh air benefit himself on a late visit, and consequently he was on his feet then, addressing the House, for the first time during the session. He was against the passage of the resolution at that time.

Mr. Dimock said that instead of blaming the government for not doing something, he was grateful that they did not interfere for alteration of the road scale, when he sat alone representing his constituents.

Mr. McKeagney considered that the rules of the House should be complied with, and that no member should go away without leave. That was not the usage, however, and he would not change without notice be given, that members absentsing themselves without leave, shall forfeit pay.

Mr. Morrison approved of the principle, but did not wish the adoption of the reso-

lution at that time. It would set aside a rule of the House

Hon. C. Campbell was for passing the resolution or enforcing the rule. The principle was just. The member for Halifax spoke of measures; last session the Government denied the right of the House to demand measures. The country was so happy it required none then, it appeared. Is it in a worse condition now? Complaint comes with an ill grace from that member; he locked up the papers of the Committee on Trade, and took all the business on his own shoulders.

Mr. Ryder. Last session was the first in which members were paid for every day that they were in attendance. That was only right, but those who did not attend should not be paid.

Mr. Killam thought the rule already provided for the cases;—it says that each member shall receive pay for every day of actual attendance. He did not approve of the retrospective effect.

Mr. Tobin moved in amendment that notice be given, that the rule of the house would be strictly enforced after the 26th of March.

Mr. Wier, that might intimate that the House was not in the habit of attending to its rules. In reference to the allusion made to himself, by a member of the Government, he might explain that his allusion was to the ordinary business of the House, and that he did not expect measures to be brought in the absence of leading members.

Mr. Wade. I give notice that I intend moving for an enforcement of the rule,—if the amendment pass.

The amendment was put and adopted,—20 to 13.

Mr. Wade. I now, Mr. Speaker, move that the rule be enforced. I would not consider that I did my duty to my constituents if I refrained from doing so. I feel sir that the aspect which the House now presents to the Country is anything but creditable. Is the Assembly to be convened, and then allow half its members to go round the country, taking pay all the time? Nova Scotia will never respond affirmatively to that. Why postpone the effect of the rule till after the 26th? The amendment negatives the rule for the time being. I move the enforcement of rule 30, of the House.

Mr. Speaker—I cannot take that proposition. The house has passed a resolution to enforce after the 26th.

Mr. Wade—I want to know whether the rule is to be done away or not.

Mr. Speaker—How would that appear on the journal? The amendment says

from the 26th. ; this says from the present time.

Mr. Whitman—The fault is in the amendment.

Mr. Speaker—It has passed.

Mr. Wier—The first resolution was incorrect, the rule applied to the cases—The amendment suspends the rule until the 26th.

Mr. Henry—The rule has never been acted on. Its enforcement is not moved. Members leave the house with that understanding. It might be considered unfair to enforce it at this time in the absence of members. The only way now to try the question is by notice of rescinding.

Mr. Wade explained, he wished the question tested then. The 30th rule had been set aside by the amendment, he wished it to be retained and enforced.

Mr. Wier—The rule would not keep members in their places if they wished to go. The rules of the house are variously violated.

Mr. Whitman—The rules were revised last session by the leader of the government and a committee. Of what use are they if not attended to?

Mr. McLellan—Something, perhaps, is intended to be made out of this—some political capital. The enforcement of the rule was not expected when members went away. The course now is by rescinding.

Mr. Speaker—This discussion should be with closed doors. I think that I should not put this resolution. With closed doors I would not allow the house to stultify itself, and I should not with open doors. Notice of rescinding may be given, but I do not think it competent to put this.

Mr. Whitman rose.

Mr. Speaker—There is no question.

Mr. Wade rose to enquire.

Mr. Speaker—I cannot receive your resolutions.

Mr. Wade—I give notice for rescinding to-morrow morning.

#### THE PRESS, &c.

Mr. Morrison said that he rose to move a resolution, which he would preface with a few remarks. In all countries blessed with the freedom of speech and of the press, differences of opinion might be expected to arise, and to be discussed, in reference to great public questions; and principles thus drew sufficient support around them to counteract the possible opposition of governments, and to protect the rights of the people. Hence it was that he considered in any country blest with free-institutions, no body of men should think it necessary to proscribe the liberty of the press, or to unduly shackle

freedom of speech. Holding these opinions, what was his surprise to find a resolution, for enchaining the liberty of the press, and denying to Protestants the privileges conceded to Roman Catholics, of discussing and diffusing their principles of religion or politics? On looking at the morning papers he found that a resolution, which declared that equal freedom, had been voted down by a majority of another Branch of the Legislature.—When that occurs, the House might make enquiry how that was done—how the negating resolutions got to the other Branch, and were treated there. Some in the Assembly had intimated that Catholic ascendancy was about to be enforced; and that prophecy might be considered matter of history now, when it was found that a resolution, claiming for Protestants the privileges always conceded to Catholics, was voted down by the Legislative Council of the Province. Before that party obtained power, their demands were moderate—they only required that the Chairman of the Railway Board and the Queen's Printer should be proscribed; since they arrived at power, however they have become more sweeping in their requirements; the liberty of the Press, and the birthright of every free-born Protestant of Nova Scotia is checked and proscribed. He called on the genius of liberty, it had fled; he invoked the shade of the Press, to pronounce on the conduct of the Legislative Council of Nova Scotia. He would say, go forth!—proclaim on the house-tops of Parrsboro'; spread it abroad in the streets of Presbyterian Pictou,—Tell,—oh! tell it among the Orangemen of Cumberland and Annapolis—that their rights and liberties have been proscribed; that Protestants have become, in effect, hewers of wood and drawers of water in the land of their birth; that the liberty once so dear of every Nova Scotian, is now trampled on by a vote of the Branch of the Legislature.

Mr. Henry suggested that it was not usual for one Branch to complain of what was done by another Branch.—Judging of the hon. member's resolution by his remarks, he (Mr. H.) had to suppose that he intended to move in reference to something beyond the power of the House.

Mr. Morrison continued—That will be explained by and by. The hon. member need not be uneasy. He (Mr. M.) again enquired,—was it come to this, that in a free appendage of that glorious Empire, on whose domains the sun never sets, and whose bosom was ever an asylum for the persecuted of despotic nations,—that in any part of her vast dominions, a Legislative Council may with impunity proscribe and sweep away rights held so sacred

and so dear? Forbid it, Justice, forbid it Heaven.

It might be said that the Branch alluded to were an independent body, over whose conduct the House had no control. His opinion was that that Branch held its existence, in a great measure, by the breath of the Assembly. When he found that two gentlemen who swelled the majority elsewhere, and who therefore were parties to surrendering the birth rights of Nova Scotians, held seats in the Executive Council of the Province, he was led to suppose that they had the countenance of others of the Administration in that vote. Was it not known that one of the majority was the Receiver General of the Province, with a salary of £600 of the public money,—and was it not also patent, that that gentleman held his place, as he obtained it at the beck and nod of the representatives of the Globe House? Was not that Catholic ascendancy? When he (Mr. M.) found that person's authority made use of against the rights of the people,—when his constituents and his offspring were invaded and despoiled, he felt that he was justified in speaking of that on the floors of the people's House, and in language plain and unmistakeable. Taking the newspapers as a guide, it appeared that a discussion arose in that other Branch, in reference to an article called a manifesto, which appeared in a morning paper of the city. He (Mr. M.) had not an opportunity of publicly stating his opinion on that document before,—but would now say that he endorsed it,—he gave his unqualified approbation to general principles which it included.—Some members, of both branches; having in view the stability of the institutions of the country, thought proper to proclaim that as their political platform for the time to come. He endorsed every sentiment of the document, and held himself ready to act on it, wherever, whenever, and whenever it was carried out in good faith. In his opinion the time was now come when the people of Nova Scotia would overleap the barriers that had hitherto divided them and would unite in forming one grand platform, one strong phalanx, which no one ecclesiastical power ought or sect could, overthrow. Who could say ought, against the principle of the manifesto?—Did it exhibit any narrow-mindedness, or sectarian prejudice?—No; Why not adopt it then? Why? Because it might prevent people in future from disturbing the settled policy of the country;—from playing the game over and over again that had been witnessed for the last five or six weeks. Because the word of a foreign influence, that had become so unpopular in

its own land as to require the protection of foreign bayonets, might be prevented from disturbing over and over again the even tenor of political institutions of the Province. He did not stand there as a sectarian bigot; when the dews of heaven distil in the Catholic as well as in the Protestant,—when the showers from the clouds descend to wafer the corn in the valley of Catholic and Protestant alike;—it was not for man, the creature of a day to raise his puny arm against any denomination in reference to worldly concerns, or political affairs without urgent cause. His doctrine was,—Equal rights to all, proscription to none; (Hear, hear). Let ability, not religious name be the test of office;—and that was the doctrine of the manifesto. Why was the government side of the house so sensitive on this subject? Why! ah! a guilty conscience needs no accuser.

They know of the foreign influence they have used; they feel the coil around them, and they fear that a native influence may be organized that may place them, in due course of time in the shades of opposition as they have placed others. They know that by that influence their leaders have gone, Jonah-like, to the hustings, clothed in an ecclesiastical gourd as their protection; but a worm is already at the root of the gourd, and when the people arise in their majesty, they will faint, and die politically. He would say to those who now sit opposite so smilingly, that they had built their own altar,—they had laid their political lives on it, they had taken the coal which would light their own funeral pile, and generations yet unborn would sing the requiem of the Johnston administration of 1857. That would be chanted through the length and breadth of the land, as a warning against the fatal rock on which that administration was wrecked. Revenge might be thought sweet for a time, but it was bitter, bitter in the end. Haman built a gallows, but virtuous, Mordecai did not suffer on it;—political Hamans may build one ever so high, but the modern virtuous Mordecais will not perish thereon. The member for Windsor was the object of revenge, but his voice was already reverberating from the walls of the house, to the hearts of the country, and they would hear it, and would come up to the help, to the help of Nova Scotia's mightiest son. Virtue may be overturned for a time, but when the opportunity comes the people will speak out with majesty in their voice. Gratitude was due to that member, he had faithfully and boldly battled for public liberty, property, and life; and he had shown more than once, that office had no charms for him, if it could

only be obtained or retained at the sacrifice of the principles of right and of social happiness. Gentlemen opposite may enjoy their short triumph for a time, but the day is not far, when they will seek to hide their heads from the storm of political wrath, and call in vain on their political gods to shield them from its power. The time is not very far distant when political trickery of the present time will be made known to the people, and the party concerned will blush behind a mountain in recollection of 1857. Those were his opinions, in reference to the late transactions,—and he would conclude by moving, that a committee be appointed to search the Journals of the Legislative Council relative to action lately taken by that body concerning the resolutions that had been negatived.

The resolution was moved and seconded.

Mr. Henry said, that he did not rise to answer observations just made.—he was sorry that when a debate arose on a former day, on these questions, the hon. member did not think well of enlightening the House with his splendid rhetoric.

Mr. Morrison—I had not an opportunity.

Mr Henry—He was in his place at the time, but probably he had not got himself up then. He (Mr. H.) was not going into the subject of manifesto,—he had spoken on that already, when the leaders of the opposition were present. At that time the question was raised and debated without notice, as the question of to day has been introduced. The usual course was not to take up a topic in that way; to make a long speech on it, to attack persons absent, and all without notice. Thus others were called to reply at the moment, to what had evidently taken a week to prepare. Of such conduct he (Mr. H.) complained in a former day, and then asked for opportunity to examine the manifesto, remarking that if it were true, he was in the wrong position. He believed however, that he was right, and that some statements of that article were not correct; that not only they could not be proved, but that the opposition themselves might be called to disprove them. He had referred to matters that the supporters of the manifesto knew to be true, and an answer was expected. That debate was to be resumed on the Monday; he came on that day, to meet some charges made, his desk now was crowded with papers for the argument, but the movers backed out of it, they did not renew their resolution, and the opportunity was not given to meet their statements. The reasoning used then need not be repeated now. To-day the House heard another Branch of the Legislature malign-

ed, and political altars were spoken of, and political deaths foretold, without any notice given, so as to allow answer to all that. The hon. gentleman may be a prophet in his way, but others may prophesy also, and may see very little to fear in his forebodings. He spoke of sensitiveness;—where was it?—On the Saturday, time was asked for, that the question might be properly met and dealt with?—that was promised;—but on the Monday the debate was not renewed, the opportunity was not given, gentlemen backed out of it. The sensitiveness was on their part. Conscience had been spoken of,—some have conscience and some appeared to have but little or none at all,—but the hon. member from Colchester was not the judge. He was not responsible for them, nor they for him. Each had to answer to his constituents, to the Country, and to a higher Power. The hon. member spoke of the freedom of the Press—while he himself would contravene the freedom of the Legislature, of every one on the benches of the House.—a freedom which was before that of the Press. He judged the Legislature, decided that it was wrong, and publishes abroad to the effect that the legislative majority had sold the country to a faction. Services had been referred to,—but he (Mr. H.) believed that if there was a forgetfulness on that subject, at one side, there was at the other also. The debate of to day was uncalled for, except free discussion were to be prevented;—and gentlemen were spoken of who were not present to defend themselves, if reply were made. He (Mr. H.) wished to speak in their presence; he did not consider that the member for Colchester represented them, or was altogether qualified to do so. Blushes were alluded to,—he (Mr. H.) considered that he would never have cause to blush for his conduct in those questions;—he was not actuated by selfish views, denominational or sectional; he held that his conduct was as free from censure as that hon. gentleman's could possibly be, in reference to affairs alluded to. The committee moved for, he believed, would derive but little information from its search of the Journals of the other branch; he understood that no such resolutions were there at all; that the Journals had no record of any such proceedings. To take newspapers as authority in such matters was not parliamentary,—and it was indelicate to canvas, in that House, the conduct and motives of members of another branch. How would the hon. gentleman like to hear members of that branch impugn his conduct and motives and those of others here? The course was unconstitutional, and unparliamentary, and

if persisted in, the result might be, that instead of time being occupied in the business of the country, it would be wasted in petty snarls and disputes. Let the Committee go; but the hon. member should not imagine that he may make assertions here without reply. His prophecies might prove of little value; he (Mr. H.) believed there was not the slightest ground for them. Prophecies are not called for, when the events will so soon transpire;—the sound of triumph should be kept till the battle be fought; that would be time enough to boast of victory. The hon gentleman might be right, and others wrong; but he (Mr. H.) believed those who took the course so disapproved of in the speech just heard,—were as conscientious in their belief of being right, as that gentleman was, in his own view.

Mr. Wade said he did not rise to make any lengthy observations; he did not feel adequate to that, after the house had been so electrified by the flow of eloquence of the hon. member from Colchester. That pathetic appeal was in language so chaste in rhetoric, so fervid, and delivery so unusual, that he would not attempt to follow its particulars. He would give the hon gentleman credit for having studied nature, as he averred on a former occasion, after such an address as that. The morning papers have become the theme of discussion; the new platform seems based on newspaper paragraphs. All the leaders are away, and the gentleman opposite seems to think he can pull the feathers out of those who remain at this side; and it has to be acknowledged, that if he continues to talk in the strain just listened to, competition would be out of the question, and Government might soon have to sink into the cold shades of opposition. Some of the language used was rather strong, but it might be forgiven; when the mind was wrought up to that degree of eloquence, allowances should be made; the judgement was carried away by talent so powerful. The phrase political tricksters of 1857 was used; the hon. gentleman himself was the true Jeremiah—the immaculate character from the north riding of Colchester, and to whom the public should listen as to an oracle. He seems to have forgotten the treachery that became matter of charge recently. Look on me, he said in effect; look on me, ye Baptists and Methodists, and listen attentively to my warnings and counsels.

He (Mr. W.) however had risen to say that he could not vote for the committee; considering the action sought, it might be a breach of privilege in reference to the other Branch. Let the resolution lie on

the table for future consideration; in its present shape he was against it.

Mr. McKeagney said that he considered it out of place to found charges against another branch on newspaper articles. The question did not come before the house in a sufficiently tangible manner. The best sources of information on that subject were the journals of that branch; that evidence being absent, he had a right to suppose the whole matter unfounded. Assuming, however, that the hon. gentleman could put his hand on the journals, it would be unseemly for the House of Assembly to pass censure for matters which had transpired there; this house was not responsible for the acts of the other; each had to account for its own conduct. He (Mr. McK.) would say in reference to the resolution alluded to, that if it passed by itself—if it meant that any body of the people should not be on an equal footing concerning civil rights, he would not sanction it; his word was, "fair play for all." (Cries of hear, hear.) The hon gentleman thought fit to mix up Catholic ascendancy in his remarks; but let him show where it was. In what case, in what way, did it appear? Will he prove it by the statutes, by the public offices, by subordinate offices? Let the question be met by facts, not by declamation; by words not to mislead that House—for that he could not accomplish—but to mislead out of doors. The purpose seems to be to so mislead, and for consequences in which the hon. gentleman may be personally interested. Let him prove that ascendancy if it exists; let him show that any public man has asked for it—has asked for more than his fair rights. He (Mr. McK.) challenged that member or any other man to prove the attempt at ascendancy in these affairs. Power was said to be derived from the Glebe House. That is a gratuitous assertion. Were not all the members of this house returned by the same machinery? Had not all equal right to represent the people?—to vote as they thought proper? To whom is any member responsible, except to his country and to his conscience? Would it be said that the Glebe House exercised power over his (Mr. McK.) conduct in that house? That his privileges rested in other hands! Away with the idea. If it could be shewn that he exercised his privilege to limit the right of others, he would only deserve to be put down. When he only acted from political considerations, then, right or wrong, he was within his privilege. In affairs alluded to he voted, not for religious objects, but political; and in reference to taking power from one set of men and given it to others let any one show that the body alluded to had increased

ed their power as religionists by that—then something to be answered might appear. Were not the denomination as defenceless as before? If Catholic members of that house sought for what was improper, would not both sides close over them, and put them down with one frown of indignation?—would not other gentlemen adhere to their principles of faith, before any other objects? and would they not unite to put down those who sought undue advantages, if such a time should ever come? He hoped it would not;—it would be time enough to talk then. However, let the howl of Catholic ascendancy cease, except the hand can be put on some act by which that ascendancy can be proved. He challenged for such a case—for a charge not founded on theory or declamatory sounds, but on facts. If that were done, the question would become worthy of consideration.

A foreign potentate had been spoken of; that, also, was to inflame the passions.—He declared it an unfounded assertion, that Catholics of the province owed any allegiance to any potentate, but their gracious Sovereign, Queen Victoria—Every Catholic member of the House subscribed to that oath as willingly as those of other denominations. Why deal in those calumnies—those unfounded assertions, rather, for he imputed them to the hon. member's ignorance of such questions. Why charge that which cannot be sustained for a moment? Away with it as thin air—it has no foundation, and should not be heard on the floors of that house.

Mr. Wier contended that the resolution was in order—that the house had a right to search the Journals of the other branch. It was right that the people of the country should understand whether the principles announced of equal freedom, had been ignored by the Legislative Council; whether denials of those principles, of equal rights in reference to the press, and discussion generally, are to be supposed to be agreed to by persons in authority at present? (Mr. Wier read the resolution which had been negatived, and continued.)

These included, he said, his political doctrines,—they asserted that every man had equal rights,—but such appear to have been ignored by the other branch—That body had in effect said, that equal rights did not exist,—that the Protestants and Catholics differ on that principle. When such doctrines as those alluded to were negatived, it was time that the people should know whether it was on other principles that the new government were to conduct the affairs of the Province. He felt, and had always felt, that there was not sufficient reason for the conduct of

those eight gentleman to whom allusion had been made. Up to the conclusion of last session, the government of the day seemed to have their confidence,—and sufficient reason for withdrawing that, and for the change that had occurred, did not appear to him. Either they thought that their co religionists had not been properly treated in reference to patronage,—or the question assumed a religious aspect. It turned either on religion or politics. The patronage element had been denied. He could not see what the late government had done since the close of the last session, to adequately account for the change that had been witnessed. If the question were of a religious character, that was another matter.

The hon. Speaker.—I wish the resolution to lie over till to-morrow. There is some difficulty as to point of form. The Assembly has the right to search the journals of the other Branch, under certain conditions, relative to any concern the house might have in the question under consideration;—whether it had gone from this house;—the right would exist in either case; but some doubt appears in reference to the present circumstances.

Mr. Morrison argued that the Legislative Council founded their action on a document that had been discussed in the Assembly, taking their information from a newspaper;—and that he had as good foundation for the resolution that he had submitted. He maintained his right to speak of that Branch and to search its Journal.

Mr. Henry acquiesced in the view of the Speaker respecting the doubt that existed; when he spoke previously he thought the committee might be appointed without opposition,—but on consideration he saw reason to change his opinion. Let the resolution remain, and if the committee could be sent consistently with parliamentary usage, he would not oppose its appointment. The resolution said to have been negatived, concerning equal rights, none attempted to gainsay. Let time be given to enquire, so that the House may not be drawn into adopting a wrong precedent.

Mr. Morrison agreed to allow the resolution to remain.

Mr. McLellan contended that the Journals of the Council were public property, and might be examined on any subject.

Mr. Speaker referred to the latest precedent for searching the Journals of the other branch, and thought time for enquiry, as to right in the present instance, should be taken.

Mr. Locke moved that the debate be adjourned.

Mr. Tobin said—Judging from the man-

ner in which the manifesto had been brought before the House, and then dropped,—the same might be expected on the subject then under consideration. It appeared to him that members took the opportunity of standing up,—making a flash, putting their opinions before the country, and then letting the subject drop, without time for reply being given. The House ought not allow such a course to be pursued. If notice were given yesterday, gentlemen would have been prepared to deal with the question. One gentleman had made a long speech on the resolution before the House? perhaps the question would be dropped and his opinions go uncontradicted. That would be wrong. Remarks had been made to the effect that persons of a certain faith had been the means of breaking up the late government;—he asserted, and it could be proved, that the government broke itself up. The gentlemen broke up their own government,—and he had much trouble last session to prevent that result; members all round knew that to be a fact. They were at that time trying to trip one another up. Now when they are gone, they blame the charge on the Roman Catholics. He would not delay the House at that time,—and did not wish to make statements while gentlemen were not present to defend themselves. He expected to have an opportunity of explaining on the manifesto,—similar action to that then taken, may occur on this.

Mr. Locke—There is no disposition to drop this,—there was none to abandon the manifesto. No member arose next morning to answer the preceding remarks, and so the debate closed. Sufficient evidence existed to prove that the party alluded to broke up the late government.

A Member—What party?

Mr. Locke—Those who did it. (*Laughter.*)

Mr. Wade explained. He moved the adjournment on a former day. He did so to give gentlemen an opportunity to renew the debate. It comes to-day in another form.

The debate was adjourned.

Mr. McLellan gave notice that he would move for the submission of certain documents relating to the mines and minerals.

Mr. Ryder asked for the Reports relating to the Fish Wardens.

Mr. Henry gave notice of meeting of Post Office committee.

The house adjourned.

Saturday, March 21.

A call of the House was made.

Hon. Mr. McKinnon moved that the same system of Colonial revenue as that of 1856

be in operation for the year 1857, with such exceptions as might thereafter be made.

A reduction of the duty on refined sugar, from 14s to 10s. per cwt. was moved.

Members explained that the higher duty almost amounted to a prohibition. To evade it loaf sugar was broken up and imported as crushed sugar.

The reduction was agreed to.

Mr. Henry moved that the 6½ ad valorem duty be increased to 10 per cent. on goods, wares, and merchandize not otherwise charged with duty.

Mr. McLellan thought 7½ sufficient. That increase would yield nearly £10,000; reckoning on the same importations as 1855, it would produce over £8000. The 10 per cent proposed would give more revenue than was required.

Mr. Wier said he did not agree to the requirement of the larger duty. By proper management he thought no increase of the tariff would be made. The present tariff was sufficient to meet the expenses of government, and demands for roads and bridges, and considerable saving in reference to some items might be effected. He did not believe a word of the cry which had been raised and disseminated for political purposes, concerning a financial crisis. The circumstances of the country only required economy for a year or two, until the public works began to tell, for carrying it triumphantly through any passing difficulties. In private life, when a person undertook any unusual work, he economised so as to bring that work within his means; why not in public life also? Having voted £40,000 for roads in one year, that was continued, although a saving might be effected in the change. Breakwaters and other services were subject to similar remark. Thus savings might be effected for a year or two, until the works began to pay, and the country so advanced in commerce and general interests as to be able to meet all demands.

Mr. Henry answered;—He wished that gentlemen who objected to the proposed increase would prove that it would be too much. The money borrowed for the Railroad required £33,000 for interest—and funded debt £4000. Could that be provided for without the proposed increase? If so he would be delighted; but he believed that all which would arise from 10 per cent would be enough. Last year a sum of £29,000 was provided for; by Province paper to the amount of £15,000—and £14,000 by the Saving's Bank. Would it be wise to go on year by year, borrowing money to pay the interest on other sums borrowed? Who would advise a course of that kind? Deducting money advanced to the St. Peter's Canal, and other sums, still the expenditure of last year would amount to £156,000, while the revenue was £142,000, which would leave about £13,000 debt, in reference to ordinary expenses—and this year the interest demand of £37,000 has to be provided for. That could not be met by the proposed advance of

1½ per cent. The 3¼ might be expected to yield £24,000 currency, from which some deductions should be made for probable losses by smuggling. The revenue then, with the advance, might be stated at £166,000, at the most, while the expenditure, including interest would be about £180,000, so that with the 10 per cent there would be a deficiency, and borrowing should be resorted to, only that there happened to be a balance from last year, in the treasury chest. Some saving might be effected in the Board of works, probably; last year the outlay there amounted to £28,000; this year, the ordinary items, if no increase of appropriation occurred, might be reckoned at about £20,000—Suppose £10,000 saved in reference to that Board—£15,000 on Breakwater—and perhaps £1,000 on the revenue vessel—that would give £12,500 to be deducted from the years expenses—and would bring the requirements of the year to £142,000—the amount of last year's revenue. Now, however, the Railroad interest would have to be provided for, to the amount of £33,000, while the production of the 3¼ per cent, is reckoned at £24,000—leaving a deficiency to be taken from the balance in the Treasury. The Railroad interest, as had been remarked by the member for Inverness, on one of the last days that he was present, should be borne by the revenue, and not added to the debt of the Province.

The revenue certainly ought to pay ordinary services, and the interest of the public works. Additional bonds had to be disposed of in England, to the amount of about £200,000. On that being applied for, the Messrs. Baring would enquire what provision had been made to pay the interest; better run the risk of having a little too much revenue, than the publication of a financial statement in London that would seriously damage or destroy the credit of those debentures. The revenue of the country, and its capability of taxation, gave the proper status to such securities. If a private person wished to borrow, and could show that he had an income of £600 and expended £600, he would be in no condition to induce a capitalist to give a loan—but if he could exhibit an excess over expenditure, could show other source of income, that would be a basis of credit; so it was with the Province, and in such circumstances the debentures would float freely. It was for the interest of all without reference to party, that these matters should be settled on their own merits—and so as to prevent depreciation, and loss of character and premium. If the revenue could exceed the demand by a few thousands, the disadvantage would be compensated by the premium which the debentures would command. If it could be shown that the proposed increase was not requisite, he would be much pleased—he was as anxious as gentlemen opposite to keep taxation at a low figure—but his fears was, that the addition would not be quite enough.

Mr. McLellan said, he agreed that means or expenditure should be provided, but the House should not run wild on the subject.

Better, he considered, be a trifle below the requirements, than above. Excess of revenue led to expenditure; and experience proved that taxes once laid on, were not easily removed. By a calculation made, he considered a saving of £17,000 or £18,000 could be effected this year. The funded debt might be kept separate in these estimates. Allowing the expenditure on the Railroad to be as much for 1857 as it was in 1856—that is, £240,000, at 6 per cent. Deducting from that, saving of interest by means of Treasury Notes and the Savings Bank, increase of Railway income, and reduction of expenditure, the real deficiency might be stated at between £9,000 and £10,000, and from the prosperous and advancing state of the country, he thought the 1½ per cent could about meet that. The way to keep financial affairs in a prudent state was to keep income about up to the mark of expenditure, but not above. The hon. member for Sydney of £29,000 debt. He looks at this side and not the other; he seems to regret the general advance and the increase of the Railroad income.

Mr. Henry considered that the hon. gentleman was mistaken concerning his views of reduction. He (Mr. H.) had gone through the various services, and differed on that point with the member for Londonderry to the amount of £5,000. The interest on the funded debt should not be deducted, but added to the interest charge. Members should bear in mind that next year £12,000 more would have to be provided, and it would be well not to have to make too great a jump at taxation then—not to go suddenly up to perhaps 12 per cent. The present should be considered as regarded its bearing on the next year. One half of the difficulty in private life might be avoided by meeting it half way—by providing in time, and not waiting until embarrassment came. If debentures once got a bad character, their sale and the public works might be stopped. Now was the time to keep up the bonds, and to provide for the works, by sustaining the resolution. The object should be to keep the debentures with such a character as would demand the premium paid for Canadian securities. Reduction in expenditure was spoken of, but not probable demands for new services. From the £22,000, reported as in the Treasurer's hands, should be deducted £7,000 already paid from that amount for one year's interest. In making the estimate submitted to the House he had not reckoned merely the amounts paid in, but the amounts in Collector's hands that ought to have been paid. He believed his statement to be correct, but would be delighted if it could be proved that a less sum than that stated would answer, and that liabilities were not so heavy.

Mr. McLellan remarked that instead of putting so much on goods, he would prefer an additional half-penny on tea, which would yield about £20,000. He did not believe so much was wanted as the amount stated, and sought to be provided for.

Mr. Wier stated that that was his opinion.

also. The country was increasing in growth and resource,—and the diminution of revenue for the last two years had to be distributed to the war. There was good reason to believe that the revenue for the present year would be £10,000 above that of 1856; next year, probably a still greater increase might be realized. He preferred risking a small deficiency of revenue, than take such a leap as that proposed. The increase of duty would not produce as much as was expected—the probable increase of smuggling should be taken into account. He expected that in the western part of the country many articles would be brought in without paying duty.

Mr. Whitman—We don't understand such terms quite as well as you do here.

Mr. Wier—I would go to 8 per cent., but not 10—there is every reason to believe, except the prosperity of the Country is retarded by the change which has recently taken place, that the present year might be gone through without any increase of taxation.

Mr. Whitman—With the views just expressed, the hon. gentleman would have to do what we did, break up his government—for the leader of the late government said the duties would have to be raised to 10 per cent.

Mr. McLellan said that the leader of the government was so beset, he probably scarcely knew at the time, what to think on this subject. Those who loaned on bonds would enquire and make themselves satisfied of the ability of the Province, without any excess of revenue appearing. A surplus of means led to squandering;—time enough to put on duties when they were required.

The House was engaged in passing Bills, Petitions, &c., from the 23rd to 30th.

MONDAY, March 30, 1857.

Mr. Robertson, chairman of Committee on Penitentiary, reported that the establishment was in good order, that 19 persons had been received during the last year and 17 discharged—and that there were 26 prisoners at the close of the year, and recommended that the sum of £1900 should be granted for the expenses of the ensuing year;—and that the line wall should be completed by contracts, as in consequence of the prisoners having been engaged on it, some of them had escaped, two of them at all events; as they had to be watched, the work progressed slowly under the present system.

Mr. Young enquired what portion of that sum was intended for the construction of the wall, and what for the maintenance of the prisoners. He thought this point should be established, and he would suggest to the chairman that that information should be obtained and added to the report.

Mr. Robertson said he would make enquiries on that point.

Mr. McLellan thought the accounts for building should be separated from those relating to the keep of the Prisons.

Mr. Young—If two Committees have come

to the conclusion that the Wall should be built I would be disposed to acquiesce: but £1900 for the keep of 26 prisoners appears to me to be large.

Mr. Robertson—A large sum is expended in purchase of stores.

Mr. Esson would submit the accounts at any time to the hon. Chairman, and he could examine for himself and report to the House.

Mr. John Tobin thought the prisoners should be employed in trades. In the United States there were Blacksmiths, Shoemakers, Stone-cutters &c.

Mr. Robertson.—Last year two Shoemakers were employed in the Penitentiary—this year there are none; but no such system has been pursued as the hon. member for Halifax mentions.

Mr Morrison said one man was engaged as a Tailor, but that was for the use of the establishment.

Mr. Young.—It would be impossible with such a small number of prisoners as 19, and when some of these are being continually discharged from time to time, to introduce the system pursued in the United States.

Mr. McFarlane said there was one man—a Lascar—in the establishment who had been there for 7 years; he would do no work, and was a useless expense—he thought he should be sent to his own country.

Mr. Young mentioned that there were three persons in the Penitentiary who ought not to be there, as they had been found guilty of murder, but the Court had decided that they were lunatics—they would be subjects for the Lunatic Asylum as soon as it was ready.

Mr. Churchill said he thought the Lascar was capable of being taught. For his part, he would not be afraid to take him and give him a trial, and see what he could do with him.

Mr. Howe, with regard to the Lascar some thing should be done—in his country it was part of his religion to kill—no man could say how his feeling had been wronged before the commission of the crime, at all events 7 years solitary confinement was almost enough to expiate any crime—besides he thought we should not bear too hardly on criminals now adays—(laughter.)

Mr. Killam thought the British government should bear a portion of the expense of these criminals.

Mr. Young said he would take no part in the responsibility of releasing the Lascar—as regards the Sapper Sime, convicted of killing one of his comrades, he thought application might be made to the British government to bear the expense of his maintenance.

Mr. Whitman. It appears that much of the expense arises from money expended in paying.

Mr. Robertson. There are four keepers and a woman.

Mr. Ryder. The expense of the keepers is very great—I think the best course would be to put it out to tender and contract.

Mr. Dimmock. It is impossible to take

charge of these men without a sufficient number of keepers.

Mr. Tobin. In Sing Sing there are over 800 male and 100 female prisoners and it is one of the most complete Manufacturing Institutions in the country. One keeper does for each room,—and there were many trades of a simple nature that might be introduced into the Provincial Penitentiary.

Mr. Young said that as the new Administration had nothing to do before and idleness was not profitable they might now occupy spare time in studying out the routine of the system suggested by the hon. member for Halifax, (laughter.)

The house adjourned until half-past Two to-morrow.

TUESDAY, March 31.

A message from the Lieut. Governor commanded the attendance of the house in the Council Chamber.

The house attended his Excellency.

His Excellency gave assent to sixteen bills, including the revenue bills.

The house adjourned until half past 2 o'clock the next day.

On the 1st and 2nd of April the House was engaged in Bills and Petitions

FRIDAY, April 3.

Mr. Young rose and said—I will not go into details at present in reference to the report just presented, but there are one or two matters to which I will refer. A committee consisting of eight gentlemen selected from both houses have carefully examined all the public accounts, and it is indeed gratifying to find that not a single error has been discovered, nor an imputation offered in reference to the mode in which these accounts have been kept. This is the more pleasing when we consider the large amount of money (150,000*l.*) which has been expended during the year by the government.

It is also gratifying to find that of the whole revenue amounting to about 140,000*l.* only 700*l.* remains uncollected, and there is no reason to apprehend that even this small sum will remain long on standing.

This report then I consider an ample certificate of character to the late government, and a complete answer to the charge that they had been displaced from power through incompetency to manage the public affairs.

There is another point to which I would refer, and that is that independent of the railroad the public debt of the province amounts to 93,000*l.* I say, therefore, that the public affairs of this province are in as healthy a condition as those of any other country, and I point to this document with pride, as a perfect refutation of

the charges of incompetency brought against the late Cabinet. I also beg to congratulate the new Government upon the state in which the Provincial affairs have been handed over to them, and I only trust that when they hand over the seals of office, which I hope will be at no distant day, they will receive as good a certificate as that which has just been presented.

Hon. Financial Secretary—With all due reference to the hon. gentleman who has just sat down, I cannot help remarking that this congratulations are not quite consistent with the facts. He says the expenditures under late Government have been according to law. I think this is not strictly correct—there is one thing certain, the Province is at this moment liable to be called upon for the sum of 250,000*l.* if the lenders choose to call in their money.

And as to the sale of debentures this House must bear in mind that as we go on increasing our public works, and in consequence a provincial debt, these debentures will not sell as readily as they did at first.

I think it must be evident to all, that when these railroads are fully carried out, (as no doubt they will be, for no government can now let them stand still) the people of this Province must prepare themselves for retrenchment; and for a reduction in the ordinary road grant.

I shall take time to investigate these accounts more minutely when I shall be prepared to offer some further remarks upon them.

Mr. Killam—In reference to the railway accounts it would not be expected that the committee would separately examine every voucher. That was supposed to have been done quarterly by the Financial Secretary.

Hon. Mr. Howe—If the committee have not done this, they should have satisfied themselves that the duty had been performed by the Financial Secretary.

Mr. Archibald—The report presented by the committee is just such an one as was usual in such cases. It would have taken the committee months to have made a separate examination of such items. He believed this was done by the Financial Secretary, whose duty it was.

Mr. Young—The quarterly accounts of the railroad are regularly sent in to the Financial Secretary's office, accompanied by the vouchers, whose duty it was carefully to examine each item. I have every reason to believe that this duty has been faithfully performed by that officer. Of course no one expected the committee to wade through the immense mass of accounts. I repeat to the hon. Financial Secretary that the affairs of the country have been handed over unembarrassed. It is true that we are liable to be called upon

for a large sum, at a moment's notice, but there is no fear of this being done so long as the credit of the province is maintained, and that will depend upon the manner in which the government is carried on. The province is no more embarrassed by this debt than a private individual would be, who is worth 20,000*l.*, and finds it necessary to incur a debt of 5,000*l.* It is true his creditor has the power to take him by the throat, and threaten to sue him, but it is not likely this will be done, so long as his credit remains good.

No one, I presume, will deny that the administration pursued a wise course in borrowing money from the bank at 6 per cent., when on account of the stringency of the English money market, our debentures would only command par, although in point of fact they were worth 3 per cent. In conclusion I may say that I hope the new government will manage the affairs of the Province with the same diligence, energy and success as distinguished the career of the late administration.

Hon. Financial Secretary—The evident good nature which characterized the last speech induces me to make some further remarks.

My business in the House heretofore has been rather to find fault with the government, in future my endeavor will be to prevent the necessity of faultfinding. It will not do for the hon. member for Inverness to tell me that a country is as well in debt as out of it. I am well aware from whence he derives his principles of economy. It is all well enough to propound such a policy as that in England, but I think the true motto for a new country is, "out debt out of danger." The interest of the national debt in England is spent in the country, and so in a measure contributes to its prosperity; but in our case the interest of the Provincial debt will be sent away from the Province, as the most of the money has been borrowed abroad.

The debt of this Province, on which we have extended credit amounts to about 250,000*l.* and much of that might be called for in three months,—the usual period for which credit is given on money borrowed. Is the Province prepared to pay such a sum? And should not caution be used, respecting the sale of debentures and in every view of the case? 200,000*l.* might seem a small sum to those who were in the habit of talking about millions,—but in such a country as this the amount was startling, at all events to new members of government, who have not been accustomed to such heavy transactions.

I will scarcely be told that there was law, for the borrowing of 40,000*l.* at three

months credit. To have done so may have been prudent, gentlemen can not say that there was any law for it. Difficulties might arise from this state of things,—the public accounts of the Province will be seen elsewhere and Capitalists would consider it a very different matter to lend of a party free of debt, and to one under heavy liabilities; they would keep a narrow watch on the Province. The hon. member for Inverness himself, in loaning on mortgage, would look to means and incumbrances; so it would be with others. The late administration took office without debt, comparatively the present have their liabilities to see after, and the altered state of circumstances as regard the obtaining of money. That is all I wish to say, and I say it with kindness;—I have to add, that I hope with these declarations, we will not hear that the hon. gentlemen find fault, if the new government meet difficulties concerning the debt which his government had created, right or wrong;—I do not say that it was wrong,—but the state of affairs justifies any public man in intimating that circumstances may arise, by which we may be called on for money at any time, and that sacrifice may be required in consequence. During the year, 37,000*l.* of interest will be wanted for the railway;—when that work is carried to Truro then will be a call for 50,000*l.* annually—and when to Pictou a still farther sum. The revenue of the country is less than 160,000,—and when sums to meet interests for the public works amount to almost half that, caution, may well be considered requisite.

I never had any idea, that gentlemen of the new government ought to retard, or would seek to retard, the railway. It is a great public work, and must be carried on with all the energy and prudence of which the government is capable. I hope that the parent of the child, will help us in its sustainment.

Much has been said concerning a financial crisis. Were we not justified in the view expressed? Gentlemen opposite had repeatedly said and intimated, that it became necessary to *restrain the railway*, that intimation came from the Railway Commissioners; I considered their report might well induce any government coming into office to appeal to the people in reference to these matters, so that afterwards they might not be taken by surprise. Let not any improperly interpret what was said in candour and honesty, and what arose from that report. This may be a sufficient answer to the member for Inverness; it is an answer given in all calmness, and I ask the hon. gentleman not to get up a debate on what has been said by

either party; when the railroad is run, if election squibs are to be discussed, much may be said on both sides; rather let us go to work industriously; let them watch carefully; let us exercise such ability as we have for the good of the province.

Hon. Mr. Howe—After the excitement of an election, Mr. Speaker, some little discussion on election topics might be expected. I have to express great pleasure, that subsequent to an ample investigation, our financial condition is shown to be so sound. I admit that we may be called on to respond to the province notes; but seeing how eagerly they are taken up, and how freely they pass, any such run on the treasury is very unlikely. I have no idea that the Financial Secretary will find himself embarrassed on that subject. When the railway bills were passing, much pains were taken to alarm the poorer and middling classes, concerning the safety of the Savings' Bank; notwithstanding that, they judging for themselves, and within the last years have deposited between 50,000*l.* and 60,000*l.* in that Bank. They have never called for money there without obtaining it promptly,—and perhaps there is no similar institution in the world of better character and credit. No fear of a run on that need be apprehended. I admit, in reference to the extent of credit with the Bank of Nova Scotia, that it was not contemplated, and was not provided for by any particular clause of the law that I remember. It was done at discretion, and I suppose will be justified by the house—Circumstances that occurred in Europe, within a few years, unusually affected the English money market, and caused capital to rise in price; no doubt, in reference to that part of the subject, the hon. gentleman enters on the duties of his office under easier circumstances than those of the late Receiver General.

I consider it the duty of gentlemen on both sides of the house, to uphold the credit of the country, no matter who administers the government. As long as I sit here, no matter who are over the public affairs of the province, its credit shall have my support; and in reference to the public works, I would extend to the hon. gentlemen opposite, the same aid that I would to my hon. friend from the county of Kings, who preceded him. It takes us all to establish a credit for the province abroad; bantering may be excused at electioneering times, and for electioneering purposes,—but we know that public credit can be maintained by united efforts only, and such efforts should be given. I hope that no difficulties of moment will be experienced, and particularly none arising out of any transactions of the late govern-

ment in reference to the public works.—My belief is that difficulty will not be found; if the wish should be to pay the Bank of Nova Scotia, I have no doubt that might be provided for by bill, and the demand be readily answered. If money can be obtained in the province on as good or better terms than elsewhere, I see no objection to that course. I hope that the progress of the public works will demonstrate their utility, and that when completed they will form a paying property. I think we have, all, under-estimated them. My hope is, that when the railway is finished to Truro and Windsor, it will furnish an argument in its own favour, which no board or Legislature can furnish now;—and that the Legislature will be encouraged concerning the extension of such works.—Whichever way they go,—while I am a member of the Legislature, they shall have my support. I hope to see the day when these works will be remunerative, and able to defray the interest which we are now incurring. I would rather see the present government sit till doom's day, than that they should be turned out by any vote that would lead to the embarrassment of the public works. (Cries of bear, hear.)

The hon. Atty. General.—I listened, Mr. Speaker, to the learned member for Inverness, endeavouring to understand what he meant; to perceive what his object was. I hardly thought, however, that his triumphant tone was exactly appropriate. If the late government were to be taken at his estimate, indeed, it would have to be considered one of the most valuable that ever blessed any country; but I do not consider that he is the proper judge. The house has passed an opinion on that; and his eulogy was rather out of place. I asked myself as the hon. gentleman proceeded, on what his eulogy was based. He said that the documents laid on the table were invaluable,—that they had established the fidelity and prudence of the late government in reference to public affairs,—and formed a kind of memorial, to go down to posterity, in favour of that administration. I cannot, however, see anything peculiar in these accounts; they are pretty much the kind of documents which are usually submitted to the house. They exhibit the revenue, and the expenditure of it, under the votes of the house. Where the peculiar produce is, I do not see. The hon. gentleman spoke of integrity;—I did not understand that the integrity of the late government was impeached. They received the public money and paid it away, without putting any of it unduly in their own pockets. That is but small credit to take; I wondered to

hear the hon. gentleman speak so often about integrity;—I hardly expected he would claim credit for not being a rogue. If that is all he means, we will give him a certificate to that extent. I never supposed or suspected that they put their hands in the public chest to take money for their own use. Which he should speak of integrity, in reference to common honesty in the management of public affairs, I am at a loss to understand. The circumstances of the country are about what they were last year. There is no particular evidence of prosperity;—but I trust the province is in a prosperous state, I believe it is,—it is going on regularly,—the revenue shows that it is not going back;—but I am not aware that there was any particular call for the observations made by the hon. gentleman. He boasted that the public debt was only about 90,000,—but the debt at this moment is much more.

Mr. Young—I said it independent of the railway.

Hon. Atty. General.—Yes, the debt, independent of the railway, pretty much what it has been for some years past. Independent of the railway it is about 93,000,—but where is the ground of boasting? of laudation? I may ask also, why should the railway debt be expected? In referring to the state of affairs as passing from the hands of the late government, ought not he have said something as to that heavy liability? Is it nothing that we are obliged to raise a revenue to meet that? Is it nothing that we have to go on increasing the debt, increasing the interest which is payable? Does that throw no responsibility on the government? I blame not those who have just gone out,—but when the hon. gentleman describes affairs so flutteringly, and intimates that the new administration come in without any cause of anxiety, he mistakes. None but rash persons can speak of the affairs of Nova Scotia otherwise than with caution, and some anxiety. The debt may be reckoned now at a half a million, and that is increasing. Before the railroad is completed as now contemplated, we will have reached a million; and the obtaining of such means and responsibility resulting, call for serious enquiry.

Hon. Mr. Howe—The report of the railway commissioners explains, that with the provision now made for these works, they may be carried to Windsor and Pictou, and about 60,000/ remain of the million estimated for bringing them to those places, and for equipping and upholding the same for one year. (The provisions include the appropriation for Halifax, and sums saved by the Province Paper, and the Savings Bank.)

Hon. Attorney General.—I know that. When a little time will prove the nature of these transactions, where is the advantage in raising a discussion concerning possible results? I doubt that a million will take it to Pictou. What the hon. gentleman seems to forget is, that the first steps into debt are easy; you may pledge an estate or a country, without difficulty, at first but after having pledged to nearly its value, when the interest begins to bear a large proportion to the resources, then the difficulty appears. Already you have had to increase the revenue to meet the interest—you will have to increase it additionally; and if the works do not soon become remunerative, the demands will be still heavier; you will have to take more debentures into the market, and not then from a Province unfettered with debt. Can you borrow with a million of debt, as you could if you were free? No; the hon. gentleman knows better than that; and to speak, as he has spoken, of the finances of Nova Scotia is almost a waste of time, and is not becoming the position in which we are placed. We have to meet circumstances with all prudence and diligence, and to make the public works as existing circumstances may enable us. If those works prove remunerative, glad will we be, as every one should, who takes an interest in the Province. I have been prompted to make these remarks, in consequence of the attempt to draw from these public accounts more than has been drawn from similar documents heretofore, and without any just cause I refrain at present from observations concerning the condition of the country, supposing the policy of certain gentlemen were carried out in reference to the railway. I hope that more prudence will be exercised by the present government, relative to Railroad extension, than would be by the late,—if we are to believe them sincere when they made declarations for the purpose of obtaining the confidence of the people of Nova Scotia.

Mr. McLellan.—Mr. Speaker, we have been meeting day after day, to adjourn, for want of business; and I did hope when the members of government returned, that some beneficial change in that respect would be experienced. At this season of the year, it would be ridiculous to remain long in session. The gentlemen who compose the new government are the gaining party, and they ought to listen to us patiently, and not want the last word always, or take up every expression that the opposition may use. That would be ungenerous. The Financial Secretary seems to make a serious charge about the interest to be provided; but the papers submitted show how that is to be met. If anything were really wrong, I would give the hon. gentleman credit for talking; but what is it? No charge was made when the vote of want of confidence was brought, and it is hardly worth while to bring it now. I hoped that we should meet the government to-day with some of the important despatches relative to the Coal Mine question and other mat-

ters; I hoped that they would come here prepared to go to work, and let us go home so n. Our remaining here costs about £100 a-day to the country, and some of the settlements would be very glad to get that amount for public services. The debt of the Province has been spoken of; the House added to the debt—not the government. I think the Attorney General was rather tardy in getting here from Annapolis. His delay has caused an expenditure of about £500 more than otherwise need be, and when he is here, there is nothing to be done. I hope he is satisfied now, and that he feels comfortable at Mount Amelia at nights. (Laughter.) Some delay was necessary.

The Attorney General. Why?

Mr. McLellan. Because he had to attend to his canvass,—but after the poll was declared he should have made all haste to town. (Laughter), Money has been wasted to the Province, since the Annapolis election, by these delays.

Hon. M. Howe. I expect that the honble. member's complaint is, not that the Attorney General came back tardily, but that he came here at all. The session however has advanced, and it would be well if the papers sought were submitted, and a day named to take up important matters.

The Attorney General. I have no wish to delay business a moment. The government met to-day for a first time;—one member is not yet in the House, in consequence of some misapprehension in forwarding the writs. There is every disposition to shorten the session. The delay might have been lessened if the candidates were allowed to walk the course,—and in that case some others who were absent would have been here to attend to affairs of the Province.

Mr. Tobin. Called attention to the increase of revenue for Halifax, as compared with returns from the outports. The attention of government might be given to the subject, for the purpose of ascertaining why more revenue was not collected at the outports.

Mr. Esson, explained, the falling off, he believed, was chiefly in the ship-building districts. One of the parts alluded to, Canso, had paid a large amount this year,—nearly £1000.

Mr. Killam considered that the decrease for some places was to be partly attributed to the establishment of steam boat lines, by which duties were paid in Halifax, instead of at the outports as formerly. The revenue at the outports generally, reckoning for a period of years, had increased, proportionally, much more than at Halifax.

Mr. Martell said—Merchandize for Arichat was not allowed to be taken from the warehouses here, without payment of duties. He intended to make some application on the subject.

Mr. McLellan remarked that in some parts of the country, where people had been in the habit of obtaining goods from New Brunswick, they now found it more advantageous

to order by steamers.—and in that way less duties were paid at the outports.

Hon. Mr. Howe—Something else should be taken into account. He believed that under provisions of the reciprocity treaty much revenue was lost. No doubt, American vessels arriving at the outports defrauded the revenue to large extent. He wished the experiment of protecting the revenue, by the employment of vessels, as formerly, to be tried again. Thousands of pounds, he thought, might thus be saved,—and protection given to the fisheries. Looking to probable increase of smuggling, under the new tariff, care should be taken to see that the revenue laws were properly enforced.

Mr. Henry said, that of late years persons found they could trade on better terms with Halifax than with the U. States,—and that afforded another reason for the changes spoken of, in reference to revenue of the outports for late years.

The report of the Committee on Public Accounts was received and adopted.

SATURDAY, April 4th, 1857.

The House met at 3 o'clock, and disposed of much routine business.

Mr. Killiam presented a petition from the Nova Scotia Electric Telegraph Company, in opposition to the bill to confer certain exclusive rights upon the New York, Newfoundland and London Electric Telegraph Company.

Mr. Young—If the Company establish Telegraphic communication with any Continent, Province or Island, passing by Nova Scotia, the exclusive privilege is at once at an end. If the concession required is refused, we run the risk of having the Telegraph pass us by, and may, perhaps, be shut out from participating in the benefits of the enterprise for many years. The question, however, is one of very great importance and should be carefully considered.

Mr. Marshall had a previous communication with the Telegraph company, but did not think that rights conceded to that company should be interfered with.

Hon. Atty. General.—If I am correctly informed the company now petitioning for privileges have privately entered into an arrangement with the Nova Scotia Electric Telegraph Company, by which they are bound to transmit messages over the line at a rate lower than ordinary, and in addition to this they have entered into a bond to the effect that in case of the amount of charges being reduced they will make an equal reduction.

Hon. Mr. Howe.—If the Nova Scotia Company has the sole right to transmit messages it appears to me they will be benefitted.

Hon. Attorney General—So, they will; but they do not like the exclusive rights

sought, being of opinion that some other Company may be desirous of engaging in a similar enterprise. I may illustrate the idea by reference to the Cunard steamers; who, that witnessed the establishment of that ocean line would have imagined that others would have embarked in a similar enterprise—and yet, Sir, we have lived to see ocean steam navigation become a familiar thing. The only risk we run is that by refusing the concession required we may drive the Company to establish and run the line in another direction.

Mr. Young—If the feasibility of a submarine line be once established—I do not think the line will stop at Great Britain—France and other of the continental nations will have their connecting cables, we must reap great advantage from a project so vast—so magnificent—which but a few years since would have been regarded as utterly chimerical. In my view the cable could not be safely carried past our shores—or if it could would be liable to so many injuries that the cost of maintaining it would exceed the revenue.

Mr. Killam—This Company has already obtained an exclusive privilege in Newfoundland,—the hon. member for Inverness says that every nation in Europe will speedily be connected with this line when it is established, if so I ask whether it is good policy to confer the exclusive right on this Company. In my opinion it is not, they can give us no greater advantage than any other,—and if they run past our shores the anchor of every fisherman along the coast may grasp it—and the company be constantly kept engaged repairing at great expense the injuries thus done. I think, Sir, it would be madness to grant away a privilege like this.

Mr. Archibald—We should consider that the rights sought for do not prevent us from allowing any other Company to use our shores provided the present company does not go into operation—and when the Provinces of Newfoundland and New Brunswick with the State of Maine have already granted similar concessions I think we should but stand in our own light were we to refuse some concession—and thus drive from our shores this stream of communication; many causes may combine to prevent the establishment of another line—and if the one contemplated were laid direct to any other shore we might be deprived of the benefits of this for half a century.

Mr. John Tobin said, experience has already shewn that messages might be transmitted to the distance of 2000 miles direct, over the line, and the present company have ascertained that there a feasible route

intended to lay the cable from the West Coast of Ireland to Newfoundland. Science had accomplished much and would yet do more—and he thought the House should be chary about granting away privileges so extensive to any company. The system at present in operation appears to me to be incongruous; the news goes first to New York and then back to Boston—it being essential that it should first pass through the latter city.

Mr. Hyde merely rose to correct an error into which the hon. member for Halifax appeared to have fallen; it was not necessary that the news should first be published in Boston—the arrangement being that it should appear simultaneously in all the chief cities over the Union. He (Mr. H.) would be the last man to effect the vested rights of any company—the privileges required by the Submarine Company did not and could not at all effect the Nova Scotia Company, and for this reason he could not at all understand the argument urged against the concession sought for. Hon. gentlemen had referred to the Ocean Steam Communication, he would ask if those would have been established, if it had not been for the large pecuniary assistance afforded them by the various governments. Assistance whether it was in money, or valuable privileges conceded was given for the purpose of inducing private speculators to invest their capital in hazardous experiments. Science say the hon. member for Halifax, has done much for the world; true, but how has science done it! Unaided? No sir!—but supported and sustained by monopolies—which no wise government will in such cases refuse. Let me ask this question;—if the Atlantic Submarine Company had applied for the privileges they now require—before expending large sums in testing the feasibility of the project, would we have hesitated in granting their request a single moment? I think not. Is it not ungenerous then, as well as unwise, now that they have succeeded in establishing, at large expense, the fact that a submarine cable can be laid across the Atlantic—to refuse that which we would have instantly granted if the application had been sooner made.

The Petition was received, read and laid on the table.

The House adjourned.

MONDAY, April 6.

STATUTE LABOR BILL.

Mr. Chambers moved that the House go into Committee on the Bill concerning Statute Labor.

House in Committee—Mr. Thorne Chairman.

Mr. Morrison.—By the Bill reported from the Committee on Statute Labor, and now under consideration, the amount of that labour would be materially lessened, and the House was not prepared for that. Addition rather than diminution was called for. The Bill exempted several who now performed that service, and, relative to many cases, decreased the number of days' work. The Upper district of Londonderry, at present, had 1900 days provided; by the Bill that would be reduced to 1220. Another objection was, that in old and wealthier settlements, more labour would be obtained than under existing arrangements, and more than is required, while in poorer districts, where increased labor was called for, much less would be obtained. A mode of getting rid of the difficulty would be by a poll tax. The Bill, in some places, would, in a great measure, destroy the Statute Labor—instead of 7 days it provided but three, in numerous instances. Each householder, now, had to do six days for himself and one for his team; by the Bill he would have to contribute three days. The Bill laid on a Property tax according to a scale; but in many places no property was valued over £200. The Bill might be popular for awhile, but it would not be beneficial for the country at large. I oppose the Bill as at present arranged, but I do not say that I oppose the principle. A Property tax for the service may be right.

Mr. Chambers—Is it a correct principle, that the poorer a man was the more work for the public should be required from him?—Are present arrangements honest or right?

Mr. Morrison—I am not against the principle of the bill. You do not reach property satisfactorily under it. When you go into a district where there is no taxable property, how would you have your roads made? I am not for oppressing the poor man; but the work required will not be obtainable by this measure.

Mr. Chambers—Under the old law every householder was required to do six days work, if he had a horse and oxen, eight days. Was that just, while a man living in the same settlement worth £1000, did no more. The bill is to relieve the poor man, by compelling the rich to contribute, according to means, to the statute labour of the country. It may lessen the labour in some districts, while for the whole country it would be increased. The remedy would be, by members giving a larger proportion of provincial aid to the poorer places. At present, if a poor man has three sons, under age, they were all taxed, and thus, in reality, you tax the man himself.—To prevent that the committee pro-

posed by the bill to tax none below 21 years of age.—Indeed, under the old law, I believe you could not oblige those under age to fulfil the obligation. The principle of the bill is the chief consideration—details may be modified.

Hon. Mr. Young—Better try the principle,—if a majority be for it, details may be then considered.

Mr. Henry—Some years ago I introduced a bill something like this. If the majority be for the principle, the bill may be referred back to the Committee for modification. It may be liable to objection in some points, but altogether I think it of beneficial character, and I hope that a large majority will be in favor of the principle. The present law works badly. Much of the principle, however, depends on details,—and these should be fixed before the principle can be rightly judged of. Even if the scale is not what it ought to be,—I am for trying the Bill. It is of consequence that we obtain a general measure which shall apply to all alike. If by an alteration of the Bill the same amount of statute labour as that at present provided for settlements alluded to, could be maintained, and an increase made for the wealthier, that would be no objection to me. We require more statute labor generally, than can be got even by a modified Bill. The policy of the House should be to pass an effective measure on this subject. The roads of Canada are supported, to a great extent, by direct taxation. The time may come when the main roads of the Province will have to be kept up altogether by statute labour,—and the sooner a good bill is obtained the better. Let us provide the best we can, and if not complete, alter subsequently. The scale proposed by me on a former occasion would meet some objections;—by it the man owning £200 worth of property would not pay much more than he does now,—but the scale went on increasing, and thus all classes would be fairly dealt with.

Mr. Morrison—Proper data is required for such a measure;—a return of the number of those liable to statute labor, and of the property of each county, would form materials for a correct scale. The House might test the principle, and then let the Bill remain over to next session.

Mr. Chambers—If members are not in favor of the Bill let them say so, but not try and get rid of it by a side wind.

Mr. Churchill—I disapprove of the bill as it appears, and think it would prove worse than the old law.

Hon. Solicitor General—I approve of the principle, details may be considered subsequently.

Mr. Archibald—The principle is similar

to the old law. A property scale is the base of that also; in reference to cattle;—this applies to real and personal estate. I approve of the principle, and believe that statute labor should be graduated according to the property of parties. The difficulty of this, is, in reference to the poorer districts where most labour is required. The principle should be, to graduate the tax all over a County, and so the richer would help the poorer, in this service. The time may not be distant when, like Canada, the roads will be supported by municipal provisions and regulations. I regret that the hon. introducer of the bill did not move for returns of the amount of statute labor, and of real and personal estate.

Hon. Financial Secretary—The bill should be considered on principle. What argument is it to say, that in some districts statute labor is more than is requisite, and in others less? In what village of the Province do members not place large sums on the main roads?

Mr. Morrison—The northern district of Londonderry.

Hon. Financial Secretary—Oh, that is so far out of the world, that I know little about it.

Mr. Archibald replied.

Hon. Financial Secretary—When they do get to work on the roads there, not much service seems to be done,—judging by appearances. The principle of the bill is sound. It is unjust that a man owning 5 or 6 farms, like the hon. gentleman who spoke last, should only pay as much as the poorest peasant. He should contribute more, willingly, glad that he was able to do so.

Mr. Archibald—I approve of the principle.

Hon. Financial Secretary—Very well, I will drop that. Some districts may be as have been stated, but almost every village requires all the statute labor it can get. For three miles out of Frero the roads are about the worst I ever travelled over; yet it is said now that roads near the villages, near the better settlements, do not want all the statute labor which the bill would supply.

Mr. Archibald—It would be more to the hon. gentleman's credit, if, instead of alluding to me, personally, he addressed himself to the question before the committee. He scarcely consulted his own good taste in taking the range he did. I have no disposition to speak unkindly, but as he has previously made remarks to similar effects, I am not inclined to take these allusions without observation. In the county which I represent, we are not in the habit of taking from the poor districts to

make roads in the centre. He spoke of part of Londonderry as being so remote that he knew little of it; but it would contrast favorably with the town in which he resides, and which, from appearances, might be supposed more remote than the district my hon. friend from Colchester represent—Our practice in that county is, to confine appropriations of the public money to the thoroughfares. In the Financial Secretary's remarks about the roads, as in other matters, he has drawn on his fancy for his facts. I agree that property ought to pay taxes, and in a bill introduced in a former session, I aimed at that object. My objections to the present bill refer to details. So far from opposing the bill, if the difficulties can be got rid of, I will join in its sustenance adoption.

Hon. Finl. Secretary.—With the permission of the House I will make a few remarks in answer to the hon. member. He ventures to tell the House, in effect, that he set himself up to teach me good taste. On that subject, I say to him, with kindness, that he went a long way to pay me a visit recently, and he should not show temper if I go a little out of the way to pay him a visit now. True, Guysboro' may have presented a gloomy aspect to him on that occasion; he found his way rapidly out of it at all events; but whatever unpleasantness he may have experienced, he cannot charge the receipt on he met from me with unkindness. He does not say now what he said then; he is in the habit, like gentlemen of his profession, of suiting his speech to the occasion—of trying to make out the best case he can; it might be no harm if he sometimes drew on his imagination a little more, and not give second editions of his speeches. In Guysboro' some of the young men said, is he going to come Lord Palmerston?—and I enquire, does he assume to be the Lord Palmerston of this House, talking of taste and fancy and facts? From my position in the country and the House, I may say, that I would prefer a higher model for good taste than that gentleman after his late exhibition in Guysboro'. If he ventures to lecture me on good taste, let him not be surprised if I do not follow his counsel. Twice he has attempted that course, the next time I may try and give him a lesson or two. When I want advice on parliamentary usage or good taste, I will not go to one who exhibited very bad taste on an occasion which need not be more particularly alluded to now.

Mr. McLellan. If the statute labour were made a County rate, the work might be put where it was wanted;—by the Bill it would go where it was not wanted. It reminds me of the School Bills,—the talk

was about the poor, but legislation was for the rich. It seems hardly right to exclude young men from this service,—they feel a pride in it,—and they come out as men when called to do statute labour: If it were made a general County Tax the principle would be good, but I see no principle in this measure. Why should the property scale stop when property amounted to a certain amount?—That is the time it ought to apply more specially. The man who employs teams at quarry work, and who damages the roads extremely, earning a handsome income, would only have to pay as much as the man having a bit of land worth £200. The remark applies to the part of the country represented by the hon. introducer of the Bill; and he is about to comparatively exempt those who do ten times the injury to the roads that other traffic does. I am averse to changes except improvements be made, and the right principle be adopted.

Mr. Moses. The existing law is bad enough but that proposed would be worse, and would cause more dissatisfaction. It would not give the work that was required in the poorer districts, and would give too much in the wealthier. If roads are to be assessed on property, you must touch the rich for the benefit of the poor; you must take labour from the wealthier settlements for the poorer, which this Bill does not. You will not get a right law on the subject until the counties are incorporated, and the service is left to local authorities,—who may assess property for what is required, and lay out the proceeds in the best way.

Mr. Tobin—The money granted for the road service might be so appropriated as to make up disadvantages to the poorer districts. In the district which I represent that principle is observed in the distribution of road grants, and it would meet objections spoke of. The principle of the bill is sound, and the scale nearly right. It is wrong to make the poor man perform six days labor, and the rich man only the same. I believe the bill would yield more labor than the present law does—and it should be sustained.

Mr. Morrison—It will reduce the statute labor very considerably, and in districts where it is most wanted. The scale is a mere jump in the dark. There is not data for a good scale, and I ask the House to pause until it has such data.

Mr. Henry—In the County which I represent the richer districts obtain a share of the money and their statute labor is not sufficient with that, to maintain the road service properly. The Bill would produce more means in such places, and would enable the members to appropriate addition-

ally to the poorer places. Let the scale be altered, but retain the Bill; raise the qualification and the number of days, and thus meet the objections made. The bill combined the money and the labor contribution,—and by means of money instead of days work, three times the amount of service would be effected in some instances. The contribution of money by some parties would be easier and cheaper than that of labor. The present law is of unequal application. A rich farmer gives 10 days labor at the most, while the crop of his farm would buy the land of four or five of his neighbors, some of whom, by themselves and their families, do 35 days labor. That is not fair. Almost anything would be an improvement on the present law. The sooner a sound principle is introduced the better; putting off year by year was doing nothing. Sustain the principle of the bill, and arrange the details.

Mr. Wade—The principle of the Bill seems to meet with general consent; there is no necessity to postpone for want of information. The member for Hants deserves credit for perseverance of his efforts to alter the Statute Labor Law. Test the principle, alter the details, and try the Bill for a year. The present opportunity should not be allowed to go by. If deferred now, next session some other objection may be expected to arise.

Mr. Locke.—I do not agree that any settlement has too much means for the road service, though some may have too little. This Bill would increase that difficulty. Means raised by assessment should be fairly distributed all over a county.

Mr. Henry answered objections, and stated instances of means being requisite in the vicinity of towns and villages.

Hon. C. Campbell supported the Bill. At present the poor man had to make roads through grounds laying vacant and owned by rich men. The remarks of some hon. gentlemen seemed to prove one thing, that they did not require as much road money as they sought and obtained, and that more should go the Eastward.

Hon. Atty. General—Some remarks made concerning objections to the Bill are very cogent. If a bill brought all the statute labor of a county into one fund, and then distributed it according to requirement, much benefit might result. The money granted by the house is not distributed indiscriminately among settlements; miles of Annapolis county obtain no share of it. The bill would accumulate means in some places where present resources are sufficient, and would take labor from other places. Data was required for the good foundation of a good system, which might

be fixed permanently, and lead to much improvement.

Mr Young—I voted for the principle last year; but the bill then was defective, and so is this. If property is to pay, all should, no matter who owns. In Inverness 12 or 14 road commissions were issued when I came to the House, now, about 100. More and more of the public money is given to the remote districts, and additions cannot still be made to grants for such settlements. The bill would seriously diminish the statute labor where it is most required. I approve of the principle, but if you are to assess property for the road service, you must have a measure better considered than this—more artistically prepared. If the road grants for remote districts cannot be increased, you must have some method of bringing means to such places, else the bill may do injury rather than good. The statute labor was the main dependence; the money granted was not sufficient. Provision should be by a more carefully prepared bill than that now under consideration.

Mr. McDonald—As both sides acquiesce in the principle, better, instead of raising objections, carry the principle and amend in committee. The Bill received much consideration from the Committee which reported it;—altho they might not have prepared it as artistically as some hon. gentlemen could, they did to the best of their ability. He considered that it would considerably increase the statute labour. Many were now comparatively exempt, who should contribute according to means. Persons who owned property, which is benefitted by the roads, do not now contribute as they should. The Bill would bring in much property as a means of statute labour, which is now exempt. The poor man at present, who keeps a horse, has to contribute 7 days labour, while the man worth thousands but who does not keep a horse does not so contribute. There need be no apprehension that too much means would be raised in any place for the service. Let the principle of sustaining the roads by assessment be established,—and arrange details as may be thought well.

Mr. Young. Why not test the principle then, and let details be altered.

Mr. Robertson. The Bill should be tested on two points,—one, in reference to its principle, the other, concerning the amount to be laid on as a poll tax. In the township I represent, the statute labour would be decreased by the Bill.

Mr. Killam. I have the information spoken of, in reference to Yarmouth. The scale should be altered;—and provision

made for applying work where it is most required.

Mr. Dimock spoke in favour of sustaining the Bill.

Subsequent to other remarks, and explanations the Bill was referred back to the Committee.

TUESDAY, 7th April.

The house was engaged for some time in the transaction of routine business.

On motion of Dr. Brown, that the bill to enforce the payment of £100 000 by the City of Halifax as the proportion of that City to the aid in the construction of Railways under the act of 1853, be read a second time.

Mr. Esson enquired whether the house was really in earnest in pressing this measure. He thought the pledge of the city was dependent on the Railroad being carried to Pictou and Windsor.

Mr. Wade assured him that they were perfectly serious.

Mr. Tobin said—If the city was pledged to this measure, of course the bill should be enforced, but he would like to know whether the road was to be carried to the points contemplated in the act.

Hon. Provincial Secretary presumed that whatever the obligations of the city were, they were legal, which could be ascertained by reference to the act.

Mr. Young was not quite sure of that. He argued that the obligations of the city of Halifax were rather of an equitable than a legal nature. It rested with the house to render that legal which at present was merely equitable; not an obligation, as has been factiously said, to carry the road to Amherst, Victoria Beach, and Pictou, but either to the borders of New Brunswick or Windsor or on the one hand, and Pictou on the other; and unless the government is prepared to say that they will carry it to Windsor and Pictou, the obligation in my view is not binding—that is if they can get the money. The government have an official return in their possession to the effect that the work can be completed to Windsor and Pictou for one million and fifty thousand pounds. If so, they should carry on the work. He did not think the bill should be pressed until the government had made up its mind as to what it was about to do.

Hon. Financial Secretary, without answering as to what course the government intended to pursue thought the administration had heretofore indicated its policy with sufficient accuracy and distinctness. The hon. gentleman then went on to argue that the extra expense occasioned by bringing the line to Halifax

was very great, and that the commencement of the line at Halifax was a sufficient guarantee of the good faith of the Legislature. He thought the city was now bound to come in and perform some portion of the agreement that had been made. It was to him a new doctrine that after a work had been so commenced—if from disaster or depreciation in Provincial bonds, or other causes, the work could not be carried out as originally contemplated—that the city of Halifax should be entirely released from a voluntary burthen imposed upon themselves and adopted by their constitutional representatives in the house—if mistaken he should like to be corrected—if not, his argument was incontrovertible. As a member of the government his position demanded that he should see that sufficient revenue was provided to meet the exigencies of the public service. It would be necessary to carry out all our obligations in good faith if we hoped to meet English capitalists with any prospect of success.

Mr. Esson—All we ask is, that the work should be carried out in good faith, in compliance with the terms of the act.

Dr. Brown read the clause of the act, referring to the assessment of the city, as follows:—

“The city of Halifax shall be considered as holding stock in the railways to the extent of £100,000 sterling, and shall be entitled to participate in the profits of the railways in proportion to the amount of such stock, and shall be assessed annually the amount of interest thereon, at the same rate of interest at which the loan is obtained and also for a proportionate amount of such sums as may be chargeable against the general revenue of the Province for the redemption of the loan, such annual sums to be assessed and levied in the same manner in which other city rates are now assessed and levied,—and to be paid into the hands of the Receiver General, to form a part of the general revenue of this Province, and to continue to be so annually assessed, levied and paid in until the loan under the act shall become extinguished under the provision hereof.”

He could see nothing in the act to establish the views propounded by the member for Inverness, to the effect that the obligations of Halifax were only conditional upon the prosecution of the work to certain points.

Hon. Mr. Howe said in 1854 the laws were passed, and the feeling was universal to have the works constructed—and, as all saw that the works would be of great advantage, the city of Halifax lent their aid, and bound themselves to the payment of a certain portion of the outlay, provided

the work was carried on as that enactment provided. The hon. gentleman here read the law on the subject. This was the line of operations—east, west and north—that we sketched out. Upon the faith of this statute the people of Halifax became partners and shared the risk of failure, as they were to share the benefits if it succeeded. This is the position of Halifax. £460,000 has been expended—they must bear their part, If it pays they gain—if it loses they must bear their share of expense. I believe that the Attorney General can call on the Mayor for ten per cent. under the law—that is, £10,000 for every £100,000 expended up to the present time, without any further legislation; but if it is thought better to pass any further laws on the subject, to carry out the obligations of Halifax, let it be done. As to whether these roads are to go to certain points or not that was another question. He thought if we could find the funds the point indicated in the act should be reached. He hoped the government would announce that they intended to carry on the works in good faith, according to the laws, unless some financial difficulties arose. It was his opinion that Truro should be reached without delay. When that was reached there might be some difficulty. At all events, all that could be expected from the government in 1857 would be finish the road to Truro.

Hon. Mr. Howe said—I have observed two communications, published lately in the government organ over the signature of a Poor Book Keeper—in which he attempts to shew that there is something inexplicable and incorrect in the accounts of the Railway Board. If, sir, there is anything wrong in those accounts, let me say to the members of government that here is the place where the charge should be preferred, and full investigation had. Now, sir, this individual who represents himself as a Poor Book Keeper, is, I am apprehensive, not only a poor one, but something worse. Mr. Howe then proceeded to show how grossly the subject had been misunderstood or misrepresented. This writer had represented the office expenses as amounting to 1437*l.* 19*s.* 11*d.*, when in point of fact they amounted only to 657*l.* 15*s.* 7*d.* The writer had jumbled the whole amount charged in a number of balance sheets instead of deducting one from the other.

Under the head of office furniture the writer charged the Board with expending 374*l.* 18*s.* 9*d.*, when in fact the whole sum expended in furnishing two suites of rooms, one for the use of the Board and one for the enquirers was 192*l.* 16*s.* 3*d.* The furniture of both offices is plain and sub-

stantial. The house may inspect it and will find every article indispensable.

The "incidental expenses" which include all manner of services running over a period of three years amount to £404. 15s. 10d. This Poor Book Keeper only increases it ignorantly or maliciously to 3268. 4s. 2d., which the writer more than doubles, stating it a 327. 1s. 1d. The "Poor Book Keeper" charges us with 1145. 10s. 3d., only 672. 7s. 6d. too much. Such gross and unfounded statements could do the Railway Board no injury. They were only calculated to injure those who made them with such reckless regard to truth.

Under all those heads the Board have expended what was necessary for the public service and nothing more. I trust the members of the new government will have the magnanimity, if they have any charge against the Railway Board they will bring it here, where one can meet it and where alone there can be fair investigation.

Hon. Attorney General said—I am quite content that the liability of the city of Halifax should rest upon one or the other of the contingencies referred to—but I am entirely at a loss to understand how it can rest upon something promised to be done. The liability of this city originally had its origin in the stipulation that the work should be commenced by the province and prosecuted towards completion; the moment the work was commenced the liability contemporaneously began. It has been well observed that the city of Halifax are stockholders to the extent of that liability, sharing the profits and liable to loss if any should occur,—and as stockholders should contribute while the work is in progress originally it was contemplated that the road should be carried to Amherst with branch lines extending to Victoria beach and the harbour of Pictou:—it is to be said: the reasoning of some hon. gentlemen the railway by the expenditure of 1,000,000. should not reach all these points, this city would be exempt from the payment of the 100,000.,—sir, I ask if we are not to be bound by the common laws which regulate society in all civilized countries? If so I could understand some of the arguments urged; but sir, I have too high an appreciation of the moral feeling and sound sense of the people of Nova Scotia to believe that they so little respect the obligations of an agreement to which they become parties.

(The hon. gentleman went on to argue that the desire of the City to participate in the Railway enterprise was breathed in every breath and redolent in every voice—at public meetings and elsewhere.)

Now, sir, so far from giving any pledge as to what I intend to do—I shall leave

that entirely to circumstances which the future only can bring forth. It is well known to hon. members of this house that I was recently placed in a position, when pledges if justifiable at all might be made; I appeared before a constituency whose minds had been inflamed upon Railway subjects. If I had not looked upon a man's honor and conscience, I might have deluded that constituency with promises—never to be realized and pledges which I never intended to carry out. But, sir, I did hear of promises made and pledges given—as delusive as faithless as could be,—because those who gave them never intended they should be carried out—and at the time had no intention of fulfilling them. What would the hon. member for Inverness say, who so often has stated on the floors of this house that the maximum of our expenditure for Railways should be 1,000,000. and who well knows that the sum named would not carry the work at the furthest—beyond Pictou and Windsor—if he heard it gravely stated by a leading member of the Legislature that if the late Government were sustained in power he would pledge himself that within four years the road should be carried to Victoria Beach? Would he have endorsed that as true? But, sir, when I heard that statement—I telegraphed to the hon. Provincial Secretary:—"We are to have the Railway to Annapolis within four years—how is it with you?" And the reply was "Oh! on nomination day the policy was to carry it to Windsor on the one hand—Pictou on the other, and then if funds remained, to Amherst!"—Alas! alas! one hon. gentleman carrying the road to Victoria Beach—the other to Amherst.

Mr. Young—That statement is not quite correct.

Hon. Attorney General—Well, I give it as I got it. How can he, under such circumstances, ask us for a pledge of our future intentions. I do not say that the pledges made did much mischief—for the individual who made them had done the best thing in his power to render his pledges nugatory, by the very fact of his going into a County with which he had no concern. In doing so he acted in a manner derogatory to and inconsistent with the character and position of a gentleman; and the moral and intelligent constituency whom he sought to delude, at once saw that the Railway was made a stalking-horse to aid certain politicians in attaining mere private and personal ends. We are now told that doubts exist as to the remunerative capabilities of the Railway. When did this grand discovery first dawn upon the minds of hon. gentlemen? Why, sir, it was but a few weeks since that

these same hon. gentlemen were filled with the most inspiring confidence. Three, four and five per cent above working expenses were spoken of as a result which the people might confidently anticipate. Money was spoken of as a mere bagatelle—every man to pick it up at his own door. Why, said the hon. member for Windsor in tones of triumph, "I have already given you 69,000*l* and your Railways are built and paid for." The hon. member complains that the organ of government does not speak the truth;—let him, before preferring such a charge, take the precaution to sweep some of his own chambers. He referred to the Railway accounts as published last year;—why, sir, I would put those accounts into the hands of the hon. member for Windsor himself, and I do not believe that, without assistance, he could understand them. I am not a perfect accountant, but yet, in the practice of my profession, I have often been called on to unravel and explain matters of account; with these I have generally succeeded, but I have never been able to tell, and I cannot tell now, how these Railway accounts have been made out, or correctly ascertain the expenditure for any particular branch of that service. Those accounts do not convey to the minds of men unacquainted with the intricacies of accounting any idea of the real condition of our Railway affairs.

The Administration duly regarding the liabilities which the province can honestly meet will be prepared to carry on the Railway in the most prudential and economical manner. To ask for any pledge beyond that is unfair. Hon. gentlemen should be content to await the action of the government.

Hon. Mr. Howe—Mr. Speaker, I am at a loss to account for the outburst with which the hon. and learned Attorney General has just favored the house. Since his return from running his election I have perceived that there was something beneath the surface of which he wished to rid himself. He complains that I went into his county to oppose him; does he forget the time when, I being 50 or 60 miles away, he, with two dunning candidates, went into the heart of my county—and, unaware that I could be summoned in time to meet him, attempted to take advantage of me in my absence? If the hon. gentleman has forgotten it, he will pardon me if, at this late period of my life, I have not; nor do I think he can complain that he has not been paid off in his own coin. But, sir, I ask if, when a man once gets possession of a freehold and becomes a representative of a county, he is ever thereafter to hold it as a fee simple right in himself, and

deny to all others the privilege of competing with him for its possession? If so, our political privileges would, indeed, be narrowed down. For my own part I would rather that he followed me from county to county, opposing me wherever I appeared as a candidate for the representation of a constituency, than to accept the limited rule which he lays down as the basis of my public action. Is there a constituency in Britain which Cobden has not addressed; before how many has Lord John Russell been called on to speak? He may tell me that they do not go when contested elections are about to be run; I tell him that, when a principle is at stake, they go at all times, and they are justified in going, because their exigencies of their political life, the necessity for exertion to carry a great principle requires it. If the hon. and learned Atty. Genl. was right in the position he assumed, he need not have feared anything which I could have said or done.

But he speaks of my extravagant promises. Sir, I never set foot in his county—I never contemplated doing so, until I heard that he was endeavoring to alarm his constituency by overdrawn pictures of an approaching financial crisis, and then I thought that as there did not appear to be anything requiring my presence in the house, I might as well run up to Annapolis to quiet the excitement which he had managed to get up on this point. I will not undertake to say that I could follow him over the county and relate all that he said in his pretty active canvass; but at first it was reported to me that at the outset he had commenced that canvas not for himself but for a friend.

Hon. Atty. Genl.—The hon. gentleman must be laboring under some strange hallucination; I never gave occasion by word or act for such a statement.

Hon. Mr. Howe—Well, I can only say that it was so reported to me; and since he has seen fit to trot me into his county and descend upon my doings there it may be as well that the whole truth should come out. Before the first meeting which I attended I saw a placard calling on the friends of the hon. Atty. Genl. to resent my intrusion.

(The hon. gentleman here described the course pursued by the hon. Atty. General; asserting that he called upon his friends everywhere not to listen to anything he (Mr. H.) had to say.)

Sir, among the most rare of my political reminiscences will I hereafter recall the scene which presented itself when the hon. Atty. General and myself under an old sycamore on a wet day discussed the railroad question. We were limited in time, he spoke

for an hour, he. I think exceeded a little and occupied an hour and a half. For a long time I almost believed we were identical in opinion—until I congratulated the people upon the harmonious ideas entertained by the hon. Attorney General and myself upon this subject; when up he got and told them that by the time the railway reached Truro, the people would owe something like £3 a head; when as it was somewhat foggy and getting late I said: Well, take the hon. Attorney General's own argument—'are you men of Granville so afraid of the debt that for the sake of ulterior advantages you will not incur a debt of a £3 liability; is there one of you who would not lay out as large a sum for the christening of your first child?'

The homeliness of the argument at once commended itself to the common sense of the people. But hon. and learned Attorney General says that I held out delusive promises and made pledges to the people which I did not intend to redeem. Sir, in my political life it has never been my fashion to assert that which I was not prepared to carry out; and I will not permit the hon. gentleman to make that charge now. The house will not misunderstand me nor shall the hon. member misrepresent me. What I said in Annapolis was identical with that which I have reiterated over and over again on the floors of this house. It was this—'if these roads do not pay. I have no hesitation in saying that no government can go on with them; but that if they did yield a fair per centage over and above the working expenses—I saw no good reason why, within four years the Windsor railway should not be connected with Annapolis Basin.' Sir, my speeches made during the present session on this subject have all been to the same effect, as the printed report will prove. I have ever held it to be a duty of a government to go on and construct these works as fast as the resources of the country would permit. Now, sir, I have no wish to waste the time of the house in these idle personal discussions, I have for some time past seen that the hon. member was laboring under some weight of which he was desirous to disburthen himself. I hope his object has been accomplished at last, and that henceforth the atmosphere will be more calm. In dealing with the hon. Attorney General I never said anything personally disrespectful—but it was my duty to bring those portions of his public conduct, of which I disapproved prominently forward, I did so and commented on them freely; of this the hon. member should surely not complain; but, sir, the house have now been some sixty days in session and but little if anything has been done, and I put it to the

hon. member whether we are gratified in wasting any more time to so little advantage.

Mr. Young—It is necessary that the house should understand the question. With regard to my public conduct, I here state that never on the floors of this house or elsewhere made a single declaration or gave a single pledge which I am not prepared now to substantiate and uphold. When hon gentlemen argue so vehemently in favor of the liability of the city of Halifax they seem to assume that there are parties in this house who would be willing to relieve the city of that liability. Sir, no such desire or intention exists; they conjure up unsubstantial chimeras for the mere pleasure of shewing their fallacy. I have not heard a single member—not even the representatives for Halifax argue that the responsibility to perform their obligations should cease. The most that has been said is this: if the work is not carried on in good faith—if the new administration do not proceed with the work as rapidly and to as great an extent as the resources of the country will permit, then the city should not be required to pay the 100,000%. But if the government go on and in good faith complete the works as far as the 1,000,000% will permit; and afterwards if the roads pay a fair per cent and proceed with them as originally contemplated who will for a moment question the liability of the city. I do not ask any binding pledge that the road shall take this route or that—or be carried to this or that terminus; but I do think the administration should be prepared to announce explicitly the general policy they intend to pursue; the spirit in which they intend to deal with this work is made sufficiently manifest by the dismissal from office of a member of the Railway Board, whose talents and experience eminently entitled him to fill the position he occupied; and sir, I have no hesitation in saying that the dismissal of the hon. Jonathan McCully will tell upon the railway works of this country.

Mr. Wier—It has never been the intention of the city of Halifax to repudiate their contract, if the railways were carried out as originally contemplated when that pledge was given; but I assert that the inhabitants of this city are not and never will be satisfied with the parties who now have the charge of that work; they believe that it has fallen into the hands of its determined and inveterate enemies. Suppose the administration stop the work where it now is within 17 miles of Truro—of what benefit would the railway be to the city? of none.—But hon gentlemen seem very much frightened of debt; look

at England—her debt is 900 000,000!—a debt not contracted by the construction of remunerative national works but for the prosecution of wars which drained the country of its resources and impoverished the people. The work which we are about constructing instead of impoverishing will largely increase their prosperity; and, sir, if it be found that the New Brunswick government are prepared to build their line to our frontier, I ask if any government, looking to the welfare of the country, should not at once proceed to construct our line on to Amherst, and form a junction with them?

Mr. John Tobin—It is true, sir, that in the year 1854 the house passed an act making the city of Halifax liable for 100,000%. We are now told that some breach of contract is contemplated; to my mind an agreement requires two contracting parties. I knew what the province did, but I ask what did the city of Halifax do to ratify the agreement? The hon. and learned Atty. Genl says it was breathed in every breath and borne on every breeze—that is not the question. What did the city of Halifax do in its corporate capacity to make itself liable?

Hon. Mr. Howe—As I understand the city and county representatives over and over again pledged their constituents to the extent of 100,000%; and I believe that at a very large public meeting of the citizens that pledge was openly given by some of the civic authorities.

Hon. Atty. General went on to argue that from the statements of the hon. member for Inverness openly made, that 30 or 35,000% of interest annually was as much as the country could fairly be called on to bare.

Mr. Young—By the report of the chief engineer now in possession of the government, it appears that the road to Pictou and Windsor can be completed and equipped for 50,000% over the million.

Hon. Atty. General—I cannot at all understand how that can be, judging from the cost of the portion already constructed. There will only remain about 65,000% of the whole sum when the road now under contract is completed.

Mr. Young—That amount will be amply sufficient to carry out the work.

Hon. Atty. General—The hon. member for Inverness and I differ somewhat in our computations; he says there is a difference between the two administrations. I believe it; and the difference is that the present government do not take things for granted and are not profuse in promises.

Now, sir, the hon member for Windsor attempted to justify his action in going of the county of Annapolis by referring to the

course which I pursued in going to Musquodoboit.—The cases are not at all analogous; I went there with the gentlemen who were candidates on the conservative interest—as a freeholder and one of their constituents; he asserted that I should have confined myself to my own polling district—a principle the impropriety of which must at the first blush strike every candid mind. He says the conservative candidates were dummies; let me tell him that Mr. Lawson and Mr. Gray were men whose ability to express their opinions clearly and even eloquently is unquestionable. Sir I unhesitatingly assert that it never entered into the mind of an English statesman to interfere with an opponent in running an election to do what the hon. members for Windsor, Inverness and Colchester did—and if he can point me to an example justifying their conduct I shall be surprised indeed. The course those hon. gentlemen pursued had a tendency to set a bad example to the people—to debase and degrade them—because when men occupying high stations descend from their positions, the people lose confidence in those from whose actions they had been taught to expect something elevated. Now, sir, the hon. member for Windsor says that I commenced my canvass for somebody else; his knowledge of the position I occupied must have put an end to any such supposition; he referred to the effect of his appearance in Annapolis; sir, he did infinitely more good than harm to myself; at the various meetings he addressed almost invariably were to be found large majorities in my favor. When he went to Chutes' Cove, where I could not attend, he was followed by my friend Mr. Ruggles, and did not make much by his motion. Again, sir, on the day of election the hon. member was riding round from polling place to polling place, tapping this one and that one on the back and attempting to influence their votes; and even upon the little boys flag was the name of "Howe,"—of poor Whitman nobody heard a word. When he came upon the hustings on nomination day I certainly did object to his addressing the constituency, but I made him this offer: "The stakes," I said, "are unequal. I have something to lose as well as gain, place yourself in my position, resign your seat for Windsor and openly contest this county with me;" but that offer was refused—it was made, however, upon the principle which a friend of the hon. member for Windsor subsequently announced "Mr. Johnston," said he, "is a great gamester, he would rather shoot at a goose than a musquito." As to the effect of the opposition of the hon. member for Windsor, the result of

the elections has shewn how efficacious that was. (The hon. member concluded by referring to the exhibition by Mr. Howe of the person injured at Gourley's shanty, and stated that he (Mr. Howe) had gone into the country like Barnum, but, unlike him, the speculation had proved a failure.)

Hon. Mr. Howe—The lecture which the hon. member for Annapolis has just read me upon the moral and political impropriety of visiting his county is certainly, coming from him, a most extraordinary emanation. I will not ask him before this house and people which of us has done most for the moral and political elevation of this country; our respective lives, our political conduct is before them, and they can justly estimate the amount of laudation or dispraise to which each is fairly entitled. But, sir, the distinction between that hon. gentleman and myself is, that the people can understand what I say and they never can understand him. He advert to his return by a large majority, and triumphantly asserts that in going to Annapolis I did him a service. If so, he should have been obliged to me, and ought not to have given way to the splenetic ebullition with which he has favored the house to-day. As to the result of the late election, hon. gentlemen will recollect that he had ten years the start of me—with his personal friends, his clients—two thousand pounds of road money to distribute—and other singular advantages, which materially aided in strenghtening his position and contributing to his return. The whole Catholic body went over; and when I first entered the county it was confidently stated that he was to walk the course, or at least have a majority of seven or eight hundred. The result has shewn that calculation was entirely erroneous. He says he challenged me to resign my seat. When? On nomination day—without an opportunity of consulting the constituency which I represented—without having canvassed a man, while he and his friends had been in the field for weeks before. I attended a meeting at Middleton. In that district we beat him by one hundred and nine—and another at Nictaux, where we beat him by sixty seven, Sir, with a fortnight more of fine weather and a good horse I would have given him such a run as, had he been victorious, would at least have left him little to brag of. Why, it is well known that many of his old friends voted for him on this principle—he has now a chance of obtaining the object of his ambition, let us vote for him this once and get rid of him. He says I canvassed election day. Not so, Sir—true, having nothing particular to do I

got on horse-back and rode to a couple of the polling districts, to see how matters were going, but did not attempt to influence a single elector in giving his vote. He well knows the efforts which were made to prevent the people from listening to me. Never was the fiery cross sent through the highlands with greater zeal or more haste than was the cry emanating from the hon. and learned member for Annapolis calling on his friends to come forward and assist him in putting down Mr. Howe. He speaks of the railway. Sir, I will put my conduct on this great public question side by side with his, and ask this people to decide between us. He tried unavailingly all manner of impracticable schemes—like the machine invented for cutting cabbages, which was all very well in its way, were it not that it required a horse to drag it. His ponderous railway measures were always destroying themselves, because they were entirely inapplicable to the circumstances and requirements of the country. But he says he challenged me to contest Annapolis with him; let him not repeat that challenge too often or he may find it accepted.

Hon. Atty. General—If the hon. member for Windsor desires to test his standing with the constituency of Annapolis the field is open to him, and if he goes there fairly as a candidate I, whatever the result, will be the last man to complain. As to the story of my having withdrawn, it is too ridiculous to deserve further reply. The hon. member well says that I had many friends in Annapolis—men, the most intelligent and respectable, animated by an ardent desire to subserve my interests, came forward and, in the most unmistakable manner, proved to the hon. member for Windsor the estimation in which I was held by them.—But enough of this, sir, the election returns are the best criterion of my status in that county; and, in conclusion, let me inform the hon. member for Windsor, that I neither feared his influence while the election was in progress nor have I any apprehension for the future.

After some desultory remarks the house adjourned.

WEDNESDAY, April 8, 1857.

House met at three o'clock.

Hon. Attorney General—In moving a resolution on the subject of the Mines and Minerals called the attention of the House to the way in which the question stood at the close of the last session, and read some of the despatches which had been laid on the table the day previous. He explained that during the last summer certain correspondence had taken place between the

parties interested in England—which he read to the House. He also stated that proposals of compromise had been made by the Mining Association to the representatives of the Duke of York—the result of which would probably be the arrangement of this question in a manner satisfactory to the Province.

The hon. gentleman explained the nature of the rights of the representatives of the Duke of York, which had always stood in the way of arrangement with the Mining Association. He thought the correspondence evinced a desire on the part of those interested to have an amicable adjustment of this question.

Both the Colonial Secretary and the Association had suggested the idea of a delegation from Nova Scotia empowered to negotiate an adjustment. The first thing to be done was to ascertain immediately the views of the Association in reference to a settlement. If the right had been concentrated in the Mining Association, the delegation had better come here from England—but if this was not the case it would be necessary to commission some persons to negotiate and finally settle the matter—with that view he would move a resolution empowering the government to commission two gentlemen who would represent the views of both parties on this question, who would be authorised to arrange the matter to the best advantage—the consent of both being necessary before a final decision was made.

Mr. Young presumed the resolution would lie on the table as a notice—and therefore he would not offer any opinion on it at present.—He explained his views as to the rights of the representatives of the Duke of York—and said he could never understand the reason why the Association had entered into an agreement with these representatives of which they received 9d. sterling per chaldron on all coal raised, amounting to some £6,000 a year—this was an agreement in which the Crown had no part.—He thought if the rights were concentrated in the Association the matter would be simplified—what he had always considered a fair compromise was to propose to the Association to retain the mines they have already worked, and to hand over all the unopened mines to the Province, on condition of being exempted from the payment of one half the royal y—but he was afraid this would not be agreed to.—As to the delegation,—to clothe it with power to finally settle the matter would be to grant rather too exclusive authority, besides the consent of the Court of Chancery in England would now be necessary before a final arrangement.

Mr. McLellan argued at some length

that before a delegation was asked for the government should answer the objections urged by the opponents of the Association to the rights of the representatives of the Duke of York.

Saturday next was named for the discussion on the Mines and Minerals.

Hon. Attorney General asked leave to introduce a bill to reduce the Railroad Board from six Commissioners to a Chairman and two Commissioners Read a first time.

He also moved a resolution to authorise the government to make such changes in the Board of Works and the Excise Department as they might deem necessary.

In answer to Mr. Howe, the Attorney General stated that it was not contemplated to increase the expenses of the departments mentioned.

Hon. Financial Secretary—As to the changes in the Excise Department, the late government would probably have done the same thing as was now contemplated. It was evident from the way which the revenue in Halifax had been collected that some changes were necessary.

Mr. Young was not aware of any remission in the collection of the revenue.

Mr. Tobin had heard the same complaint as that mentioned by the Financial Secretary with reference to the mode of collected the revenue. He was much surprised and thought the matter should be looked to.

Hon. Attorney General had always thought the present system of the Excise department wrong, and he had no doubt at the proper time he would convince the house of the propriety of the proposed changes.

The house went into committee on bills.

Mr. Tobin, from the committee of Conference, reported a resolution from the Council, expressing their desire to unite with the house in passing an address of remonstrance to the Crown on the subject of the Newfoundland Fisheries. The same committee was appointed to prepare an address, in conjunction with a committee from the Council.

Mr. Tobin presented the address which had been prepared by the committee, which was read by the clerk House adjourned until three o'clock the next day.

THURSDAY, April 9.

The Hon. Provincial Secretary, by command of his excellency, laid on the table of the house certain correspondence and returns relating to the provincial railway expenditure. He remarked, that on assuming the reins of power, the government deemed it their first duty to place the house and the country in possession of informa-

tion upon this important work—information which had hitherto been withheld from them. They accordingly addressed certain queries to the commissioners, and he proceeded to read the letter which had elicited the replies he was now about to lay on the table.

The letter read as follows:—

“GENTLEMEN,—I am commanded by the lieutenant governor to request that they will furnish, for his excellency’s information, the following returns, connected with the great public work committed to your charge.

“*First*—A detailed statement of the total cost of the portions of railway already completed, distinguishing the cost of road and permanent way, stations, land damages rolling stock, etc.

“*Second*—An approximate estimate of the amount required to complete and equip the unfinished portions now under contract, in addition to what has already been expended.

“*Third*—A similar estimate of the probable amount per mile required to complete and equip the lines to Windsor, Truro and Pictou, from the termination of the existing contracts

“*Fourth*—An estimate of the probable annual receipts from goods and passengers, traffic between Halifax and the terminus on the Gulf of St. Lawrence and the Bay of Fundy.

“*Fifth*—A detailed statement of all the different amounts received by the board, with their expenditure, during the years 1854, 1855, and 1856.

“*Sixth*—A detailed statement of the salaries, contingencies, office expenses, etc., of the board and staff of engineers, etc., during these years, including surveys, etc.

“*Seventh*—A statement of the working expenses on the line opened, distinguishing wages, repairs and other items of expenditure in the several years.

“*Eighth*—A statement of the plants and other materials on hand.

“*Ninth*—A succinct statement of the various contracts, with names, dates, amounts, sections, etc., and whether performed and paid for in whole or in part.

“I am to request that you will furnish these returns with the least possible delay, as they shall from time to time be prepared, in order to their being submitted to the legislature at an early day.

“I have the honor to be,

“Gentlemen,

“Your obedient servant,

“WM. H. KEATING,

“Deputy Secretary.

“To the commissioners for the construction of provincial railways, etc.”

The answers, he regretted to say, were on some points not so explicit as could be wished, and it might probably be thought necessary to call for further and more satisfactory information.

The house would recollect that much difference of opinion had prevailed as to the probable cost of these works—the government of the day contending that our railway could be built for 5,000*l.* or 6,000*l.* currency per mile, while their opponents contended that it would take 6,500*l.* sterling per mile. It appeared from this return that the latter were under the mark, and the commissioners now estimate the probable expense to Windsor and Pictou at no less than 7,771*l.* 14*s.* 1*d.* currency per mile, exclusive of ways and terminal stations, etc. To take the figures as given by the returns:

148 miles to Windsor  
and Pictou,

Amounting to	£7,771 14 1
Exclusive of stations (except 9,407 2 <i>s.</i> 3 <i>d.</i> , already expended from Halifax to Bedford.)	1,072,495 9 6

The Provincial Secretary proceeded—Adding to this heavy item the interest on money during course of construction, the salaries of commissioners, engineers, incidental expenses—which did not seem, from the returns, to be included in the estimate of what is yet to be built—he could see no reasonable prospect of the cost per mile below 9,000*l.* currency, and it might exceed that sum; say 138 miles at 9,000*l.*—1,242,000; or, in round numbers, one and a quarter millions of money to reach Windsor and Pictou.

The 9,000*l.* already expended for stations, chiefly on the first mile would afford a criterion of calculation as to the cost of these stations on the remainder of the line which the commissioners had not thought proper to add to their estimate.

It might be said that a large portion of this item was for the terminal station at Richmond, the cost of which ought to spread over the whole line; but it must be remembered that the cost of this station was only just beginning, as it was evident from the advertisement for an engine shed 200 × 40, and that there must also be terminal stations at Windsor, Truro, Pictou and Amherst, or such of these points as could be reached, besides numerous way stations.

The commissioners admit that the estimate for equipment is for a very low traffic. They put it down at 400*l.* a mile, although the sum expended for the first twenty two miles gave an average of about 470*l.* sterling per mile. The lines as built, with their cuttings and embankments, are all designed for a single track. The average of cost was based upon the

comparatively easy country between Shubenacadie and Truro, while it was evident that the cost of the first two sections to Bedford rises, as it naturally would, much above this average. The cost of sections one and two, being seven miles and fifty four chains, was returned at 50,859*l.* 17*s.* 8*d.* sterling; but this did not include the expenditure of nearly 9,000*l.* for the Richmond station, nor, according to the items given, did it include salaries and office expenses. From all these data he felt compelled to say that the cost would probably reach, if it did not exceed, the rate already stated—9,000*l.* per mile; and thus the million of money would be more than expended before it reached Pictou.

Another head on which the government asked information was the amount of rolling, plant and materials on hand for use. The answers on this head, he feared, calculated, though perhaps not intended, to mislead. The 10,000*l.* and upwards, mentioned in reply to third query, must refer to the rolling stock in use; and the schedule of stock on hand, after enumerating over five hundred tons of rails and many other articles, adds that these include the rails, etc., laid down. What had become of this immense quantity of rails, sufficient for fifty miles of road? Some of them were, he supposed, at the bottom of the Bay of Fundy; but he understood that the contractors were retarded from the want of rails, not being able to get what was necessary for them in making embankments.

These papers he said had already some days ago, and before they were brought down to the house, been referred to by the member for Inverness, who had passed calculations upon them; and it was but fair to the hon. member for Windsor, in reference to any part of the returns seeming to require explanation, to point it out to him, in order that he might have an opportunity of doing so—and this he would doubtless be able to do.

Another point on which the government thought it most material to get information from the board was to the probable traffic receipts. Every railway undertaking was preceded by information of this sort; and for months before the legislation on the Halifax railway persons were stationed along the line to collect data for this purpose. Yet it was matter of surprise that after three year's experience the commissioners now decline to give any estimate whatever of the probable traffic on the lines when completed, so that the province was committed to a project, of the paying qualities of which the persons in charge were not prepared to give any opinion.

While he felt it his duty to the house

and the country to make these explanations—he said there is now no railway question before the country. The policy deliberately adopted it was alike the interest and the duty of the present administration to carry out as fast and as far as the revenue and credit of the province would admit, consistently with the statements of the late chairman, as to the financial bearings of the question. He concluded by moving that the papers be printed.

Hon. Mr. Howe said—If the hon. Provincial Secretary meant to do what was dignified and courteous, when by the command of his Excellency he laid public documents on the table, he would first hand them in, and, as is the ordinary rules, have them read at the clerk's table before proceeding to comment upon their contents. To submit a file of papers before they have either being read or printed, no opportunity having been afforded hon. members to make themselves acquainted with their contents, and immediately to rise and attempt to convey a most erroneous impression of their contents, was a most novel, unfair and discourteous course. Officially speaking it is not the candid and right mode of transacting the public business. Shortly before the elections, when men's minds were occupied with the consideration of a contest which was about to be run, a variety of questions were submitted to the Railway Board. The members of that board might have taken time to consider the subject, and have waited and withheld information or given it in an ambiguous and disingenuous form. But, sir, the gentlemen who composed that board having nothing to conceal or suppress, considered it their duty at once to answer the questions propounded as fully as the nature of the case would permit. The hon. member, without asking for explanations, evidently desirous of laying hold of anything which might seem to afford foundation for a charge against the board rises and asserts that a larger quantity of rails have been received than are accounted for, and that the contractors on portions of the line are now delayed in the prosecution of the work because the rails have not been supplied. It may be, sir, that some of the contractors have taken during the winter a larger quantity of rails than they required for use; those rails are piled up along the line and are ready for transmission to any other contractor who may require them. Further than this I have no hesitation in saying that the alleged short-coming is entirely without foundation, and exists only in the overheated brain of the recently appointed Provincial Secretary. My public conduct as a member of that board is open to the most rigid criticism, let the hon.

Provincial Secretary but name the day and state the charge and here in my place in parliament while I be prepared to meet him. It is only this afternoon that I have received a copy of the Gazette naming my successor officially; to him I am prepared at once to hand over the books, accounts and Bank book containing all the receipts and expenditures of the board for this public service. The administration will then be in a position—having control over the board to obtain the fullest and most explicit information, but he can hardly expect me on the instant to furnish any supplemental information; nor is it either fair or generous for him to comment as he has done upon—the information conveyed—knowing as he must know that is impossible to obtain on the instant full details of all the rolling stock and other material in possession of the board.

It is hardly necessary for us to go over the old ground, and fight the battles of the past over again. The hon. gentleman and his friends have ever been disposed to put the worst face on matters, and attempt to make it appear that the cost of the road would be much greater than the actual outlay. In answer to all that the Hon. Provincial Secretary has said on this point I give him the statement of the chief railway engineer, that the road can be completed and equipped to Windsor and to Pictou for one million and fifty thousand pounds.—There are now on hand four first rate passenger cars, which will be sufficient to keep up the road to Windsor; and there is also on hand a variety of other material. No complaint has ever reached the board that the contractors were delayed for want of rails. There are several hundred tons ready for use if application was made for them. It is hardly fair, sir, for the Hon. Provincial Secretary to come down here, and without ever having the papers he submits read to the house, send flying across the country statements not reliable, and which, if fair opportunity for investigation were afforded, could be easily refuted.

Hon. Provincial Secretary said—The last thing contemplated by him was to convey anything like a charge. He merely made the statements he did in justice to the late hon. chairman of the railway board, that an opportunity might be afforded him for explanation.

Mr. McLelan said—Since the calculations relating to the cost of the railway were made,—material,—especially iron; labor and provisions had risen in price, and of course the cost was increased to the extent of that advance.

Mr. Young—The returns state that the

road to Windsor and Pictou can be completed for £1,050,000.

Hon. Solicitor General—The road so far as it has gone already cost £857,000 stg., and upwards.

Mr. Young—I undertake to assert that my former statement is correct.

Hon. Financial Secretary—The papers do not say so.

Mr. Young—The papers do say so; they shew that the 138 miles to Truro and Windsor can be made for £857,995 7s. 7d., being about £6,217 7s. 2d. stg. per mile exclusive of way and terminal stations, but this excludes a charge for the maintenance of the way for a year. At the rate of computation, the whole work can be completed for the £1,050,000.

Hon. Provincial Secretary—Had no wish to exaggerate or overstate the cost of these works, but felt assured that including the way and terminal stations, salaries and incidental expenses the cost per mile would not fall short of £9,000

After some further conversation—

Mr. Henry said—The discussion was altogether irregular; if hon. members would adhere to the rules of the house the transaction of business would be greatly facilitated. He was called on to listen to a discussion on a question of which he could not possibly know anything, because the information had but just been submitted; the time of the house was occupied and no benefit done. The proper course was to have the documents read, printed, and time allowed to enable the gentlemen on both sides to master their contents before any discussion took place upon them.

The discussion here dropped.

#### MINES AND MINERALS.

Hon. Attorney General introduced the question, and laid a resolution on the table as notice. The purport of the resolution was, that two members of the Legislature be appointed as Delegates, to proceed to England, for the purpose of effecting a settlement of affairs between the Mining Association and the Province.

Mr. Young said—I will abstain, sir, from offering any decided opinion on the course proposed, but will offer a few explanations on the subject generally. The Duke of York's representatives never did claim either legal or equitable rights over the mines opened at Sydney or Pictou—those which actually yielded revenue. Their claims were confined to the Mines & Minerals reserved by the crown, and did not apply to these actually wrought. For some reason unknown to me, and on which the Solicitor of the Mining Association could throw no light, the Duke of York's representatives obtained a charge of 9d.

sterling per chaldron on all coals raised in the province, including mines on which the Duke had no claims, except to a small extent in the county of Cumberland. This claim amounts to £5000 a year, and for that no act of the Crown or the Province, but only an arrangement with the Mining Association, appeared. They sought confirmation of that claim, but it was promptly refused by the House. From this source, however, a sum of £59,000 had accumulated, and that amount was waiting to be paid over. These claims formed one difficulty in the negotiation of 1854,—and I rejoice that that obstacle is now likely to be removed. The Duke's representatives say, pay us over that £55,000, now lying in the Bank of England, and in place of the 9d. a chaldron for the next 30 years, give us £65,000 more, and we will cry quits. If that difficulty were out of the way, we might deal with the Mining Association alone;—might say, surrender to us all the Mines,—give up to the Province what is its natural right, in consideration of our accepting one-half the royalty,—and making the royalty on all the Mines alike. This would lead to a surrender, for the 30 years which the lease has to run, of a sum amounting to £90,000 sterling. That is the first difficulty, and then comes the question of the area, around the Mines now worked, to be surrendered to the Company. They might require a greater space than the Province would be inclined to give. As to the delegation I offer no opinion on that now, farther than to say, that it appears to me, should such a step be thought advisable, that the negotiation ought to be held in London; nothing final can be accomplished without the assent of the Court of Chancery and the British Government, and for that consultation in London seems essential. I agree that if such step be contemplated, it would be convenient that the Delegates should have power to close finally,—although that would involve immense discretionary power;—in that case the Government must entrust authority more ample, perhaps, than this House would be prepared to give to any two persons. I may remark that I do not exactly like the wording of the resolution submitted by the hon. and learned Attorney General, but for its consideration other opportunities will occur.

Mr. McLellan—I had hopes, Mr. Speaker, that the Attorney General would have told us what right the Duke of York had to the Mines and Minerals of the Province. He said it was difficult to explain these matters, and I believe it is not easy to tell what claims the Duke had on this property. He obtained it however, and trans-

ferred it over to another party, who transferred it to the General Mining Association; certain charges on it being reserved. Thus, they had to pay a royalty to the Crown, and in addition, a sum to the Duke of York and his representatives. The creditors of the Duke made a claim on the Company under his reservations, the matter got into chancery,—and the expenses of that suit became the greatest difficulty. They amounted to about £22,000, and that the Province was asked to pay, although the people of Nova Scotia had no more to do with the suit than the man in the moon. The Company obtained liberty to raise a certain amount of coal, for a certain sum, and matters being so far arranged, we might expect to hear no more of the creditors of the Duke of York; but their claim is forward in every shape. A remittance of £600 a year for 40 years did not satisfy them. Concerning the delegation, it does seem strange to me that it should be required. The Mining Association, proposed, a few years ago, that the rent should be reduced to £2000 a year, and that they should have the title of the mines now in operation. In the address of last year we complained that the arrangements made, had the tendency of raising the price of coal about 2s a chaldron. No answer has been given to that. We also complained concerning the quantity of coal used at and about the Mines, free of duty, and required the payment of royalty on all. But not a word is said in reply about that. It appears to me, that by the resolution, it may seem that members of government are willing to come to an accommodation with the company, while the House of Assembly is unwilling. Before deciding on the resolution, we have to consider the requirements of delegation, its nature, and the expenses it would cause to the Province.

Saturday, April 11 was named for the consideration of the resolution.

Its discussion was not resumed until Thursday, the 16.

The House adjourned until Saturday.

SATURDAY, April 11.

The House met at 3 o'clock, and went into committee on Bills.

The Committee adjourned.

The House resumed, and passed several Bills reported from committee.

THE CONVENTION.

Hon Attorney General—I rise, Mr Speaker, with much pleasure, to state that which must be exceedingly gratifying to the feelings of Colonists. Complaints have frequently been made, to the effect that these feelings were not sufficiently consulted by those who conducted imperial affairs. Such misunderstand-

ings have, I believe, arisen from inadvertence or want of information; in all instances the wish being, to respect the rights of Colonists, and to keep their interests as free and unfettered as attention to general arrangements would admit of. The present is a very significant instance of that description. The despatch which I hold in my hand not only discloses that the Convention between England and France against which Newfoundland has appealed had been abandoned, but, in terms most unqualified, it intimates, that the Territorial and Maritime interests of the Colonists are not to be interfered with by the Imperial authorities, except by the consent of the Colonists themselves. The declaration is made spontaneously and freely, and proves the intention of paying all due regard to the Colonial possessions of Her Majesty. That the address which passed on this subject, some days ago, has not yet been transmitted, is cause of pleasure; and I will gladly, on another opportunity, move resolutions in reference to the Convention and the Despatch now laid on the table.

Hon. Mr. Howe—The announcement just made, Mr. Speaker, is of a very gratifying nature. I am glad that the rights of Colonists, and the privileges of Colonial Legislatures are duly regarded by the British Government. We all felt, some years ago, when what we considered our territorial rights were interfered with—and the other day, we naturally sympathised with the declaration which called our attention to an interference with the rights of another colony;—I would have been pleased, if the members of government were then in their places, that the question should have been taken in a broader sense, and somewhat different manner, than it was then considered. It is not clear to me, sir, that the entering on Imperial treaties, and then throwing the cause of disagreement on a small Colonial Legislature, is the wisest course to pursue; it might be preferable that our Colonial opinion should be first invited, when any interference with such interests was thought desirable. However the submission of the question, before arriving at any final conclusion, may be sufficient. I again expressed gratification that the present question has been disposed of in a way so calculated to please our fellow subjects of Newfoundland, so satisfactory to all, and which proves that the Colonial voice is not overborne when it is raised in reference to great European questions in which Colonists are immediately interested.

Hon. Financial Secretary—While I look on this document, Mr. Speaker, with feelings of gratification, I recollect with deep regret, that the voice raised here, some years ago, by a few persons, asking that our own rights be more carefully attended to, met with so deaf an ear; and that more energy was not used then to prevent the completion of a treaty interfering with the interests of Nova Scotia. The despatch shows that hereafter the British government will respect and duly recognise the rights of colonists. I agree in part

with the member for Windsor as to the propriety of consulting colonists before entering on treaties,—but I do not see how that would be easily practicable, as treaties must be made with England herself. Perhaps in future, any colony interested in such negotiations will be consulted while the matter is pending. The document sets at rest at once, the question of interference; I am convinced that, after this, no colonial right will be given away, that no colonial interest will be interfered with, without asking the assent of the colonial legislature concerned. Nothing so wounded my feelings since I came to the legislature, as the giving away the territorial rights of Nova Scotia without commensurate remuneration.

Mr. Tobin—The course taken by me, Mr. Speaker, on the Newfoundland convention, was suggested by the resolution arrived at by the merchants of Halifax, in reference to that subject. I feel gratified, now that there is no necessity of transmitting the address agreed to by both houses of the legislature; and the steps taken by the home government on the question must be productive of pleasure to the people of this province and of Newfoundland. The law officers of the crown were not present in the house when the delegates arrived, and the papers were laid over in consequence. The action which I took was brought fairly before the house, and assented to, and I am prepared for any course which the house think well of adopting in reference to the address. I have discharged the duty which became incumbent on me to the best of my ability, for the interests of this country and Newfoundland. Concerning the reciprocity treaty, to which allusion has been made, I see no analogy between the two cases. In that an equivalent, for the concurrent rights conceded were in fact no equivalent at all. There is no analogy between the cases. The concessions then made were for the interests of this country—and I believe we had the best of the bargain. Our fishery is of more value to us than it was previously, and our merchandize goes to the United States free of duty.

Hon. Financial Secretary—The reciprocity treaty, I consider, was one of the shadows sometimes put forth to conceal the substance. The reciprocity sought was, that the United States should trade with us, and we with them, on equal terms. Why were the fisheries thrown in without obtaining the registration of vessels? I like the reciprocity treaty, but I see no good reason why we should buy it at so great a cost.

#### THE ELECTIONS.

Hon. Mr. Howe—I take this opportunity, Mr. Speaker, of calling attention to an illustration of a subject which caused some debate a few evenings ago. In Wilmer's paper of last packet, a paragraph appears that may tend to relieve the mind of the Attorney General from some expressions which then seemed to exist. (Mr. Howe here read a paragraph relative to

the interference of Mr. Gladstone in an election for a county against one candidate, while he himself was a candidate for a different place.) Here we find that Mr. Gladstone, late member for Oxford, and again a candidate for that place, goes down to another county and makes a speech, for the purpose of turning out the late member, and causing his own relative to be elected. I hope, with that illustration, that I will not be charged with having violated any of the ordinary rules that apply to such cases.

Hon. Provincial Secretary—If I understood the member for Windsor the other evening, his justification for going to Annapolis on a late occasion was, that he wished to pay the Attorney General an old debt, in reference to a former visit of that gentleman to Musquidoboit; and he contended for the rights of an elector to go to the hustings and give his vote, and his reasons for voting. I do not believe that there is any such right as the latter. I was amused that while he then tried to justify himself he left his friend, the leader of the opposition, in a very questionable position, and the late Solicitor General also. The illustration now given seems to have been as new to the hon. member for Windsor as to others.

Hon. Mr. Howe—No, I could give several such. The life of Hampden furnishes instances. He went from county to county, in reference to elections, and Daniel O'Connell did the same. I did not wish to occupy time with these illustrations, and thought this late instance more germane to the subject recently under consideration here. My observations about paying off the Attorney General was made in jest. I had forgotten the visit to Musquidoboit alluded to, but it came to my mind when my conduct was complained of. I did not attempt to speak at the hustings at Annapolis; I knew I had no such right except by courtesy, and that was not extended. Concerning Cumberland, it was difficult to find out particulars of what occurred there. If I be charged with doing that for which I think adequate reason appears, I consider myself justified in giving grounds for my opinions and conduct.

Hon. Attorney General—The elections of ancient date alluded to refer to questions of great national importance, in which statesmen deemed it their duty to present their sentiments to the public at large. In the late provincial cases the visits were of purely an electioneering character, having for a definite object the prevention of the return of certain persons, and the resumption of the power by those who so interfered. Relative to the more

recent English case, there is this difference—parliament was dissolved; the gentlemen concerned, therefore, were not members of Parliament. The question of choice was before the people generally, and Mr. Gladstone might stand for half-a-dozen places in succession. Here gentlemen had submitted to the constitutional test—the proper tribunal had decided, and to seek to reverse that judgement by entering the lists as mere canvassers, seemed derogatory to those who had just previously occupied high positions—What spectacle was it to see the house deserted for the purpose of opposing certain members who were before their constituencies? It is in vain to compare recent visits with cases in which great principles were under consideration. Gentlemen here went to canvass for persons who were mere puppets—they themselves being the parties really interested. I am glad the subject gives the hon. gentleman so much concern, and I hope that the people of the country will view the matter rightly. When the wish is to oppose in manly way, let opponents put at stake their own returns to the house.

Hon. Mr. Howe—Mr. Gladstone did what we did, with the exception of the parliament being dissolved. He is opposed to the ministry—he does not offer for the county—he interferes for the purpose of defeating a supporter of Lord Palmerston—he was not a candidate or a resident, and perhaps not an elector—he went to contest the seat for another, and to weaken a ministry, as we did. True, the China war was a great question—but was it greater for England than the railway question, and that of the Protestant platform, to the people of this province? I would be sorry that it should be supposed that I was actuated by an old grudge, although I may have jokingly alluded recently to a half forgotten affair.

Hon. Financial Secretary—This is about the fourth time that the hon. member for Windsor has given us treats from Newspapers. Having gone as they did, why not now proceed with the business of the session? They have duties to perform as well as the government has; and when we come back inclined to meet the house in all kindness, is it not strange that the story of opposing the return members should be revived day after day, and particularly by the hon. member opposite? I found recently, in passing through the streets, that some of the most influential members of the liberal party disapproved of that action; thought it derogatory to those who so interfered in the elections, and calculated to have injurious consequences to them. Gentlemen may feel sore on the subject, but I ask them not to

trouble the house about it again. We resisted that opposition, and put it down, without violence or ill nature, and I hope that the province will always do so. whether such conduct is pursued by conservatives or liberals. We have business to attend to now; when that is accomplished, if a fight is desired, let a day be named.

Hon. Mr. Howe—We did as has been done elsewhere.

Mr. Archibald—In reference to the part which I took in visits alluded to, I may remark, that I did not interfere obtrusively or ill-tempered. The hon. Financial Secretary invited me to speak, and seemed rather to wish discussion. I felt in going to his County, that something was due to him, and I stated at once to that effect. Having done so, I thought I had a right to be heard, if he should impugn or misrepresent the late administration, or the persons who composed it. I feel proud, now, to express my obligations to that hon. gentleman, for the way in which he conducted himself on that occasion. I considered the questions at issue of an important public character, and I spoke to that effect; the discussion was conducted on broad principles, without personalities or hard feelings. I cannot acquiesce in the Attorney General's denunciations. I endeavored to discharge a public duty so as to satisfy my own mind, and I did not consider that I was doing anything derogatory to myself or the house of which I was a member.

Hon. Financial Secretary—I only regretted that I could not offer to the hon. gentleman the courtesies which I would on any other occasion.

MONDAY, April 13.

The House was engaged in Committee of supply, &c.

TUESDAY, April 14.

Mr. Wade reported from the committee to whom was referred the petition of Mr. Selden, for remedy concerning loss by fire.

(During the conflagration in Halifax, on January 1st, Mr. Selden's house was partly torn down to stay the progress of the fire. Sanction to pull down was given by two Aldermen and one Fire Ward; the law by which the city pays for such damages, required the approval of three Fire Wards. The house was insured. It was completely wrecked, and much of its furniture was lost or injured. The Insurance Office refused to pay, because the house was not destroyed by fire. The city declined to provide a remedy, as not being legally liable, in consequence of the insufficient sanction to pull down, and also because the house had either taken fire

before the order was given, or the fire reached it soon after. Mr. Selden petitioned the House of Assembly for redress.)

The report stated that the resort to law was open to petitioner, and that the house was not the proper tribunal.

Hon. Attorney General explained—He regretted that the committee had referred petitioner to a legal remedy. There were technical objections to such a course. Petitioner would be nonsuited on technical grounds and the remedy hoped for was the removal of those technical difficulties. The committee might have reported to that effect. In 1851 a law passed to enable the city to assess to pay damages which occurred as this did,—regarded insufficient sanction, and partial burning of the buildings, were removed. He would ask that the report, at all events, do lie on the table without present decision.

Mr. Wade remarked that the case was peculiar. The testimony before the committee was conflicting, some witnesses asserting that the fire had reached the house before the order for pulling down was given, and some, that it had not. The committee considered that they could not report otherwise than they had. He did not think that the city dealt fairly with petitioner; the city and the Insurance Office should come to some agreement, by arbitration or otherwise, so that a fair remedy should be provided. He (Mr. W.) was willing to remove the technical difficulty by bill.

Mr. Tobin—The city did not refuse to pay on the insufficiency of the order; another clause of the act deprived the City Council of the legal power to meet the claim by remuneration. The act was plain, and how could the city contravene its provisions? No doubt the fire had communicated to the house. The City Council referred parties to the state of the property up to the present time, as affording evidence which removed it from the operation of the law by which assessment for making good the damage could be made. He left it to the house to say, whether under the circumstances, the committee could bring in any other report.

Hon. Attorney General—If the city does not wish to shield itself under technicalities, the difficulty might be removed by law, as it was in 1851.

Mr. Tobin—I do not like those attempts to alter statutes to suit particular cases. I was canvassed to-day by parties interested in a bill to alter a statute. Mr. Selden's course is plain;—Let him prosecute the Insurance Office; if he fail in that let him try an action against the city, and if that be not successful, a remedy from the Legislature might be sought and given.

Mr. Esson—The case is one of hardship. If the law be defective a remedy should be given. In the case of 1851, a majority of the City Council thought that they were morally bound to pay; in the present case a majority held the opposite opinion.—Remedy should be given; the Insurance Company would not refuse to pay any proper claim on them.

Hon. Solicitor General—Much depends on the policy of the Insurance. If the Insurance was against fire only, they were only liable to damage done by that element. I think the committee should have taken a bolder step. The City Council are not liable under the law; we may presume that the Insurance Office is not.—The petitioner might recover against the parties who ordered the pulling down,—and supposing they had to pay, would the Legislature allow them to suffer in such a case? Who ought to pay? The men who gave the order for the public safety! The province at large? Or the city? The last mentioned;—and, without injustice, the committee might have reported a bill authorising the city to indemnify. The law, if defective, might be made efficient; to do so would have an *ex post facto* appearance, but when it was seen that ultimately the city would have to pay,—the committee might have taken the bolder step and advised redress.<sup>1</sup>

Hon. Attorney Genl.—It would be wrong by an *ex post facto* law, directly or indirectly, to compel the city to pay the damages. The moment I heard the member for Halifax say that a majority of the Council were against that remedy, I felt that it would not be right to alter the law as was proposed to meet the case. Let the law continue;—let some one else be caught in the trap; and let Mr. Selden seek remedy in some other way, for the severe loss he had experienced.

Hon. Mr. Howe—I think the doctrine just stated is sound. No doubt Mr Selden has a remedy against the Insurance Office for the damage done by fire. When that was attended to, an additional claim might be made on the city. In all fairness he ought to be paid, but it would be unwise to disturb the law in this case; it was a check on wholesale and unauthorised destruction of property. Let petitioner prosecute the Insurance Company first; then obtain what he can from the city fathers, when they are in a good humored mood; and after that, if any loss should remain, he might come here.

Mr. Tobin—I would be sorry that the house should think that I stood in the way of the claim made. The difficulty stated presented itself to the committee;

petitioner's first action is against the underwriters.

(Other remarks on the hardship of the case, and on petitioner's title to remedy were made. Hon. Atty. Genl. withdrew opposition to the adoption of the report.]  
House in committee on bills.

#### RAILWAY DAMAGE BILL.

Hon Attorney General proposed that the bill providing for the Assessment of Railway damages, be taken up, and explained its object.

The Bill, he said, was of great importance, and the want of such remedy was not creditable to this country; property was taken by law and no means of recompense provided. It was the duty of the house to pass a Bill such as that under consideration, and to pass it as perfectly as possible. It was difficult to coerce public bodies to do that to which repugnance was entertained; and the chief difficulty now grew out of that reluctance. The Bill before the Committee was similar in principle to that of last year, which was prepared by the late government; it passed the house, as acquiesced in by the Legislative Council, and was lost by a difference between the houses as to the mode of apportioning the damages in the different Counties and Townships. By that Bill the Sessions were to assess and apportion,—but an amendment of the Legislative Council proposed that that authority should be confided to other hands, to Commissioners. The present Bill adopted the principle of the Bill last session, as it passed the house. A variety of details have been introduced for the purpose of making the clauses more effective. One clause, found most difficult to deal with, was that, by which, if the Sessions neglected its duty in reference to the law, the Supreme Court should have authority to amerce. A jury were to decide on the damages supposed reasonable, and make presentment accordingly, to the Sessions. But if the session neglected its duty, or gave too much delay, the remedy was to lie with the Supreme Court. Is that a sound principle? Should the duty thus be removed from the Session, which was so competent for its performance, and placed with a tribunal not having the requisite local knowledge or machinery,—not so competent to deal with the question; and having other duties in charge. How, for instance, could the Supreme Court adequately decide, in reference to the County of Hants, concerning the value of land, and the damage done, or benefit conferred, by the railroad? That was not the proper remedy;—it was not seemly to allow a public body to neglect its duty, and then

transfer the duty to another and higher jurisdiction; the better way would be to compel the performance of duty. I propose to expunge that clause, and insert, instead a clause authorizing the claimants to apply to the Supreme Court for the purpose of compelling the fulfilment of duty by the Sessions. The remedy should be by mandamus;—but I hope that such neglect need not be anticipated, and will not occur. Redress to those whose lands were taken for public purposes, should be given; such appropriation of property was requisite in some cases,—but let it be with as little injury as possible. I invite the attention of the Committee to the clauses as they come up for consideration.

Hon. Mr. Howe—I would be sorry if a law of this kind could not be so framed as to prevent evasion. I have some fear concerning the zeal of the sessions to carry out its provisions. Persons are sufficiently disposed to take the benefit of public works, but they are inclined to shrink from making good the damages. I would call attention to the clause relative to Messrs. Piers' property. The understanding was, that the government advance £750 to the parties, the sum to be repaid, out of the assessment.

Hon. Attorney General explained.

Clauses were considered.

Mr. Parker moved that the jury for appraising damages be taken from the grand jury, instead of the petty jury list.

Subsequent to various explanations the proposition was agreed to.

Discussion arose concerning the propriety of taking juries from districts other than those in which damages were claimed.

Messrs. Chambers, Dimock, Morrison, and other members expressed views on the subject.

Mr. McLellan said that much sympathy was expressed relative to those whose lands were taken for railway purposes. The sympathy should be, perhaps, with those whose lands were not taken. Claims for damages between Halifax and Bedford seemed to him to amount to as much as the province would sell for. It was not enough to be honest—persons should be as honest as possible; and to that end they should have as little interest as possible in doing wrong. A road overseer told me, at one time, of a certain road which was to go across a man's land who made many objections. He spoke of the disposal of his land in that way as ruinous to him, and said if it were so taken he might as well leave the country. Those in charge of the work considered his complaints; they looked elsewhere, and found a better line. He then changed his tune, and not

only offered his land, but offered to clear the stuff of the line, if they would only make the road as originally proposed. So it was with some of the railroad claimants. They should have justice, however, and nothing like unfair play should be put in the bill.

Hon. Mr. Howe—The assessments round the Basin generally seemed equitable enough; only one or two appeared extreme to me. I agree with the hon. member for Londonderry, that if the juries take all considerations into account, many claims will not be admitted, for the properties would be benefitted; but there were cases of another description, in which excavation might intersect property to the effect of serious damages, as at the Prince's Lodge on the road to Bedford. Higher up, however, where a man had an 150 acre lot which was greatly increased in value by the railway, compensation was not required. The assessments alluded to in that direction were not arranged by a jury, but by two persons, one selected by the sessions and one by the claimant.—The probability is, that the juries will about do justice.

The clause passed without alteration.

Mr. McLellan moved that 7 days notice of assessment be given. Agreed to.

Mr. Parker called attention to damages for materials taken for railroad.

Mr. Chambers moved an alteration concerning number of days notice. Agreed to.

Hon. Attorney General moved certain transpositions, and verbal alterations.—Agreed to.

Mr. Tobin proposed that the Juries be directed to consider the benefit, as well the damage, done to land by the making of the Railroad. Some property would be increased in value 400 per cent. Amendment, accordingly, was agreed to.

Mr. McLellan proposed an amendment providing that appeal be to the Court of Sessions. Not agreed to.

Mr. Chambers moved that fees to sheriff and Jury, for assessing, be 10s. a day for the former, and 7s. 6d. for the Jury; instead of £1 15s. as proposed by the Bill.

Other alterations of fees were proposed.

The clause as introduced was sustained.

Mr. Killam moved that the fencing of the road be a county charge, at the rate of about £50 a mile, instead of being paid out of the general means as heretofore.

The original intent was to have the charge as now proposed, but delay in providing for assessment, caused the commissioners to assume the fencing.

Mr. Howe explained—The damages for land would fall pretty heavily on the counties, the fencing he thought might remain a general charge.

Mr. Esson warmly opposed the proposition now made.

Other members took the same view, and spoke of the heavy charges that would thus be on certain counties. Halifax and Colchester would have to pay about £2000 each for fencing, according to the amendment.

The amendment was agreed to.

Mr. Esson described the proposition as one of the schemes to defeat the Railroad and said that it could not be carried out.

Mr. Parker spoke against making tenants, instead of owners, pay the rate; also against causing persons but slightly benefitted pay as much as those who would be greatly the gainers.

Several clauses passed.

The Committee adjourned.

WEDNESDAY, April 15,

House in Committee,—Mr. Thorne in the chair.

The Bill providing for Railway Damages was again taken up.

Amendments were proposed,—Clauses passed.

Mr. Morrison complained of the want of interest evinced by several members, concerning the Bill,—and the consequent absence of order, and difficulty in hearing what was said.

A clause concerning fees of persons employed in assessing and apportioning, was amended, so as to make the amount of fees dependent on the decision of the Sessions.

A question arose relative to interest on awards for damages;—some members contended that interest should be allowed, as between man and man;—that delays operated oppressively in some cases, and that the allowing of interest would be a check on such delays; other gentlemen argued, that the interest would greatly embarrass and complicate settlements,—that there was much misapplied sympathy exhibited, relative to persons whose lands were taken, and who would be otherwise benefitted by the Railroad;—and that appraisers would take delays into consideration, in awarding damages.

Hon. Attorney General—Supported the former views,—explaining more than once concerning the hardships of delay in paying for land,—the propriety of allowance of interest, both as regarded the sum to be paid, and the value of such security in the interim,—and the quickening effect the allowance would have on the conduct of the local authorities.

Mr. Young said—The hardship arose out of the very policy of the act for formation of Railways. Land had to be taken,—and should be paid for, but there were many considerations involved besides the

mere quantity taken and amount to be paid. During his temporary absence from the House, he found that the fencing of the line had been made a County charge;—that was certainly within the scope of the act,—but if the wish was to make the prosecution of the work acceptable to the Counties, it would be judicious not to impose charges so heavy as to lead to popular indignation. Where charges were reasonable the objection did not apply; but in the Counties of Halifax and Colchester the assessment for this item would be about pound for pound with all other County charges. In Hants also, expenses would be heavy,—thousands had to be expended for a station at Windsor, and this, with damages for land, and expenses of fencing, was calculated to cause many objections. Interest was not really called for, in reference to some assessments;—in instances they were double what they should be. From £2,000 to £3,000 would be the charge for fencing in some Counties;—the consequences of such burthens might be very unpleasant on the part of the people. He was prepared to vote for the Bill, as it was, if he could not obtain alteration,—but he considered that it ought to be modified.

Hon. Solicitor General—That should have been thought of before the Railroad was commenced. Parties should be prepared to pay for land taken, immediately; and if delay occurred interest should be allowed. If it were not, years might elapse before remuneration was made.

Hon. Financial Secretary—I regretted to hear the remarks by the member for Inverness. He talks of an oppressive law and opposition to it. Such language is not appropriate in reference to laws made for the good of all parties. It is not true that this action is taken in the House, because only four counties are concerned in the heavy charges. The House was dealing with a great public work in a spirit of justice and candour. The government will have enough to do to find money to build the road, without other charges being defrayed. We have been told that the railroad is a great public benefit,—I hope it will,—but it should not be said that counties through which it passes will not be more benefitted than others,—and these counties should be willing to contribute. True, Halifax city and county would have to pay an enormous sum, for contribution and damages, but that could not be helped.

Mr. Esson—The county of Halifax would make no difficulty to a fair Bill;—but when obnoxious clauses are moved, I have a right to speak, and I will do so. The Bill as introduced by the Attorney Gene-

ral was equitable—but I consider the propositions objectionable, and I have a right to say that.

Hon. Financial Secretary—My rights and duty lead me to speak when moneys to be taken from the public treasury are under consideration.

Mr. Tobin spoke against the mention of interest in the Bill,—appraisers would take delays into consideration. He believed that to make the fencing a county charge would be very oppressive.

Hon. Mr. Howe considered that some of the propositions would embarrass the Bill. Charges objected to, were originally intended but the House stood in an altered position now in reference to the railroad, as regarded their cost, and the prospects of ultimate gain. The counties might be relieved to the extent of the interest and the fencing; without these their burthen would be pretty heavy. It ought to be borne however, and he believed they were able to do so. Expenses had to be incurred at Windsor, for an extensive station, to accommodate surrounding places,—and it would be scarcely fair to make all that a local charge. Gentlemen opposite had the majority and perhaps the right, to press these matters,—but he would put it to their sense of right and justice, not to lay too much on the four counties more especially concerned.

Discussion occurred on the mode of making up for possible neglect of Sessions

Some members considered that the clause should remain as it was, and the whole matter be allowed to rest with the Sessions. Others that the Supreme Court should, in cases of delay, have power to amerce, or to force attention to the law on the part of the Sessions.

Mr. Henry stated objections, and proposed a commission, for the apportioning of damages.

Mr. Chambers and other gentlemen, said that difficulties need not be anticipated, and they did not believe that such would arise; they thought the law would be carried out in good faith by the Counties.

The clause passed without amendment.

Discussion again arose concerning the interest charge.

A proposition, by Mr. Young, for removing the word *interest* from the Bill was carried 21 to 12.

The Committee adjourned.

The Bill passed to be engrossed.

THURSDAY, April 16.

Hon. Attorney General moved the resolution concerning the proposed delegation, and stated his views on the question.

Mr. Young. The resolution before the

house, Mr. Speaker, propose that two members, to be selected by the government from this House shall be entrusted with power more extensive than this Assembly has usually conferred. The power would involve pecuniary considerations to a very large amount, and other interest of more consequence than any sum of money whatever. The proposition then demands our deliberate review; I approach it with calmness and resolution and without any disposition to enter too elaborately into the various points that are at issue. Still, I think it well to invite the attention of the House to a few of the more prominent considerations, which ought to influence their judgment,—and the more so because, altho the subject has been discussed year by year, those who have not taken the trouble to go over the voluminous correspondence, and more voluminous documents, may not have very clear views on the question. I will touch lightly, the origin of those transactions, which now, I trust, are about to be brought to a successful settlement.

In 1826, George the fourth granted to his brother, the Duke of York, for a term of years, all the unreserved Mines and Minerals of the Province. This was an act unprecedented in the history of the Empire. The lease thus given, did not include the mines then actually being wrought and yielding a certain rent to government. Subsequently these became vested in the General Mining Association who had become assignees of the Duke of York's lease. They entered into an agreement with the British government for working the reserved mines at Pictou and Sydney, and so obtained possession and held complete monopoly of all the mines and minerals of the Country. For some years, that stretch of power did not attract much observations; but more recently it has drawn forth complaints and remonstrances in almost every session of the legislature of the Province.—In 1844, resolutions were moved by my late brother George;—the subject came prominently before the House; and ever since it has continued a theme of discussion, giving the ground work for many warm debate, resolutions and remonstrances. In 1854 the circumstances occurred, out of which the present resolution has sprung.

To the arrangements then about to be consummated, this Province was not a party, and was not invited to be a party. These arrangements affected the whole character of the claims to our mineral wealth, and altered all the conditions to our prejudice. They introduced elements into the discussion which the Crown could not sanction, because they did not come to our knowledge, until after the Civil List bill had passed. That bill conveyed to the Province all the mines wrought and reserved, subject to existing rights—The creditors of the Duke of York, by an agreement, to which the Province never assented, claimed the right of receiving nine pence sterling per chaldron, Winchester measure, as a royalty on coal raised, and this, commencing in 1844, had amounted, in 1856

to £55,418 sterling; that enormous sum being the product of the Mines of this Province. It is now vested in the 3 per cents,—and one of the clauses of the agreement to which our sanction was asked last session, provided for the paying over of that sum to the creditors of the Duke of York. Two years have elapsed since that amount was so stated: now, with the intervening royalty and interest, it must be about £66,000 stg. In consequence of the decease of various parties who held title to these sources of revenue, in consequence also of the Mining Association having a new body of shareholders, the Company become anxious that their title should be confirmed. Their affairs became involved in a chancery suit, to which we were no parties, and finally, with all their outlay and leases, they found themselves in this position: they could not move a step in dealing effectually with their stock; they wanted legal standing and title in the English market; and hence by a happy accident, by a Providential circumstance, as I account it, we may lay the foundation of a satisfactory compromise and settlement. The sanction of this Legislature has become essential to the title of the General Mining Association. My authority for these assertions will be found in the papers on the table of the House, and in three documents sent to the Provincial Government last year. (Mr. Young here read extracts from the documents.) Each of these contains a formal recognition of our right and a declaration under the hands of the Solicitors of the Treasury, of the representatives of the Duke of York, and of the Association, that by the Civil List Act of 1849 (the provisions of which were unknown at the Treasury till I brought it to their notice when in London in 1854) “the legal interest of the Crown in the subject matter of the lease was referred to the disposal of the General Assembly of Nova Scotia. An admission no less important than true, and showing the dependence of the General Mining Association upon our Legislature action and sense of justice.

In 1844 a resolution passed, as clearly drawn, and as vigorously expressed, as could be penned to day, setting forth the claims of the people of the Province, and objecting to the exercise of the prerogative in contravention of those rights. So matters went on year after year, until down came the proposal for surrendering the Crown revenues on condition of the establishment of a Civil List. These revenues and the property in the Mines were then clearly at the disposal of the Assembly, to be dealt with, subject to existing rights, in such a manner, as should be thought just and proper. That was admitted on all hands. I presume no one will contravene the constitutional right of the Assembly, to enquire into the revenues of the Provincial Mines even before the Civil List Act of 1849. In June, 1845, a most important change in the position of the Mining Association occurred: Without notice to the Legislature or to the local Government, without any opportu-

nity to pronounce an opinion here, the British Government denuded us of a large amount. By the lease of 1828, the General Mining Association, for a rent of £3000; had obtained the right to raise 20,000 chaldrons of coal, Newcastle measure, equal to 40,000, Winchester chaldrons, and so it remained for 17 years. But without one syllable to our Executive or to the Assembly, the Imperial Government stepped in, allowed the raising of 52,000 chaldrons, Winchester measure, for the same rental of £3000. The difference was £600 stg. a year, there being then 41 years of the lease to run. The Province lost by that single act £24,000 sterling money. The Province lost it, I repeat, because had the concessions not been made, there cannot be a doubt that the Association would have gone on paying as before. Should such a change, I ask, have been assented to by any Minister without consulting the people whose interests were thus interfered with? The legal right I am not disposed to question, because in 1845 these revenues belonged to the Crown, but in my opinion it was an ill advised and unconstitutional exercise of power. The lease of 1826, I may remark, contained a royalty much larger than that in the lease of the reserved mines. By the former the royalty was one shilling a ton, or about 1s 6d a chaldron,—by the latter it was 1s. a chaldron for all beyond 52000. Thus the revenue under one lease was only about two thirds what it was under the other. The lease of 1826 exempted from payment of royalty all coal used for working the mines, or for manufactories connected with the mines.

In 1845 the royalty was imposed without this exception on all the coal that was raised. In April, 1849, the Civil List Bill passed, but about six weeks elapsed before it received the assent of the Queen, and became formally the law of the land. In the interim, an agreement was made between the creditors of the Duke of York and the Mining Association, which was more unfavorable to the Province than the terms of the Treasury minute of 1845: it retained the smaller royalty of one shilling a chaldron upon all coal sold under either lease, and reintroduced the exception of coal used at the works, thus confirming the clause against us, but denying the benefit of the clause for us in the minute of 1845. On every point it was so framed as to operate against the interests of the Province, in favor of the Mining Association. The arrangement, in fact, was the most prejudicial to us of any that has been made since the commencement of these transactions: it touched our pecuniary interests more closely than the agreement of 1828; and went beyond even the Treasury minute of 1845. This agreement bears date 29th May, 1849—between the time of the passing of the Civil List Bill and the giving of the Royal assent thereto,—and it was contended in London that the act, not being legally and formally an act of the Province until the Queen's assent was given, the agreement made in the interim bound this Legislature. I entirely dissent

from that view, I hold that this Legislature was bound by the state of facts at the passing of the Bill, and that no agreement subsequent to the Governor's assent to the act, could effect our rights. I hold that the rights which bound us, were those that existed under the Treasury minute of 1845; and I say so, overlooking for the present what lies at the root of these enquiries, and the bringing forward of which may yet become a duty, for an important question remains, whether the Crown had any right, constitutionally, to make such a grant at all; whether it would be maintained in a British Court. I was always of opinion, that if fairly and fully argued before the Privy Council in London,—that grant would no more be maintained, than would a grant of the tide waters of the Province, or of the soil on which we live. It may be thought unwise to raise this question now, if we can escape from it,—as it would lead to tedious litigation, large expense, and doubtful result. I would readily agree to an honorable compromise, if such a compromise can be effected.

The voluminous "indentures" which I laid on the table last session, and again to day,—largely affect our position. Finding these papers by accident in Downing street I entered a strong protest against their execution, without our assent; they were consequently stayed and came here last session accompanied by an Act, the object of which was to legalize them.

When the act was sent out, it was my official duty to lay the papers on the table, and I did so, reserving my right as a member of the House to deal with them as I might think the public interests demanded.

It then appeared that there were three different sets of opinions in the House on this subject; and it is well we should understand what these were. First, we had the extreme doctrine announced by the present Solicitor General, that we should pass the Bill confirming the agreement of 1849 with all its objectionable clauses and without change. When that resolution came to be put on the Journals it was modified, at the instance of the hon. gentlemen's friends, as it now stands. (Mr. Young read the modified resolution.) The distinction made, is rather apparent than real, the resolution so modified was still against the views of an immense majority of the House last session, and against the majority of all the Houses to whom the question has been submitted for the last 14 years. There never was more than one-third against two-thirds; or one-fourth against three-fourths adverse to the claims of the Province. The majority contended that the agreement of 1849, having decided on all points against us, would be a loss of thousands of pounds to our Treasury. A subsequent resolution was moved by Mr. Johnston, who argued it at large setting forth every possible view in aid of the Mining Association, and wound up with this conclusion:—"That the address to the Queen (which was carried however, by a majority of 34 to 13)

be not agreed to, and that this House doth acknowledge the obligation on the part of this Province, to fulfil to the General Mining Association, the rights it has acquired; and the obligations under which the Crown was placed by the lease to the Duke of York, and the agreement with the Association when the Civil List Bill of 1849 transferred the rights of the Crown thereunder to this Province."

This amendment was lost 35 to 12, and it is very significant of the views, in direct opposition to the public interests and the principles of the constitution; that are nourished by a small party in this country. The hon. member for Halifax (Mr. Tobin) told us the other evening, that as the friends of the Association had obtained possession of the Government, there was a greater likelihood of effecting a settlement. Let us beware, however, that we do not pay too much for this dubious advantage.

I have no doubt that gentlemen opposite and I differ essentially on the legal effect and operation to be given to the agreement of May, 1849. The very statement of the case, however, would seem to be conclusive: The Civil List Act, transferring to this Province, the reversionary interest in the Mines and Minerals, was passed by the two branches and received the Governor's assent, March 8th, 1849; the Queen did not assent to it, till August of the same year; and, in the intermediate time, this agreement was entered into without our participation or knowledge. On what principle of the most ordinary justice then, can it bind us? We enter into a contract with the Crown, subject to the existing rights in these mines, as they then stood and were known in this Province. If any new and disadvantageous condition is to be annexed to the grant, at all events we have a right to be restored to our original position; to have the act of 1849 cancelled, and to enter into a fresh arrangement. Were I arguing this matter in a Court of law, tied up by technicalities and inflexible rules, it is possible that some ingenious reasoning, some plausible sophistry, founded on the distinction between an inchoate and a perfect act, might be urged, but here, on the enlarged and equitable doctrine of constitutional right, what room is there for doubt.

Sir, I am not insensible to the fact, that the position I have often felt it my duty to take, on this question, is distasteful to the Association. It was doubtless inconvenient that I should arrest the progress of these instruments in London. In a letter which I had not seen till after my return, the interposition of the late government, by my means, was characterized as inconvenient and mischievous to the last degree. In another paper the Solicitor speaks of it as an attempt and an experiment. It succeeded, however. If it was mischievous, the mischief was not to my own Province nor to this Legislature, but on the contrary, has given them, for the first time in the history of this long negotiation, the opportunity of protecting themselves. Let us take care, Sir, that the opportunity,

through a false delicacy and complaisance, is not lost to us forever. (Hear, hear.) The Colonial Secretary, in a spirit which does him honor, declares in his despatch of Feb. 6, that the completion of such an arrangement as that suggested in the address of last session, would be highly satisfactory to Her Majesty's Government, as relieving the Crown from liability, and themselves from the necessity of, in this matter, protecting its interests; but, he adds that, if in the opinion of the Governor and the Council, it can be promoted by the visit to the mother country of some gentlemen duly authorised on the part of the Province, every facility and assistance would be afforded him. The resolution on the table proposes that two commissioners should be appointed, one drawn from the prominent men on this question, on each side of the House; and there is no doubt that a most important and delicate task, requiring great firmness and tact, and a thorough knowledge of the whole of this complicated question, about to be entrusted to them. The Solicitor of the Association, in his letter of 22nd November 1855, refers emphatically to the extreme anxiety and difficulty of the position in which the directors, as trustees and managers of the property, are placed: "They are driven on the one hand," he says, "either to stop the operations of the Association, after an enormous expenditure, or to continue, when under circumstances of uncertainty opposition, increasing many fold their ordinary responsibilities." Now the offer I made then, and which the two Branches of the Legislature has since confirmed, was a remission of one half the royalty of a shilling a chaldron on coal, if they would surrender their hold on the mines and minerals which they have never wrought. In other words we offer them what is now £2000 a year, and may be a great deal more before the expiration of the lease, to get rid of the monopoly, and have the free command of our mineral wealth. This House will not avail itself of mere technicalities to do wrong. We are suffering from a wrong done to us, before Colonial rights were as well established as they are now, and attaching no blame to the members of the present Imperial Cabinet, who are hampered by the acts of their predecessor, —we offer liberal terms and are willing to make a large surrender, to be restored to our natural rights. The main difficulty of the commissioners and which will task all their energies, will be the adjustment of those terms. This Legislature has gone as far probably as it can be induced to go. It is true, we are in this unexpected and singular position, that the selection of these commissioners is to be made, and their instructions perhaps framed, by the very men who for the last twenty years have been fighting against the people on this question. The Association will urge a remission of one half the rental of £3000 a year, as well as the royalty. This single point involves a difference of £45,000 stg. They will insist on a larger area for the present mines than it may be prudent to grant. Being in

possession of the finest fields, a mile or two either way at Pictou or Sydney may make a difference again of many thousand pounds. Now, without insinuating for a moment that the present Government would act otherwise than in good faith in their selection, it must be remembered that the House stands in a totally different position from what it occupied in 1839, when Mr. Huntington and myself were appointed by immense majorities the delegates of this House. Then we were in antagonism to the local Government,—now the local Government is sustained by a majority, and keeps the appointment in its own hands. I neither expect nor desire to have the names of the commissioners announced here,—but whoever they may be, I am of opinion, that an unrestrained discretion should not be confided to them. Any settlement they may concur in should be subject to the approval of this Legislature. I do not disguise from myself that there would be a convenience and it may be some advantage too, in a final settlement. The Association and the creditors of the Duke of York are anxious to close the agreement, which depends upon our action, by the 1st of January, 1858,—but it is better that they should wait three months longer, till we can again assemble, than to entrust so large an authority to any two, although these two should be the ablest men of this House. It is asking these men besides to assume too great a responsibility. The very suspicions to which they might be exposed, when they are dealing with vast sums, and with a powerful and subtle influence, should be enough to deter them. To overlook or despise such suspicions, demands an amount of moral courage, rising into temerity. I must suggest, therefore, to the learned Attorney General, the propriety of modifying his resolution, and if upon reflection he is not disposed to do so I shall move an amendment that no final settlement shall be made, without the sanction of this Legislature. To omit this precaution, as it seems to me, would be an act of presumption in the Government, and of folly in us.

Mr. Chambers—I think, Mr. Speaker, that the delegation would tend to a waste of money,—and that it is not wise to go to more expense on this subject. No intimation is given, concerning on what terms a settlement might be made. After a heavy expenditure, we would be as at present. Better to remain as we are,—let the company send a delegate here, and let us settle on terms satisfactory to ourselves. I second the amendment.

Hon. Mr. Howe—I do not rise, Mr. Speaker, with the idea that I can communicate any new facts, or add materially to what has been said on this subject. Yet I think that at this time we should express our views, and give counsel to one another. I cannot help feeling that we are approaching the question under some circumstances of peculiar embarrassment. The hon. and

learned member for Inverness has, for a series of years, led up this question in the House,—taking a prominent part in it, as his brother did on former occasions;—he has investigated all the documents with great ability and zeal, and principally, I believe with a single eye to the public interest. Last year, standing as the representative of the local government, and aided by the member for Colchester, he brought forward and sustained an address, stating the agreement which the House wished to have effected concerning the Mines and Minerals of the Province. They fought that up, in the face of a determined opposition, composed of gentlemen opposite; I was not then in the Assembly, and consequently took no part in the debates; but I remember coming in as a spectator, and finding the two sides of the House in battle array as to whether the address should pass or not. A large majority decided in its favour. A resolution for the purpose of opening negotiations were commenced. Under that resolution minutes of council passed, which have come down to us, showing how fully the members of the then Administration endeavored to carry out the views of a majority of the House. Times have changed, however, and parties now present a very different aspect. The member for Inverness no longer sits to the head of a majority of the House. Gentlemen have seen fit, when a guager was dismissed from office, to change the political complexion of the government. The members who fought this question up are no longer in a position to exert official influence; those who resisted the passage of the address, that has narrowed this question down, are in the ascendant; having a powerful majority to support them, they can deal with it as they please. This is one of the consequences, one of the penalties, perhaps, which this country has to pay for the changes which have taken place.

I was amused at an early part of the session, by an observation made by a member for Halifax (Mr. Tobin) to the effect, that the Mining Association had not settled with the late Government because they were not their friends; but that it was very likely now that the Company would arrange with the present Government, because they were their friends. That appeared to me a most extraordinary declaration, and a most significant commentary on the true condition of our affairs. It was a strange expression, and I think it will not commend itself, on reconsideration, to that member's own judgement. What is our position now? We cannot shut our eyes to real condition. The Attorney General has, all circumstances considered, brought the

question forward at this time, in a spirit as little objectionable as could be expected; he argued it temperately and moderately, but is still the same. He tells us what was heretofore sometimes said by the opposition, that for years he has been the Counsel, the advocate, of the Mining Association. I have heard the statement made, but never ventured to repeat it, not knowing it to be true. We are in this position then at present: the Mining Association has not only got our Mines, but our Attorney General to. (Laughter.) There is therefore this difference in the circumstances in which the Province is placed. By changing the government we have transferred the settlement of this question from those who have been the advocate of our interests,—to those who have, on all occasion advocated the interests of the Association. If I were sure that the Attorney General, with his skill, ability, and mastery of the subject—would give zealous co-operation in behalf of the Province, scarcely anything would please me more than to see him and the member for Inverness, embarked for England in the same steamship. Although it might cost £1000,—what would that be? What would be a cost of £5000 for the settlement of this question wisely, in reference to the interests of the Country? I have felt for years that it could not be adjusted by the old modes of sending resolutions and addresses across the water—We have debated it for 20 years, have had addresses by the quire, wasted days and weeks in deliberation, and what did all end in? Nothing, but vexation, and disturbance of the public mind. I have been satisfied for years that the only way of settling it is, by sending men to England who have the requisite ability and energy for negotiation and arrangement. If the Attorney General and the member for Inverness could be induced to act for the common good, devoting their undoubted talents to the settlement of this dispute, the day that saw them depart for England, would, to me, be a day of unalloyed pleasure. But let us look to our present consideration; we must look at it before the delegates go, or we shall regret it when they return. We are, under this Resolution, to choose delegates from the two sides of this House. The Attorney General is here to-day, as he has been ever, the able, skillful advocate of the Association; and the member for Inverness, equally skillful and adroit, is here representing the interest of the country. Two delegates have to be appointed, two sets of conflicting opinions are to be represented. What I fear is that those two delegates will offer battle with each other before they can attack the position

of the Mining Association. Had the member for Inverness, as I think he should, when he had a majority to sustain him, gone to England and done what he could to settle this question, he could only have done last spring what some of his supporters expected—He then represented the opinions of a large majority of the house, had the Executive power in his hands, and consequently some influence with the British Government.—Now, however, the Attorney General represents the Provincial Government, and, although he may not, on this question, represent the opinions of a majority of the house, he is clothed with the general confidence and support of that majority, who on most questions, sustain him here. He will probably have the sympathy of the British Government, anxious to settle the question, and the sympathies and aid of the Association, of whose interests he has been the guardian. But what will be the position of the member for Inverness, or any man so situated? True he may represent a majority of the House, on this question, but how will he stand in England? Powerless for good or evil. Under these circumstances, if the Delegates do not quarrel, it will be a singular circumstance. A royal controversy may be expected, in which the views of both sides will be urged over and over again, ending, we have reason to anticipate, in the snubbing of the Delegate who represents the political minority here. I think it right to be thus plain with gentlemen on both sides. If a Delegation can be so arranged as to truly represent the opinions and interests of our people, scarcely anything would give me more pleasure. On this question perhaps I have never entirely represented the opinions of either section of the House; I have taken no peculiar charge of the subject, but have frequently explained, in the House and out of it, the views I entertained. We talk of rents and royalties as if they were something worth preserving. I look on the dues paid at the pit's mouth, as an export duty on the products of the country; and think we might just as well levy a duty on the cabbages and turnips that come out of the soil, as on the coal that comes out of the mine. I believe every writer on political economy considers export duties on the products of the country, as among the most unwise of such regulations. Under agreement, the Company pays £3,000 sterling a year; taking the interest on that at 6 per. cent., and the usual price at which Crown Lands sell, the Company pays rent, apart from royalty, equal to the income of half a million of acres at our Crown Land price. They should pay, as rent, what the mines fairly bring in the

market; but to go beyond that, and impose a royalty on every chaldron of coal, is, in my mind, if you can raise revenue without it, impolitic, unwise, and absurd. I do not say—with the revenue pretty largely pledged, and while trying an experiment, that may or may not succeed—that it would be wise in us to largely reduce the amount paid by the Mining Association; but I have no hesitation in saying, that if by reducing the royalty we could extend the export, I would prefer that we should thus try back to sound principles of free trade. The Attorney General ought, in his position, to be sincerely desirous to settle this question. If he will in good faith, associate himself with those who possess our confidence, great good may be done. He may find on his own side of the House, at present, gentlemen who represent the opinions of the member for Inverness. I presume he does not intend to draw both delegates from his own side. (Attorney General: No). I presume not. Let me say then that I believe it to be for the interests of the country that this vexed question should be settled no matter who controls the Executive Government. I may differ somewhat from the members for Londonderry and Inverness; I have always thought the operations of the Company of advantage to the Province. Their reports is on the journals I believe; I believed the statements made when they were written. I believe now that the operations of this Company have been extremely beneficial. I remember when New Glasgow consisted of but five houses, a blacksmith's shop; when I saw it this Autumn, it was as large Pictou; in every part of that County you can see the effect produced by the expenditures of this Company. I have not been at Sydney for years, but believe that similar improvement is visible there. The General Mining Association have conducted their affairs as blamelessly in most cases, and as liberally in all, as any company that ever embarked in the trade of this Province. They are entitled to fair play in making any settlement,—they did not invade our territory, they purchased the privileges they enjoy in the market of the world, and since then have by capital and skill extensively developed the Provincial resources. Their works speak for themselves;—and they have paid from £90,000 to £100,000 into the Treasury. By their expenditure and works, they have acquired equities—which ought to be respected. But while I admit all that can be fairly said in favor of the Company,—I still think that the grant, in the wide terms which it includes, was at the time, and has continued to be, a flagrant insult, and a great injustice, far greater than that which gen-

tlomen from Newfoundland came here to complain of a few weeks go. They complained that the French were about obtaining rights over part of their coast, and not the most valuable part;—the rights given to the Mining Association, extended over all the country; except a limited portion which had been previously granted. None here feel more strongly than I, that the grant was an injustice, perpetrated by the advisers of the Crown against the industry and the feelings of the Province. I say to the Attorney General,—He and I may be passing away from this scene,—but the lease has 29 years yet to run; if we can settle the question it is wise to do so;—if it is not settled, take my word for it, every one of those years will be embarrassed and disturbed, by discussions on these mines and minerals. On one point it is only far that I express my opinion frankly. I do not believe that up to the present, much evil has occurred to the Country by this lease; because, as far as my information extends, we had not the requisite capital and skill within the Province, to work the mines successfully. In some districts, inconvenience arose to those who wished to raise coal as fuel for their own use,—but not much else of practical evil can be attributed to the lease, up to the present moment; the time is rapidly approaching, however, when capital and skill may be accumulated, or flow into the Country, sufficient to develop our mineral resources in many other localities. A few days ago I was at Nictaux,—some years since there was no sign of mining operations there;—but blast furnaces are now at work, and fiery streams are daily taking the form of pig iron. What is going on at Nictaux, shows what may be expected to take place before much time elapses, in other parts of the Province. We are about at the period then, when this question should be settled. I sincerely hope that it may be dealt with in good faith;—I think it right to express my views frankly that we may avoid, if possible, the difficulties and disputes of a divided delegation.—Let two of our leading men go, having settled previously, the policy by which they are to be governed,—and not exhibit the unseemly aspect of a Colonial controversy in the Mother Country. Let them truly represent, not the government, or a party in the legislature, merely,—but freely and truly the interests of the Country, in a spirit of firmness and wisdom, determined to accomplish a satisfactory settlement, if that be possible. I say to the Attorney General, that the delegation firm and united as it may be, will meet difficulties enough I would have been better pleased if we had, in answer to our address, some

proposal evincing a disposition to meet the views of the legislature;—but I find no such offer among the papers on the table. 'The Chancery suit' I am aware, has given the Association much annoyance. It is satisfactory to know that that is to be adjusted.

The different parties approach a compromise, and seem prepared for a settlement. I would be glad to see it finally arranged, provided that the whole burthen or a large part of it, does not fall on the Province. The Company need fear no competition in this country. They possess singular advantages, in their purchase of land, and from the examinations and surveys of their agents; their occupation of the soil, and superior knowledge will be apparent long after their lease terminates. In England they know the ground thoroughly, and have much influence with the British Government,—and, in the face of all these advantages I put it to gentlemen opposite, that they must evince a degree of fairness and magnanimity, towards those who do not share their opinions, if they expect to have satisfactory and final adjustment of this question. I would be sorry to occupy time needlessly, but on a question of so much importance, it is the duty of each to contribute some council towards the common object. I do not believe that this topic of discussion is indispensable for party action or that it can ever be settled in that way; I believe that neither party has any real interest in keeping the question open for endless disputation; but, on the contrary, that the interest of both sides is to have it closed and set aside. It is not a purely Provincial question to be settled at the hustings, because there are parties to it, over whom we have but little control. I believe it wise to adjust this question for another reason: the men who compose this company, are men of capital and of high character and respectability; they should have confidence, not only in the good faith, but the good feeling of the country. Capital has a tendency to flow where capital has flown,—and it is for the interest of all concerned, to have this question settled honorably and fairly. Both parties in the House should co-operate to have it amicably concluded. I hope that injury will not be done to our character generally, and to the interest of the Province, by two delegates of opposite opinions coming into conflict in the presence of the Imperial Government, and of the Mining Association. The natural result of that would be, to strengthen the case of the company and weaken ours. Let that be guarded against; let the course to be pursued be determined before the delegates leave this country. The first question, however, for the Attor-

ney General to decide is, whether or not any Delegation is indispensable.—Possibly, by correspondence we may be saved the cost of a mission to England—Under any circumstance, I consider the amendment suggested correct. The legislature should not pass with its power of final review. In the neighboring republic every negotiation of importance comes up for decision of the Senate; and, in England, they are carefully considered. Lord John Russel some months ago, while at Vienna, though, looking to the state of Europe, that the honor of England could be maintained, and peace secured by certain terms. The final decision was with his own government, they differed with him, and, notwithstanding all his talent and rank as a statesman, he has hardly yet recovered the consequences of that difference of opinion. Our delegates, in London, will have to assume heavy responsibilities, without any one near whom they may consult. They will feel that they have powerful influences to contend with, and have enough to do in making arrangements, even with the consciousness of having to fall back on the legislature. I do not say that the question should not, under any circumstances, be concluded without appeal to the House in session, but I think that no two delegates ought to adjust the affair, without at all events, having the sanction of the Executive Government of the Province, prepared to peril their positions if the terms were disapproved. If they agree in England, and advise with the government here, understanding as they will the temper of the House, I would almost be content that they should finally adjudicate, but I think the resolution, as changed, provides the better basis of arrangement.

FRIDAY, April 17.

(The Hon. Attorney General explained that he had surrendered his position as legal adviser of the Mining Association, on his recent return from Annapolis)

Hon. Mr. Howe—I understood the hon. Attorney General to make avowal yesterday that he was the agent of the Company; I never heard it avowed before. The explanation made to-day gives me pleasure, not that I presume that any here suppose that his relation to the Mining Association would largely affect his action as a member of the Legislature; still it is well to have the explanation. The hon. gentlemen's argument yesterday seemed to chiefly turn on the settling of legal rights by some legal tribunals, or by the judicial Committee of the Privy Council. I believe that the latter body generally settles questions in a way satisfactory to the Minis er

of the day. As to going into the English Courts, to contest whether the grant was or was not a legal exercise of the prerogative, the question would be decided against us. I am glad to hear the hon. gentleman take the large view of this subject which he now appears to entertain.

Mr. Young—The speeches delivered yesterday and to-day will, I suppose, cross the Atlantic, and may have some effect on the settlement of the question. It is essential then, that its true position should be brought out. With that view I hope the Attorney General and the member for Windsor will forgive me for saying, that in my apprehension a logical fallacy runs through the speeches of both gentlemen. We should not forget that the Mining Association, presents a twofold aspect,—one as tenants of the reserved Mines,—the other as assignees of the Duke of York, clothed with a monopoly over all the mines of the Province. Their possession of the Mines at Pictou and Sydney is not disputed; nor do we aim at disturbing it,—but we want to remove their grasp from the unwrought Mines and Minerals, which they hold so pertinaciously. This distinction should never be forgotten. I do not deny the improvement flowing from the capital and skill of the Association, but that does not affect our general rights, and should not be mixed up with the consideration of the other Mines. Some mistake also exists in the reasoning concerning the rents and royalties that are due to us. In England and over Europe those who own the Mines, make those who raise the Minerals, pay. Are we obtaining more than a moderate rent? Where is the difference between rent and royalty? Assuming that we had the right, would we allow any one to work the mines at his pleasure without paying us rent or royalty? Is there anything opposed to free trade or political economy in our requiring such payments? This is a very different thing from an imposition of export duties. In reference to the case submitted for a legal opinion in England, the majority of the House thought it was not stated as in ought to be; I was never content with it. What was the case, and what the opinion? I appeal to any man of ordinary sense. The main question put was this: does the Crown hold the mines and minerals of this country, for the benefit of the people? The enquiry lies in the A, B, C, of constitutional law. I deny that the Crown had any right to the mines except for the benefit of its subjects. Three lawyers say, no; they assert that the Crown does not hold for the benefit of the people, but that the mines and minerals were so absolutely vested in the so-

vereign that he might dispose of them as he should think fit without any limit to his discretion. Sir, the united opinion of three, or 300, lawyers, or 300 judges, will never induce our acquiescence in so slavish a doctrine. Not in Britain, not in Canada, not in Nova Scotia, will that opinion be received as gospel. The Crown held the mines as trustee for its subjects; therefore the lease to the Duke of York was a violation of our inherent rights as a free people.

In reference to the delegation, I may remark, that parties are peculiarly situated, here, at the present time. After fighting this question up for 25 years, (as a volume of papers which I lately found, of mine and my brother George, will testify), by a sudden turn of public affairs, just when the question may be settled on a principle that will probably recommend itself to the country, the power of dealing with it is passed over to gentlemen whom I have been opposing all my life. All I shall say is, let that mission be conducted in good faith. I did not suggest the delegation; but I presume those who introduced the proposition are prepared to carry it, and will do so whatever views may be taken at this side of the house. The assurance given to us is, that it will be managed in good faith; if so, it may result beneficially. The government has made a concession to us to-day; they wisely yielded the point that any arrangement made by the delegates shall be subject to the approval of the legislature. The appointment of that delegation will depend on the action of that government. I presume that the resolution will pass, and that the commissioners will be named, and the mission proceed. The responsibility lies with the Executive Government; they can choose whom they please; if the person whom they select from their own side, do not act uprightly and friendly, as I hope he will, the responsibility will rest with those who appointed him, which affords some check and guarantee. I hesitate not to say, using the strong language of the address, that Nova Scotia has, for the last 30 years, been in a position of political degradation on this question; such as no other colony, no other free county, in any part of the world, ever occupied; the whole of its mineral wealth being in the hands of a foreign company. No man, with a spark of genuine patriotism, will hesitate to strain every nerve, every faculty of mind and body, to obtain legitimate relief from this great wrong and to restore the people of Nova Scotia to their inalienable rights.— (Hear, hear.)

Mr. Tobin. The hon. member for Windsor referred to me in his speech to-

day. It will be in remembrance of the House, that the member for Inverness enquired some days ago how the Attorney General and the government would deal with the question. I believe the answer was, as honest men. I, without giving much thought to the question, stated, that the Mining Association looked on the late government as hostile,—and might be disposed to make concessions to the other side which they would not to those recently in office. That was what I intended to convey by the language which I used.—The question now has been narrowed down, and I do not find much difference of opinion at either side, practically, on the subject. I agree with much that the member for Windsor has said, in reference to the duty on coal, and I do not consider the exact action good policy. In reference to the delegation whoever are appointed, I suppose they will not go far from the address of last year; and that this question will not be settled unless the Company withdraw their grasp from the mines, beyond those which they have in operation;—and I believe that the delegates will be restrained within these limits. I believe that the change of government alluded to, will not make much difference on this subject, and that two gentlemen, selected from both sides, may have the matter in charge, and, I hope will be able to settle it to the satisfaction of the people of the Province.

Mr. McLellan—Gentlemen talk of what the Mining Company pay; do they not recollect that £7000 instead of £3000 might have been obtained, when the lease was given. The duty was spoken of: but the people pay it. If the delegation be adopted, our addresses and resolutions amount to about nothing. Let us try the other mode, and see what that will effect. The question has never been one of party, and there is no reason, that it should be. Gentlemen have to answer to their own consciences and to their constituencies.

Hon. Mr. Howe—In reference to the export duty, I did not express my own opinion only. The mines ought to be rented for what they would bring; but to put a man to tax the coals as they come up, is about as reasonable as to place a man on a wharf in the country, to tax the turnips, or potatoes, or mackerel. There need be no doubt on that point; and it would be proper to give up that revenue. As to ignoring the rights of the Association, I always admitted the utility of their operations; but at the same time, denied as emphatically as the member for Inverness, any rights they pretended to have acquired under the original grants. I hope the amendment of the member for Londonderry will be withdrawn; the more united

the action of the House, the better. The subject has been debated, let the resolution be adopted; the delegation will be stronger, if it goes representing somewhat like unanimous opinion.

Mr. McLellan—I must press the amendment. The Attorney General says he is now a free man. (Attorney General—No.) More free than he was a fortnight ago. (Attorney General—No.) Than when he was the agent of the Company. (Attorney General—No.) I agree that a man may be an agent and act honestly; but in carrying out the views of his principal he is apt to fall into his way of thinking. The two sides of the House reminds me of the story of the man who told some villagers that he would cause rain to fall for them, when they could agree as to the time. They could not agree, and so no proof of his power was required. The delegation probably will be like this; not able to agree on any point, and the Mining Association will think we are a queer set. I consider that the expenses proposed would be a waste of money.

Mr. Chambers—The Attorney General says that he still holds the views which he held when he was agent of the Company. The member for Inverness holds his also; will it not be so in settling in London. It appears evident to me that the £1000 will be wasted, except that it will afford a couple of gentlemen a pleasure trip across the Atlantic. I regret the disappointment that the passage of the amendment may cause in that respect,—but the cost is too much.

Hon. Mr. Howe—It might be worth the thousand to make them both happy on board the one ship. (Laughter.)

The amendment was put, and negatived, 45 to 5.

The original resolution, *as amended by the introducer*, so as to subject the terms of the agreement to the approval of the House,—passed, without division.

On Wednesday, April 22, the resolution came from the Legislative Council agreed to, with amendments.

The amendments consisted of substituting the word *Legislature*, for the word *House*, where the latter occurred in the resolution.

The House did not object to the amendments, in substance, but considered that they might be considered to conflict somewhat with the privileges of the House, as amendments to a new resolution.

A new resolution, adopting the views of the Legislative Council, was introduced and passed in the affirmative.

The Hon. Attorney General's Speech upon this question for unavoidable reasons has not appeared in the Debates.

SATURDAY, April 18.

Mr. Davidson, from the committee to whom was referred the petition for aid to a bridge across Sable River, reported, negating the prayer of the petition, and recommending that it be referred to the members of the county.

The report was received and adopted.

Mr. Esson moved that the Musquodobit Inland Navigation Company Bill, which had been read a first and second time, and printed and circulated as directed by the House, do stand committed to a committee of the whole House.

Hon. Mr. Johnston moved the following resolution, being a modification of the resolution moved by him on a former day. The modification went to include the Receiver General's Office as well as the Excise Department and Board of Works:—

“Whereas the Board of Works and the offices of the Receiver General and Excise may be found to require improvement:

“Therefore resolved, that His Excellency the Lieutenant Governor in council be authorised to make such alterations in those departments as in the estimation of the Provincial Government, the public service may demand.”

The hon. gentleman explained the necessity for appointing a head to the excise; also, for the revision of the Board of Works and Receiver General's Office. He stated that it was not contemplated to increase materially, if at all, the expenses of these departments.

The Attorney General has moved the following resolution:

“Resolved, that His Excellency in council be authorised to employ competent persons to examine the books and accounts in the several public departments, including the accounts and contracts touching all the public works and their condition, and to report thereon; and also upon the system in which the books and accounts are kept, and on any changes in the system of receiving monies and keeping the accounts that may be beneficial for the public service.”

Mr. Morrison thought the Government already possessed the power sought for. He could not see the necessity for the last resolution, as it was the duty of the departmental office to examine the public accounts.

Hon. Financial Secretary contended that the Executive possessed the power, yet no wise government would introduce such reforms without receiving the authority of the house.

Mr. Chambers spoke of the expense attendant upon the proposed commission, and agreed with Mr. Morrison that it was the duty of the government to perform the duty mentioned in the last resolution.

Mr. Howe hoped no member of the house would be found to oppose either resolutions. For his part, as regards the railroad accounts, he was quite ready that they should be submitted to any commission the government might appoint. The hon. gentleman said, as to the proposed reduction in the rail-

way board, he could not agree as to the propriety of the change. However, the government must take the responsibility of the measure. He agreed that, from the increase in the business of the Receiver General's office, some change was necessary, and suggested the propriety of separating the Savings' Bank from that department.

Hon. Attorney General disclaimed all idea of using the proposed commission as an engine of opposition,—but simply to ascertain whether any change would be desirable in the present mode of keeping the public accounts.

Hon. Fin. Secretary said that the proposed revision of the Excise department was not intended as a reflection on the present officers of that department. The hon. gentleman explained at length the reasons which induced the government to propose the changes contemplated by the resolutions.

Mr. Young—It was not intended, as far as he knew, by any member of the opposition to oppose the bill for the reduction of the railway board,—time would shew whether the change would be beneficial. As to the resolution in reference to the commission for the examination of the public accounts, he doubted the wisdom of incurring the great expense of examining the accounts for the last nine years, unless some suspicion existed in reference to them. With regard to the change in the Excise department, he thought the Attorney General should be more explicit upon the subject and state whether it was contemplated to make two more Heads of Departments. He explained the present state of the Board of Works and wished to know what action was intended under the resolution proposed, referring to that Department.

Hon. Atty. General said, he could not answer the questions of the member for Inverness, because no plans had yet been formed; and none would be, until the government made themselves more particularly acquainted with the defects of the present system, and the revision required. He repeated that at present it was not contemplated to increase the expense of the Board of Works.

Mr. Young did not agree with the suggestions thrown out with reference to the separation of the Savings' bank from the Receiver General's office, as the duties connected with it only required attention on one day of the week. He would move that the addition be made to the resolution, to the effect, that any changes made during the recess be subject to the ratification of the house.

Hon. Provincial Secretary expressed his gratification at the spirit in which these resolutions had been approached by the hon. member for Windsor, and thought his remarks on the Receiver General's office and Excise department, would meet the approval of the house. The hon. gentleman mentioned some instances of abuses which existed in the Crown Land department, and spoke of the necessity of examination into the system pursued in this office.

Mr. McLellan was opposed to delegating authority to any government to create new

heads of departments. He approved of the idea of the Financial Secretary with reference to all persons making entries in the Excise department being required to enter their names in a book kept for that purpose.

Mr. Tobin could see no objection to the passage of the resolutions if the government thought changes necessary. The hon. gentlemen called attention to the facility with which bank notes could now be counterfeited, and the necessity of having some mode of testing the genuineness of notes in circulation.

Mr. Esson could offer no objection to the passage of these resolutions. He agreed in the necessity of a head for the Excise, and also for changes in the Board of Works, &c. As to the Crown Land Office, he was of opinion that the officer at present acting as head of the office gave general satisfaction.

Hon. Provincial Secretary explained that the instance he referred to was the case of a deputy in the country who had neglected to return to the office in Halifax monies paid into his hands.

Hon. Mr. Howe, in a humorous speech, said he believed the true reason for proposing these resolutions was to provide offices for the newly found allies of the present government.

In reference to a remark of the member for Windsor on the subject of the dismissed magistrates, a discussion ensued, in which the hon. Attorney General, the Provincial Secretary, Messrs. Howe, Tobin and Young took part.

Mr. Young moved an amendment, to the effect that any changes made during the recess in the public departments referred to in the resolutions of the hon. Attorney General, should be subject to the supervision of the house at its next session.

The question was then taken. On division there appeared: for the amendment, 19; against it, 27.

The original resolution then passed.

The resolution to authorise the appointment of a committee to investigate public accounts, then passed unanimously.

The House adjourned until Monday at 11 o'clock.

MONDAY, April 20, 1857.

House met at 11 o'clock.

The House went into Committee on Bills—Mr. Thorne in the chair.

The bill for the reduction of the Railway Board was read a second time.

The Hon. Attorney General moved an additional clause—to prevent any member of the Legislature from becoming security for any railroad contractor.

On motion of Mr. Archibald, the bill to amend the act to establish a more equal and just system of assessment was taken up.

The hon. gentleman explained the principle of the bill.

Several clauses of the bill were passed. The consideration of the act was postponed. The committee adjourned. The House resumed

and passed the bill for the reduction of the Railway Board through its third reading.

Leave was granted to Mr. Ryder and Mr. Churchill to return home.

The Railway Assessment Bill was taken up for its third reading. An amendment moved by Mr. Archibald, providing that the jury to assess damages should not be drawn from the township where the lands to be appraised are situate, was rejected.

The Legislative Council announced, by message, that they had agreed to 17 money resolutions and had passed 4 bills, to which they desired the concurrence of the House.

Hon. Atty. General moved an amendment empowering the jury to consider the benefit as well as injury done to property; also to make compensation for delay of payment which passed in the affirmative.

Mr. McLelan moved an amendment relieving certain personal property from assessment—negatived 11 to 25.

Hon. Attorney General moved, by way of ryder, that any tenant holding for a term less than freehold should be entitled to deduct from the owner the amount of assessment, which passed in the affirmative without division.

Mr. Archibald moved that the clause relating to appraisement for fencing should be struck out; the resolution passed in the affirmative by the casting vote of the Speaker.

The house adjourned until ten o'clock on Tuesday.

#### TUESDAY, April 21.

The house was engaged in receiving reports from Committee, and the passage of Bills.

A bill to encourage telegraphic communication between England and America. The report of the Committee on this subject was read.

Mr. Young explained the reasons which had influenced the Committee in reporting in favor of the Petition of the New York and Newfoundland Telegraph Company. He stated that one condition on which this Petition was recommended was that the exclusive privileges should cease whenever the Company extended their lines westward from Newfoundland without passing through Nova Scotia. Another thing that influenced the Committee was that the cable of the Nova Scotia Company from Cape Breton had not been working since February and the question was whether we would be passed by altogether, if we refused to give them any privileges. The question was whether the equivalent offered was sufficient to warrant the granting of exclusive privileges.

Hon. Financial Secretary could not see why the Company should require exclusive rights. He was opposed to granting monopolies at all, and he did not think

there was much danger of us being passed by even if we rejected the bill.

Hon. Mr. Howe—Every one's feeling were against monopolies, and yet it was important to encourage such extensive undertakings. He hoped the Province would not deal illiberally with this Company—the mere idea of a monopoly would not influence him to oppose the measure if the Province would not be injured by it. His inclination was to favor the Company.

Mr. Tobin—Had already expressed his opinion on this subject when the report of the Committee was presented, and he still entertained the same view. Even if Nova Scotia was passed, and the Company took the cable to Maine, we would receive our messages just as quick from England although we would have to pay a little more. He was opposed to monopolies, besides he thought the petition of our own Company against the bill should receive attention.

Mr Killam was opposed to the measure—he could see no force in the objection that Nova Scotia would be passed. He thought it bad policy to prevent competition by granting monopolies.

Mr. Hyde was of opinion that if Nova Scotia secured one line to England it was as much as could be expected. There would no doubt be competition in Transatlantic lines to the United States, but not to Nova Scotia. No other line could land in Newfoundland, because exclusive privileges had been already granted. He took it for granted that this company proposed to connect with our own Company, in that case he could see no objection to the Legislature passing the bill.

Mr Archibald said—The committee considered it would be to the interest of our company to pass this bill, for all messages brought here would be sent by the lines of the Nova Scotia Telegraph company. The effect of rejecting the bill would be that the company, instead of laying their cable to Cape Breton and sending their messages through our Province, would lay it to Prince Edward Island and from thence to New Brunswick. He would remind the house of the magnitude of the enterprise, and the risk which the Company ran of failure, and hoped that the Province would not reject the very moderate claim made by this company. He believed that if the bill was rejected we would be passed by altogether.

Mr. Henry—as one of the committee to whom the bills were referred, was of opinion that if Nova Scotia succeeded in getting one line to her shores, it was as much as could be expected.

He thought even if we did grant a monopoly for 24 years, and competition arose, from other lines being constructed to the U. States, we would benefit indirectly, and the tolls of the company would have to be

reduced. Again the tolls are subject to the control of the British government—we would not be exactly in the same position if we had to communicate our messages to England through France, because every one knew that the greater number of offices a letter had to pass thro' the great danger there was of mistake.

He was afraid if we rejected the application of this company, it would be many years before we had another chance.

The interests of the Province were sufficiently guarded, because the act would be at an end—if the company failed to commence operations in 3 years—or suspended the working of the line for one year.

Mr McLellan contended that the arguments in favor of the monopoly were founded upon wrong principles. Companies were formed to make money; and if it was not for the benefit of the persons engaged in the work they would not have entered into the speculation. The question, was whether Telegraph lines constructed more cheaply by water or land? He thought it indisputable that it was easier and cheaper to construct them by land; and therefore, it being to the advantage of the company to construct it overland the Province were sure of having it whether the bill passed or not.

On the question being taken on the first clause there appeared for it 19—against 16.

The remaining clauses of the bill passed.

The house adjourned until the next day at 12 o'clock.

#### WEDNESDAY, April 22nd.

The house went into committee on Bills, and took up the bill to assess the city of Halifax to the extent of £100,000 for the Railroad.

Mr. Tobin said that he was sure, from the respectability of the names attached to the petition, they would not seek to free themselves from any just liability, but they conceived that the City Council had no authority to pledge them for the sum mentioned.

Hon. Mr. Howe was extremely sorry to find such a petition before the house. He could only say that if it was signed by every human being in Halifax he would still entertain the opinion that the house should pass the bill and reject the petition. The citizens could not plead ignorance of their liabilities—it had been mentioned in all public meetings and through their representatives. He was sorry that the prediction of some, during the Railway debate, that Halifax would repudiate her obligations, had been fulfilled.

Dr. Brown could not see that much dis-

cussion was necessary. He read a minute of the City Council in '54 pledging the city to this measure, as follows:—

Extract from the minutes of City Council, 3rd March, '54:

1st. Resolved—That this Council affirm the principle embodied in the resolutions previously adopted by the Corporation, and consider that the interests of the city imperatively demand the immediate construction of the lines of Railway contemplated in the bill now before the Legislature, in order to retain the business of the Western Counties, the Gulph shore and Prince Edward Island, which otherwise, it is to be feared, will be diverted into other channels; and they view with much satisfaction the proposition to reserve to the city stock therein to the extent of £100,000.

2nd. Resolved—That a petition be drawn up and presented to the Legislature, requesting that the City Council may be vested with the power, under such regulations as may be deemed proper, of engaging the said railway stock, provided that the terminus be in the city of Halifax.

Mr. Wier—The pledge, if any, was predicated upon the railway being carried to Pictou and Windsor. The signers of this petition state that the City Council had no authority to pledge the city; his (Mr. W.'s) answer to them was that the citizens had it in their power, at the time the City Council passed the resolutions, to call a public meeting to repudiate. He could not oppose the bill, although he must say that he had doubts as to whether the railway policy would be carried out by the present government, who were always opposed to the railways; and he believed this idea had influenced the signers of this petition.

Hon. Financial Secretary could not let the last speech pass unanswered. Long before he had entered the government he had stated that he would not oppose the railway any further. He did not think it fair to make such statements as that the government were not acting in good faith. He could only say that it was the intention of the executive to prosecute these public works with all economy, and yet with vigor and speed. If the citizens had brought forward a petition stating that they had imagined, when the pledge was given, that £100,000 would have carried the railroad to the borders of New Brunswick, and had been deceived, the house might have been inclined to release them of a portion of their liabilities.

Hon. Mr. Howe thought that Mr. Wier must be mistaken in supposing that this petition was signed because the petitioners had no confidence in the good faith of the

government, for on looking at the names he found many friends of the government, who would consider themselves wronged to be suspected of such a motive. For his part, if the petition was signed by all the members of his own party, he should vote against it; and he should consider the opposition disgraced if they sought, by this means, to embarrass the government in the prosecution of these railroads.

Mr. Young read the clauses of the act, and said it was apparent that the line of the railroad contemplated by that act was to go to the frontier of New Brunswick. That policy had to be departed from, in consequence of the failure of New Brunswick to meet our lines there. Although that was a construction of the act, he took it for granted that the house would enforce the obligations of the City. He thought the government should endeavor to make the law as palatable as possible, by giving a promise that unless the funds failed, they would prosecute the works in the direction contemplated in the original act. There was no objection to the bill. He perceived that it was intended to fix the tax on *real estate only*. This would have the effect of passing by the capitalists and merchants, and of taxing the holders of real estate, two-thirds of whom were of the poorer class. He did not think such a clause could be enforced. He would remind the house that the real estate only comprised about one-third of the assessable property of the city.

Mr. Young resumed, and said he thought it was the duty of the government to say that they intended to take the railroad to Pictou, and argued at some length against the principle of relieving personal property—contending that if the law were to pass it would occasion great discontent.

Hon. Attorney General reprobated the course pursued by the citizens of Halifax in presenting the petition, and argued that in good faith they were bound to accept the law as submitted. Without inquiring how it was done, there was no doubt that the city of Halifax had become bound to carry out the policy which the law enacted; and he argued that if the city of Halifax were relieved from liability unless the road went to Amherst and Victoria Beach, the contract which they had entered into would be virtually annulled. He argued that the act only made it compulsory that a trunk line should be constructed, running northerly, with branches east and west; but it did not define how far it should go. The north trunk line had been commenced, and would be completed to Truro—and the branch lines east and west would in all probability be made. The city of Halifax was, in his opinion,

therefore clearly liable. It had now been admitted that railroads were costing more than was at first admitted. He agreed with the hon. member for Inverness that the tax should not be restricted to real estate, but every man should be assessed according to his property, real and personal. He should be sorry if the citizens considered this an obligation they were not justly liable to bear. He would remind the house that the city was eager to assume this liability, in order to secure the railroad on this side the harbor.

Mr. Tobin thought it would be better to make the law as palatable as possible, and therefore that the assessment should be levied on the same persons and the same description of property as ordinary city assessments, and should be collected by the same machinery.

Mr. Esson agreed with his colleague who had last spoken, as to the mode of collection. As the repudiation of the city, he did not think the signers of the petition had any idea of that—all they wanted was that at the railroad policy should be carried out,—this pledge they would ask from whatever government was in power.

Mr. McLellan—It was time for the citizens to repudiate, when the government failed to perform their duty. He argued that personal property should not be assessed indiscriminately with rent.

Mr. Morrison differed from the last speaker. As to the increased cost of the railroads, he would say that if opposition had not been offered to their construction, they might have been commenced four or five years ago, when the cost of material was much less.

Mr. Wier had no idea of identifying himself with those who wished to repudiate the obligation of the city. He argued, at some length, that as real estate was benefitted to the largest extent by the railroads, it should bear the entire burthen of taxation.

Dr. Brown would offer no objection to the amendment of the first clause by extending the assessment to personal as well as real estate.

Mr. Wier argued against the amendment.

Hon. Attorney General thought the last speaker had mistaken the principle of taxation. It was not to ascertain the benefit property derived from the railroad, but to place upon the individual his proportion of taxation for the expenses of the country—to be ascertained by the amount of property he is possessed of, real as well as personal.

Mr. Young—Every law for taxation necessarily presents anomalies. He thought the member for Halifax (Mr. Wier) was

mistaken in his estimate of the relative proportion of real and personal property. He thought the former only comprised 1-3 of the property of the city.

Mr. Henry argued that when taxes are levied for a particular purpose, regard should be had to the interest which were benefitted by the object for which the tax was levied. He argued as to the injustice of taxing merchants who may have imported goods to a large amount just before the tax was collected for the purpose of transmitting to the country. He thought real estate was the most benefitted by the railroads, and therefore should bear the burthen of taxation. Income was the true basis of taxation.

Hon. Mr. Howe thought there was nothing to frighten anybody in laying a tax of £2,000 for the city of Halifax. It would only amount to about ten or twelve shillings on each house. In this particular case he thought the fairest mode would be to levy on the real estate alone.

The clause was amended by striking out the words "real estate."

The remaining clauses of the bill passed without amendment.

House adjourned until the next day at three o'clock.

#### THURSDAY, April 23.

House met at 3 o'clock.

Hon. Mr. Howe said he had mentioned the statements made by Mr. Killiam the other day in reference to the unfinished state of Creelman & Tupper's contract, to Mr. Forman, the chief Engineer, and he was prepared to answer any such charges to the government.

Mr. Killiam adhered to his former statements and said he hoped that a commission would be appointed to examine the state of the section of the road he had referred to, and he was confident his statements would be found to be correct.

The bill to amend the patent law was taken up.

Nr. Young explained the principle of the bill, and the law as it now stands; and stated that the object of the bill was to extend the provisions of the laws to all persons, British as well as foreign. This was in conformity to the English law. His own opinion was against the extension of this law to foreigners. The American law, as taken from Kent's Commentaries, went to exclude all foreigners from participation in their laws on this subject. He thought the law would be sufficiently extensive, if it were confined to British subjects alone, wherever resident. He would therefore move that the law be so amended, as he could see no reason why

we should give to Americans what they deny to us.

Mr. Tobin enquired whether the American law was still in force as mentioned by Mr. Young.

Mr. Hyde said, as he understood the law, all foreigners were on the same footing as American citizens except British subjects, who had to pay \$500. The reason was that in England £200 sterling was required for a patent right for 14 years. There was a law under discussion now in the United States, founded on the principle of reciprocity, to give to foreigners the same privileges which they granted in return.

Mr. Henry said a few years ago the American law allowed a patent to be issued to American subjects for \$30—to British subjects \$500, and to all other foreigners \$300. It seemed to him at the time the distinction was very absurd.—He thought in looking at the subject in all its bearing the law should be allowed to remain as it was.

Mr. Archibald said he thought the principle was to ascertain what benefit would result from giving these patent rights to foreigners; the people of this province were not inventive—the American people were, and he did not think that it was right to tax the people of this province 1 or £2000 a year to encourage foreigners. In his opinion the principal was not sound, and to pass a bill of the kind would be a mere act of quixotic generosity.

Hon. Fin Secretary had no desire in introducing the bill to refer to the hon. member for Colchester; it was introduced to open the patent right in a young and poor country abounding in all the rude articles which might be manufactured beneficially,—he thought these improvements in science should be protected by some such enactment.

The house adjourned until 11 o'clock next day.

#### FRIDAY, April 24.

House met at eleven o'clock.

The house resolved itself into a committee on bills, and passed a number.

#### SATURDAY, April 25.

House met at twelve o'clock.

Six bills were read a third time, and ordered to be sent to the council for concurrence.

On the third reading of the bill to enable the Inland Navigation Company to negotiate a further loan, leaving the security of the province untouched—

Mr. McLellan moved an amendment, providing that nothing in the bill should

affect the mortgage of the province on the company's works.

After some discussion, Mr McLellan withdrew his amendment.

Mr. Whitman moved that the bill be deferred for three months, and that the government be authorised to give a perfect title to the company, on their paying into the Receiver General's office the sum borrowed from the province.

Mr. Young explained the position of the company, the nature of the security held by the province, and the object of the present bill; and said he could not understand the nature of the opposition raised to this bill. The security of the province remained untouched, and all they sought was to be enabled to borrow £6000 to complete the works, and so increase the value of the provincial security.

Hon. Solicitor General would not vote for this amendment if he thought the effect would be to embarrass the company; but as he understood it, the object was to relieve the company of the mortgage to the province, if they chose to pay it off, and so enable them to borrow money with a clear title, which they cannot now do, with the provincial mortgage standing.

Hon. Provincial Secretary spoke to the same effect.

Hon. Attorney General could see no objection to the bill; the effect of it would be to strengthen the provincial security. There was no objection to the resolution if it were not coupled with the bill, but he did not think it fair to the company to pass it in this shape.

Mr. Chambers spoke in favor of the resolution.

Mr. Henry in favor of the bill.

Then the bill passed.

On a third reading of the city of Halifax assessment bill, Mr. Young moved a resolution to amend the bill as follows:

Whereas, The bill now under consideration includes in the personal estate liable to assessment in Halifax, "all monies belonging to the inhabitants of the city invested in public or private securities, either within this province or elsewhere;" and it is proper to equalize the taxation upon this principle, and to render it more uniform and just Resolved therefore, that there shall also be added as liable to assessment, "all incomes arising from any profession, office, trade, or employment within the city;" and that the bill be amended accordingly.

The hon. gentleman stated that this was the case under the Massachusetts law.

Mr. Eason thought, as it was introducing a new principle, the bill had better pass without the amendment, as the City Council would have to be consulted.

Mr. Tobin and Mr. Wier both assented to the principle, but were afraid it was too late in the session to discuss a new matter of this kind.

Mr. Young suggested that it be sent to the Council, and if they objected to it, he would consent to have it struck out.

The resolution passed without division.

MONDAY, April 27.

Mr. Henry reported from a committee concerning a new revision of the laws, and submitted a resolution for carrying out such revision.

Mr. Young explained what was requisite and what should not be attempted. He considered that the commission proposed should not alter a line of the statutes, but supply omissions, cancel repealed clauses, and make better arrangement, by means of index, &c.

Hon. Atty. General explained his views in relation to having an accurate volume of the Statutes.

Mr. McLellan spoke of the comparatively recent revision, and of the additional expense and change now contemplated.

Mr. Morrison thought that one commissioner would accomplish what was required, as explained, as well as three, and at less expense.

Mr. Killam thought that a supplement to the present volume would be sufficient.

The report was received.

Hon. Atty. General approved of the suggestion made by the member for Yarmouth.

Hon. Sol. General did not think the mode proposed would be sufficient in relation to the magistracy of the Province. He approved of the new volume suggested by the committee.

Mr. Killam explained in support of his view concerning the supplementary volume. It would prevent the loss of the present volumes to those who had purchased.

Mr. Archibald considered that the expense would be about the same, and the arrangements made greater. He urged the publication of a complete volume and suggested certain alterations that should be attended to by the commission.

Mr. McLellan urged that the new volume was not wanted by the legal profession, the magistracy, or the people—Why, then, publish it, and set aside the present volume?

Mr. Henry answered, that the present volume was not law, in consequence of the numerous alterations that had been made, and therefore, if supposed perfect, was only calculated to deceive and lead to mischief. That was the imperative reason for a new publication.

Mr. Chambers argued that the magistrates did want this publication at present they had the book, but not the law.

Hon. Mr. Howe spoke against such frequent changes as had occurred.

Hon. Solicitor General said—Better make a set of perfect laws like those of nature, and then you might dismiss the legislature. The fact that the present volume was not to be

purchased, the edition being all sold, was spoken of as militating against the proposition for a supplement.

Mr. Dimock thought the new volume was called for, and that was the course that should be pursued. How were the new magistrates to obtain the Revised Statutes if the work was out of print?

Dr. Brown thought that the present book might answer for four or five years more.

Mr. McFarlane reminded members of the exhaustion of the present edition.

Hon. C. Campbell spoke of appeals from decisions of magistrates, in consequence of obscurity of the present state of the revised statutes.

Mr. Killam withdrew his proposition, in consequence of explanations which had been made.

The resolution was adopted 20 to 15.

Mr. White reported from a committee on a bill relating to titles of church lands in Lunenburg.

The report recommended, by a majority, that the question should be left with the legal tribunal.

Mr. Young explained that this seemed to him one of the matters that should be settled by the legislature. He explained the nature of the question.

The hon. Solicitor General differed in view, and said the question was one of law, and should not be interfered with by the legislature.

Mr. Morrison explained in favor of the bill.

Solicitor General replied.

Mr. Bailey complained of the detention of the bill by the committee, and explained former steps taken on the subject.

Mr. Young again explained that the interference desired would be for the benefit of the Church, which claimed title to the land.

The report was received, with the understanding that the bill would remain over till next session.

House in committee on bills.

The bill reported by the committee on education was considered.

Mr. Killam doubted the wisdom of the proposed additional appropriation of £4000, at the present time, when money was scarce, and when a new system of education was contemplated. He wished for the opinion of the Fin. Secretary.

The Financial Secretary explained what he considered his position, in reference to the initiating of money votes by the house.

Hon. Mr. Howe expressed some doubt as to the propriety of the advance, in view of the large sum voted for roads and bridges and other demands.

Mr. Young explained, expressing views similar to those of the member for Windsor. Members of the government were on the committee. If the question was argued he would vote for it. He considered that this might be supposed to settle the question of education. He was not in favor of that. The system of common school education required extensive

remodeling. The province, on this question, was not as advanced as the other provinces.

Mr. Whitman would be for passing the grant, if the province had money to spare. He spoke of demands for the railroad and other purposes, and considered that this grant would not be wise now; that it could not be afforded.

Mr. McKeagney moved the second reading of "An act to amend the act relating to the city of Halifax." The object was to enable the city to be assessed for the sum of £200, to be paid to John McGuire for losses sustained by him in the cutting down of Barrack Street. The hon. gentleman explained the facts of the case, and argued that it was an extraordinary case of hardship, demanding the interference of the legislature.

Mr. McLellan moved that the bill to amend the Probate Law be amended by striking out the clauses relating to the real estate of minors. The hon. gentleman explained his views at some length, and argued that the present bill was calculated deeply to injure the rights of minors.

Mr. Young was also of opinion that the Judges of Probate were invested with too extensive and dangerous powers as regards the estates of minors. He thought the bill should not pass in its present form.

The hon. Attorney General agreed to the remarks of Mr. Young that the rights of minors should be guarded with the strictest integrity. The bill had not been sufficiently discussed and examined in committee.

Mr. Archibald argued that no new powers were given to Judges of Probate under this law. He had no doubt if time admitted he would be able satisfactorily to explain the principles of the bill to the House, but in consequence of the advanced state of the session, which precluded much discussion, he had no objection to the postponement of the first three clauses of the bill, which related to the sale of the real estate of minors.

The clauses referred to were accordingly struck out, and the bill, as amended, passed its third reading.

The House went into Committee on Bills and passed a number.

TUESDAY, April 28.

House met at 8 o'clock.

The house went into committee of supply, and passed a grant to the Deaf and Dumb Institution at Halifax of £300, and several grants for £25 each, for the support of deaf and dumb persons at institutions in the U. States.

A number of other grants passed.

House adjourned until the next day at 11 o'clock.

WEDNESDAY, April 29.

House met at 11 o'clock.

Hon. Prov. Secretary, by command, laid on the table certain reports of the wardens of river fisheries for Pictou and Sydney.

Mr. McKeagney gave notice of motion

for a grant of one half the cost of the bridge at Little Bras D'Or, and asked the members of government to bring down the papers on the subject.

The house resolved itself into committee of supply.

A discussion ensued, on motion of Dr. Webster, that a grant of £16 should pass to Dr. Jennings for medical service to railway laborers. Opposition was offered on the ground that the rules of the house precluded such grants unless the case was brought within the rules regulating grants to transient paupers. A similar grant passed last session to Drs. Dennison and Weeks with the distinct understanding that no further applications of that kind would be entertained by the house. On division the grant was negatived by a large majority.

On a motion of Mr. Chambers to increase the road grant for each county except Lunenburg and Cumberland, by £400.—

The hon. the Speaker made some observations on the anomalous way in which the road grant had been divided amongst the different counties. He represented (as an example) the difference in size between the counties of Guysborough and Sydney, the former greatly exceeding the latter, and remarked upon the injustice of granting (as was now the case) the same sum to each. He hoped that in future some more equitable system would be adopted.

Mr. Henry explained in reference to the remarks of the Speaker that the information he had given was obtained from an old map, and since then part of the County of Guysboro' had been added to Sydney. Besides that the population of Guysboro' consisted principally of fishermen, who did not require or use roads to the same extent as an agricultural population such as Sydney. When this was considered the disparity would not seem so great, although he did not contend that the system of division was perfect.

Mr. Chambers withdrew his motion.

The hon. the Speaker moved that a grant of £400 for 4 years be given for the establishment of a Steam Ferry across the Strait of Canso. He explained at some length the necessity which existed for this grant, and stated that he wished this sum substituted in place of a grant of £250 previously passed by the House, but which had never been taken up.

The grant passed.

The house resolved itself into committee of supply, and, on motion of the Solicitor General, a grant of £20 passed for the relief of distressed Indians in Pictou.

Hon. Mr. Howe moved that a grant of

£200 be given towards the erection of a monument to the memory of Major Wellsford and Captain Parker, who fell at Sebastopol.

The Hon. Provincial Secretary seconded the motion, and it passed unanimously.

On motion of Mr. Henry, £200 was granted to Messrs Trotter and Murphy, to aid in the re-establishment of their milling establishment, destroyed by fire.

Mr. Henry moved that £50 be granted to the combined grammar and female school at Antigonish.

A grant to Mr. Hill of £100 17s. 6d. balance due him for preparing the plans of the new Court House, was passed; with the understanding that this sum, together with £100 previously paid on the same account, be deducted from the monies payable from the Provincial funds towards the erection of the Court House.

The committee of supply finally closed.

The house resumed and passed the resolutions reported from committee.

The Fin. Secretary moved a resolution empowering the government to encourage steam communication between Hantsport, Parrsboro' and the railway terminus at Windsor, and that the house should grant £200 for four years for that service.

Mr. Killam moved a resolution to the effect that all future applications of medical gentlemen for remuneration for their services to railway laborers should be recommended by the railway commissioners. Passed.

Mr. Whitman moved a resolution on the subject of relief to Indians—which provided that no applications shall be made to the house by overseers of the poor for reimbursement for expenses incurred by them for the support of the Indians unless certified by the Clerk of the Peace that the sum applied for has been actually assessed on the inhabitants, in which case the house would grant one half the expenses incurred.

House resolved itself into committee on bills, and on motion of the Atty. General a clause was added to the bill to amend the act limiting the erection of wooden buildings in Halifax—to exclude the new Court House from the operation of the act.

Mr. Wade gave notice of motion to rescind the resolution introduced by Mr. Whitman on the subject of relief to Indians. His objection was, that it introduced a new principle, the effect of which would be largely to increase the assessments for poor and county rates.

The committee adjourned. The bills passed.

The house adjourned until 12 o'clock next day.

THURSDAY, April 30.

The house resolved itself into committee on bills,—and took up a bill transmitted from the Legislative Council to amend the Marriage Law. The object of the bill was to enable all ministers, settled or otherwise, to perform marriages.

The Legislative Council, by message, communicated to the house that they had agreed to amendments to a bill relating to wooden buildings in the city of Halifax,—and did not adhere to an amendment made to a bill relating to railway damages; also that the council had agreed to a vote of credit to the house.

The bill to amend the marriage law was considered.

Mr. McLellan was for giving all facilities to the solemnization of marriage.

Hon. Sol. General spoke of possible evils that might be of doubtful legal authority.

Hon. Mr. Howe stated instances working against the almost restricted authority provided for by the bill.

Mr. Young spoke for the bill—stating arguments in its favor. He thought that any ordained minister, in full communion with his own denomination, should have the power to marry parties by license, whether settled or not.

The bill passed.

The Legislative Council transmitted the bill for railway damages, agreed to, as amended.

The sub-marine electric telegraph bill, as amended by the Legislative Council was considered.

Mr. Killiam stated arguments against the monopoly. Hon. Mr. Howe and Mr. Wier supported the bill.

Hon. Sol. General said, he wished to see the cable brought direct from Ireland to Nova Scotia, instead of going across Newfoundland. Would it be well to prevent, by giving exclusive right, such direct communication for 25 years? He spoke of difficulties with other monopolies, but stated the various benefits conferred by one—that of the General Mining Association. Various particulars, as regarded rates of charges and otherwise, were urged against the exclusive claims of the bill.

Mr. Young answered objections and described some of them as rising from want of acquaintance with the bill. He explained its regulations. The bill, he said, would be advantageous to the Nova Scotia telegraphic company,—who, he averred held no monopoly over the country.

Mr. Annand moved that the question be put. The subject had been debated—and members would not attend in their places.

The motion was carried affirmatively.

Mr. Annand moved that the amendment under consideration be agreed to.

Mr. Killiam moved that the bill be deferred.

The Speaker ruled that after the "previous question" was carried affirmatively, the question before the House should be put, and that Mr. Annand's proposition therefore had precedence.

The motion for agreeing to the amendment passed affirmatively.

Mr. Killiam renewed arguments against the bill in reference to statements made in its favor. He said that imperial interests were interferred with by the bill, and that the Governor might be expected to prevent the passing of such a measure.

Mr. Howe answered, stating that others besides the Governor had the power now, and that the interference called for might well have been exercised at recent opportunities on another subject.

The question of deferring was negatived, 26 to 16.

The amendments were agreed to.

The bill, as amended, passed.

The Legislative Council transmitted the new Practice Act as amended.

Also, 17 resolutions for subdivision of road money, agreed to.

Hon. Mr. Howe called attention to the state of the records of the province, and submitted a resolution in reference to means for examining and preserving such papers.

Hon. Attorney General spoke for the resolution, and explained the desirableness of arranging and preserving the records. The resolution was agreed to.

FRIDAY, May 1st, 1857.

House met at 12 o'clock.

The Legislative Council transmitted by message that they adhered to the amendment proposed by that body to the bill to authorize the assessment of the City of Halifax for Railway purposes. The amendment was as follows.—The funds to be assessed and levied under the act should be invested in Railway debentures in the name of the City of Halifax, without interest,—and as soon as the Railway be brought into the city as far as Cornwallis Street, the Governor and Council should be authorized to call in and cancel such debentures.

Dr. Brown said he was not surprised at the action of the other branch on this bill. In fact, nothing coming from that body ought to excite surprise; but he put it to the House and the country, whether the defeat of this bill—a bill to tax the City of Halifax for their share in the Railroad (an obligation which had been voluntarily undertaken by the people of Halifax)—

which had passed this House without a dissenting voice, and had been concurred in by the members for the city—whether this did not indicate the necessity for some change in the constitution of that body.

Mr. McLellan agreed that if the Council insisted in this course some change in the appointment of that body could not be long postponed.

The House refused to agree to the amendment, and the bill was consequently checked.

The Committee on road scales reported that they had considered a road scale for the County of Victoria, about which difficulties existed between the members for that County, and that they could not decide on the disputed points from the want of local knowledge, and therefore recommended that the scale as presented be adopted.

On motion of the Financial Secretary it was resolved that the road grant for Victoria be placed at the disposal of the Government.

On motion of Mr. Chambers, that the Statute Labor Bill which had been rejected by the Council should be printed and distributed through the province.

A suggestion of the Speaker, that the act should be printed on sheets and posted up in the Court House and other public places, was adopted, and 1000 copies ordered to be printed.

The resolution respecting the change in the mode of granting aid to Indians was ordered to be printed and circulated.

His Excellency Sir Gaspard LeMarchant, attended by a brilliant staff, came down to the Council Chamber at the hour of three o'clock and, after assenting to a number of bills, was pleased to close the session with the following

SPEECH :

*Mr. President and honorable gentlemen of the Legislative Council :*

*Mr. Speaker and gentlemen of the House of Assembly :*

The change of administration which occurred soon after the meeting of the legis-

lature' resulting from the principles of responsibility inherent in the existing constitution of the colony, necessarily occasioned an interruption of your deliberations, and unavoidably protracted the duration of this session.

In releasing you from further attendance upon legislative duties, which you have discharged with zeal and assiduity, I beg to assure you that in the ensuing recess my best efforts shall be directed to the accomplishment of the important objects which you have entrusted to executive management and control.

It affords me great satisfaction to contemplate the probability of a final adjustment of the difficulties which exist between the provincial legislature and the General Mining Association.

The liberality with which you have increased the appropriation for the encouragement of common school education affords gratifying evidence of your attention to that important element of public improvement.

You may rest assured that in the interval between this and the next meeting of the legislature, I shall superintend with care, conduct with economy, and prosecute with energy, the great public works in progress, in the success of which the prosperity and happiness of the province are deeply involved.

*Mr. Speaker and gentlemen of the House of Assembly :*

The funds which you have provided for the public service shall be faithfully applied to the objects to which you have directed their appropriation.

*Mr. President and honorable gentlemen of the Legislative Council :*

*Mr. Speaker and gentlemen of the House of Assembly :*

I take leave of you with the conviction that you will return to your homes to cultivate those social virtues which, by uniting all classes, can alone render a people prosperous and happy—and to cherish those sentiments of loyalty to our beloved sovereign for which this fine province has ever been distinguished.